

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 19th day of June 2018, the Amarillo City Council met for a work session and a regular session held at 3:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
COUNCILMEMBER NO. 4

Absent were none. Also in attendance were the following administrative officials:

JARED MILLER
FLOYD HARTMAN
BRYAN MCWILLIAMS
STEPHANIE COGGINS
FRANCES HIBBS

CITY MANAGER
ASSTISTANT CITY MANAGER
INTERIM CITY ATTORNEY
ASSISTANT TO THE CITY MANAGER
CITY SECRETARY

The invocation was given by Dr. Boon Vangsuth. The Colors and Pledge of Allegiance were presented by Troop 86.

Mayor Nelson established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

PUBLIC COMMENT:

Jill Humphrey, 7714 Pineridge Drive, stated she was hopeful there would be a future town hall meeting to discuss a no-kill shelter. She stated the City of Austin passed a no-kill shelter in 2010. She stated there were several questions on the proposed breeders Ordinance such as who the applications would be submitted to, and whether there was a committee or a board to review them. She stated there are current Ordinances not being enforced. She further stated concern for animals tagged for rescue. Mary Nell Hunt, 3801 Navasota Drive, stated she enjoyed the Boys Scouts and prayer. She stated there are so many good things going on in the City. She further stated there are many improvements going on right now due to our City Leaders' efforts. She thanked Council for their countless hours, and the fruit we are all enjoying. Claudette Smith, 4410 Van Kriston Drive, stated public servants who are corrupt betray the public trust costing the taxpayers, and an election system with low voter turnout is robbing communities of their right to vote. She inquired if Mick McKamie was the still the City Attorney. She stated she was ashamed of the City Council because they do not care what citizens have to say. She further stated Council does not stand a chance to be reelected. Mr. Miller clarified that Mr. McKamie is handling a couple of lawsuits, and still representing the City on the Amarillo Local Government Corporation. He is retained as appropriate. Mike Fisher, 4410 Van Kriston Drive, questioned if Zachary Engineering received any incentives to stay in Amarillo much like Maxor Pharmacy. He further stated the new billing for drainage fees would cost the City money. James Schenck, 6216 Gainsborough Road, suggested zero based budgeting. He stated he wished the City could work into the downtown celebration the word 'Independence.' He stated there was a need for flags at the City's entrances. He stated the start time today was complicated. He questioned if he could speak on the drainage item now or during the item. Ricky Allsup, 5504 Andrews Avenue, stated he enjoyed watching the interaction during the work session. He acknowledged the Christ Church Camp and the City's perspectives. He asked that allowances be made. He proposed a collaboration for the homeless, to help them find jobs and the use of Amarillo Housing First.

LeAnn Babcock, P. O. Box 325, Groom, spoke on AM&W rescues. She stated she has transported thousands of animals. She further stated there have been no actions taken in rectifying the euthanasia of dogs in labor. She stated that if Council does not support a policy for this to never happen again their moral compasses should be examined. She further stated this was animal cruelty and they are not going to stop working until they are assured this will never happen again. Noah Dawson, 1133 Sugarloaf Drive, stated there has been a lot of comments concerning the changes to trash pickup. He stated the people of this City were not in full agreement. He stated he would like to see at least one person who wants to represent the people who are in the minority. He further stated if Council could not represent the people he asked they resign. Trent Rosser, Amarillo, Texas, stated he did not have a problem with the three minute time limit, however, he stated the 30-minute allotted time needed to go. He inquired if Council hears them and were they listening. Wendy Staetz, 2101 South Tyler Street, spoke on the actions of G-7. She stated it was not all the City's fault, the owners should be held accountable for part of the behavior. She suggested someone knock on doors or place door hangars when animals are picked up by AM&W. She further stated she would like to see someone on call to pick up dead animals 24-7. Signed up but did not speak: Dee Krauss, 4107 Tulane Drive. Signed up but did not appear: Parker Robertson, 5505 Brinkman Drive. Signed up but did not speak due to time restraints: Bettye Briggs, 1909 Currie Lane. There were no further comments.

ITEM 1: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell to remove Items 1C, 1D and 1E to consider them separately, and to approve the remainder of the consent agenda, seconded by Councilmember Smith.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

A. **MINUTES:**

Approval of the City Council minutes of the regular meeting and special meeting held on June 12, 2018.

B. **ORDINANCE NO. 7732 – AMENDING THE AMARILLO MUNICIPAL CODE RELATING TO SOLID WASTE COLLECTION AND DISPOSAL SERVICES INCLUDING; AUTOMATED CURB CART SERVICE, COMPOST FACILITY, BIG AND BULKY COLLECTION SERVICES, AND PERMIT FEES:**

(Contact: Raymond Lee, Public Works Director)

This is the second and final reading of an item amending the City of Amarillo Municipal Code of Ordinances to provide for collection of solid waste utilizing rollout carts for the automated curbside collection program. It will enable the Solid Waste Division to provide curbside collection of trash in areas considered unsafe due to dead-end alleys, dumpsters in the street or on the walkway, dumpsters in front yards, and areas with hand collection. Additional changes to the Code are recommended to provide for the operation of the compost facility, improve the big and bulky collection program, implement permit fees, and to make minor grammatical and punctuation corrections.

F. **APPROVAL – ENGINEERING SERVICES AGREEMENT FOR 2018 GROUNDWATER MONITORING ANALYSIS AND REPORTING:**

(Contact: Kyle Schniederjan, Interim Director of CP&DE)

HDR Engineering, Inc. -- \$62,800.00

This Engineering Services Agreement provides for groundwater statistical analysis and reporting as required by the Texas Commission on Environmental Quality (TCEQ) under Landfill MSW Permit 73A involving 25 groundwater monitor wells. A "Groundwater Background Update Report" will also be prepared and filed with the TCEQ.

G. **CONSIDER AWARD – EMPLOYMENT SERVICES:**

(Contact: Mitchell Normand, Director of Human Resources)

Awarded to: Express Employment Professionals – Estimated \$200,000

This item considers the award of the contracted temporary employment services to address staffing shortfalls or special project staffing needs.

Mr. Schniederjan spoke on Items 1C and 1D. He stated Item 1C was fully funded by Proposition 1.

C. **CONSIDER FOR APPROVAL – CHANGE ORDER NO. 2 - BID #5754/PROJECT #462044 – FY 2017-2021 COMMUNITY INVESTMENT PROGRAM STREET AND DRAINAGE IMPROVEMENTS: REHABILITATION OF GEORGIA STREET FROM SOUTHWEST 46TH AVENUE TO SOUTHWEST 58TH AVENUE:**

(Contact: Kyle Schniederjan, Interim Director of CP&DE)

Holmes Construction, LLP -- \$267,265.63

Original Contract Amount \$1,898,329.23

Previous Change Orders \$ 38,574.26

This Change Order No. 2 \$ 267,265.63

Revised Contract Total \$2,204,169.12

This item is to approve Change Order No. 2, which adds a mill and overlay of Western Street from I-27 to Southwest 49th Avenue. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that Item 1C be approved.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

D. **CONSIDER -- AWARD:**

(Contact: Kyle Schniederjan, Interim Director of CP&DE)

Scott Wampler Construction & Services, LLC. -- \$278,512.50

JOB # 523180 Downtown Water Loop

JOB # 560111 T-Anchor Storm Sewer Force Main

Job # 462005 Railroad Crossing Removal Between Johnson and Grant Streets

This item is to consider award of a construction contract for the construction of a 12-inch water main from Southeast 9th Avenue to Southeast 8th Avenue between Buchanan and Johnson Streets, the construction of a 12-inch water main in 8th Avenue from Johnson Street to the alley between Johnson and Grant Streets, the relocation of an existing 16-inch storm sewer force main in Southeast 8th Avenue between Johnson and Grant Streets, and the removal of existing railroad tracks in Southeast 8th Avenue in between Johnson and Grant Streets.

Mr. Schniederjan stated part of this item was funded by Proposition 1. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that Item 1D be approved.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

REGULAR AGENDA

ITEM 2: Mayor Nelson presented the first and final reading of an ordinance discussing and considering all matters incident and related to the issuance and sale of "City of Amarillo, Texas, General Obligation Bonds, Series 2018," including the adoption of an ordinance authorizing the issuance of such bonds. This item was presented by Steven Adams, Specialized Public Finance, Inc. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following captioned ordinance be passed:

ORDINANCE NO. 7734

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2018," SPECIFYING THE TERMS AND FEATURES OF SAID BONDS; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND

EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND
THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL
STATEMENT AND AN OFFICIAL STATEMENT PERTAINING THERETO;
AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3: Mayor Nelson presented the first and final reading of an ordinance discussing and considering all matters incident and related to the issuance and sale of "City of Amarillo, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2018," including the adoption of an ordinance authorizing the issuance of such certificates of obligation. This item was presented by Steven Adams, Specialized Public Finance, Inc. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7735

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2018"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED PLEDGE OF THE CITY'S WATERWORKS AND SEWER SYSTEM; SPECIFYING THE TERMS AND CONDITIONS OF SUCH CERTIFICATES OF OBLIGATION; RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES OF OBLIGATION, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mayor Nelson presented the first and final reading of an ordinance discussing and considering all matters incident and related to the issuance and sale of "City of Amarillo, Texas, Waterworks and Sewer System Revenue Bonds, New Series 2018A," including the adoption of an ordinance authorizing the issuance of such bonds. This item was presented by Steven Adams, Specialized Public Finance, Inc. Motion was made by Councilmember Hays, seconded by Councilmember Sauer, that the following captioned ordinance be passed:

ORDINANCE NO. 7736

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, NEW SERIES 2018A"; PRESCRIBING THE FORMS, TERMS, AND PROVISIONS OF SAID BONDS; PLEDGING THE NET REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 5: Mayor Nelson presented the first and final reading of an ordinance discussing and considering all matters incident and related to the issuance and sale of "City of Amarillo, Texas, Waterworks and Sewer System Revenue Bonds, New Series 2018B," including the adoption of an ordinance authorizing the issuance of such bonds. This item was presented by Steven Adams, Specialized Public Finance, Inc. Mr. Miller stated all the bidders percentages were tight. He appreciated staff for all their work. Motion was

made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7737

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, NEW SERIES 2018B;" PRESCRIBING THE FORMS, TERMS, AND PROVISIONS OF SAID BONDS; PLEDGING THE NET REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 6: Mayor Nelson presented the first reading of an ordinance proposing changes to Ordinance No. 7323 which would change the billing process. The current Ordinance allows the drainage bill to be designated to the tenant of either a commercial or residential rental property. The proposed changes will make the drainage fee the responsibility of the owner of the benefitted property. This item was presented by Damen Ratliff, Drainage Utility Supervisor. Mayor Nelson opened a public hearing. James Schenck, 6216 Gainsborough Road, stated he was at the meeting of the apartment association. He was disappointed more members did not come. He stated the landlords have to pay for administrative costs. If this is passed, there will be a lot of landlords and realtors who do not know about these drainage fee charges all because of a software problem. He questioned the outreach to property owners. Ruth Harriman, Apartment Association, inquired if a landlord would also be charged for water and sewer service in addition to the drainage. Bryan Mack, Apartment Association, inquired how the drainage area is assessed when there is no runoff. Mr. Ratliff replied that the assessment is actually more expensive when we do not get any rain. Mr. Ratliff further stated the study was completed in 2011. It stated the charge was for impervious surfaces where moisture does not get absorbed and is based on three tier sizes. Councilmember Smith inquired how long the drainage fees have been in place. Mr. Ratliff replied 2011. He further stated there are a number of drainage fees across the state. Noah Dawson, 1133 Sugarloaf Drive, questioned the economics of the calculations. Carolyn Thornton, stated she was impressed how the City is getting answers for questions asked. There were no additional comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Smith, seconded by Councilmember Powell, that the following captioned ordinance be passed:

ORDINANCE NO. 7738

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 18-4, TO REVISE CERTAIN DEFINED TERMS AND TO PROVIDE THAT OWNERS OF PROPERTY ARE RESPONSIBLE FOR PAYING DRAINAGE UTILITY CHARGES FOR THEIR PROPERTIES; CORRECTING NUMBERING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Hays stated she believes it is the right direction, and she was in support of implementing this fee. She was however concerned about reaching out and talking to large property owners who are not aware of the fee; and questioned the legality of getting ahead from the owners' point of view. She further inquired what would happen if they could not implement the fee in November. Mr. Ratliff stated he believed this to be the right direction and he was open to conversation. He stated the City sent out over 7,000 mailings last November to individual property owners. He suggested IT putting something on the City's webpage to provide details. Mayor Nelson inquired about a possible water bill insert and she applauded all the effort that has been made. Councilmember Hays stated the need to get the legal question answered.

Voting AYE were Mayor Nelson, Councilmembers Powell, Sauer and Smith; voting NO was Councilmember Hays; the motion carried by a 4:1 vote of the Council.

ITEM 7: Mayor Nelson presented the first reading of an ordinance rezoning Lot 3A, Block 1, Sunset Addition Unit No. 4, in Section 171, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 (R-3) to General Retail District (GR). (Vicinity: South Washington Street and Wolflin Avenue.) This item was presented by Cody Balzen, Planner II. Mayor Nelson opened a public hearing. Richard "Rick" L. Crawford, 6601 Admiral Court, stated a restaurant without a drive-through is a vacate restaurant. Larry Winters, 2000 South Madison Street, stated he and Mr. Crawford had different agendas, personal versus monetary. He stated the five owners are against the General Retail designation and a drive-through gave them concerns, along with dumpster issues and access to the alley. He stated General Retail was not in their best interest. If approved, he would like a full 8' security fence that would assist with traffic noise, and no access to the alley. Mr. Crawford stated he appreciated the neighbors and he would owe a lot more money than it is worth if the rezoning does not go through. There were no additional comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Smith, seconded by Councilmember Powell, that the following captioned ordinance be passed:

ORDINANCE NO. 7739

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTH WASHINGTON STREET AND WOLFLIN AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Councilmembers Hays, Powell and Smith; voting NO were Mayor Nelson and Councilmember Sauer; the motion carried by a 3:2 vote of the Council.

ITEM 8: Mayor Nelson presented the first reading of an ordinance rezoning Lots 39-46, Block 476, Mirror Addition Unit 1, in Section 155, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to amend Planned Development District-107 to allow offsite parking to Planned Development 107 (PD-107) for Wesley Community Center (Vicinity: between Roberts Street and Williams Street and Southeast 15th Avenue and Southeast 16th Avenue.) This item was presented by Sherry Bailey, Senior Planner. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7740

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF ROBERTS ST. AND S.E. 16TH AVE., POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 9: Mayor Nelson presented the first reading of an ordinance determining the lack of Public Necessity for a 20 foot alley in the vicinity of South Vernon Street, South Spring Street, Southeast 17th Avenue and Interstate 40. Vacating and abandoning the described right-of-way. This item was presented by Sherry Bailey, Senior Planner. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following captioned ordinance be passed:

ORDINANCE NO. 7741

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF

AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR AN ALLEY IN THE VICINITY OF S. VERNON STREET, S. SPRING STREET, S.E. 17TH AVENUE AND INTERSTATE-40, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT A PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

Item taken out of order:

1E. **CONSIDER -- PURCHASE OF TWO (2) ASL AUTOMATED SIDE LOADERS FOR CART SERVICE:**

(Contact: Glenn Lavender, Fleet Services Superintendent)

Award to: East Texas Mack Truck Sales LLC -- \$578,490.00

Purchase will be through TIPS Contract 170802

This item is the scheduled replacement of Units 7027, 7028, and 7029, 2009 IHC Side Loaders dumpster style, and Unit 7052, 2009 Sterling Rear Loader Refuse Trucks. These vehicles have reached or exceeded their life cycle.

This item was presented by Raymond, Lee, Public Works Director. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that Item 1E be approved. Councilmember Hays stated the citizens who have dumpsters in the front yard, dead-end alleys or trash pickup in the front yards are the only ones being implemented. Mr. Lee replied the dead-end alleys are simply a safety issue.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 10: Mayor Nelson presented an item considering the purchase of software for the automated curbside collection program. It will enable the Solid Waste Division to efficiently route the collection of trash in those neighborhoods that are currently served by hand collection or by dumpsters set in the front yards. This item was presented by Raymond Lee, Public Works Director. Mr. Miller stated it will allow the City to manage and service more efficiently. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that this item be approved.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 11: Mayor Nelson presented an item considering the purchase of 95-gallon rollout carts for the automated curbside collection program. It will enable the Solid Waste Division to provide curbside collection of trash in those neighborhoods that are currently served by hand collection or by dumpsters set in the front yards. This item was presented by Raymond Lee, Public Works Director. Mr. Miller stated the carts are a little over \$50 a piece. Councilmember Hays stated the carts will be provided free of charge. Mr. Lee stated there is no extra charge for a second cart. Mr. Lee demonstrated the cart's features. He stated most parts are replaceable. They are estimated to last about 10-years. He stated one of the major complaints has been the wind. They will be evaluating the carts as technology changes, and they will be staying abreast of the changes. They are exploring the possibilities of smaller carts and the need for assistance in rolling the carts for individuals with disabilities. Mr. Lee stated the carts will be bar coded. He stated that additional citizen meetings will be forthcoming for those affected. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that this item be approved.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 12: Mayor Nelson presented an item approving the Estoppel documents which allows Newcrest Image to obtain financing from Simmons Bank (Prime Lease), and authorizes the City Manager to execute such documents. Mr. Miller stated the City is not spending any monies, and this item just modifies Newcrest Image's original financing documents. Motion was made by Councilmember Powell to approve the Estoppel documents and authorize City Manager to sign such documents, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

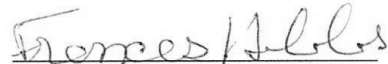
Item taken out of order:

Item 1(6) Mayor Nelson stated there is a need to begin conversations with our legislative consultants, Blackridge in the next legislative session. She stated some items of interest would be the Vet School and the public improvement district for hoteliers. She asked Council to be thinking about other items, and to begin initiating those conversations. She further stated there may be other areas of interest that the City could be more proactive. Mayor Nelson reiterated the need to be present during the legislative session and development relationships.

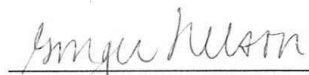
ITEM 13: Mr. McWilliams advised at 8:34 p.m. that the City Council would convene in Executive Session per Texas Government Code Section 551.072 – Deliberation regarding real property; discussion regarding purchase, exchange, lease or value of real property: (a) Santa Fe Depot Property and (2) Section 551.072 – Deliberation regarding real property; discussion regarding purchase, exchange, lease or value of real property. (a) Santa Fe Depot Property.

Mr. McWilliams announced that the Executive Session was adjourned at 9:27 p.m. and recessed the Regular Meeting.

ATTEST:



Frances Hibbs, City Secretary



Ginger Nelson, Mayor