

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 30th day of November 2010, the Amarillo City Commission met at 4:00 p.m. at City Hall on the third floor in Room 303 in the Conference Room to review agenda items and to consider future agenda items.

The City Commission met at 5:30 p.m. in regular session in the Commission Chamber located on the third floor of City Hall at 509 E. 7th Avenue, with the following members present:

DEBRA MCCARTT	MAYOR
MADISON SCOTT	COMMISSIONER NO. 1
BRIAN EADES	COMMISSIONER NO. 2
RONALD BOYD	COMMISSIONER NO. 3
JIM SIMMS	COMMISSIONER NO. 4

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

JARRETT ATKINSON	CITY MANAGER
VICKI COVEY	ASSISTANT CITY MANAGER
ROBERT TAYLOR	POLICE CHIEF
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Davlyn Duesterhaus, Baptist St. Anthony's Health Systems.

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

ITEM 1: Mayor McCartt presented the minutes of the regular meeting held November 23, 2010. Motion was made by Commissioner Simms, seconded by Commissioner Boyd, and unanimously carried, to approve the minutes.

ITEM 2: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of Southeast 17th Avenue and Taylor Street from Planned Development District 111 to Amended Planned Development 111B for office, residential and storage uses. Motion was made by Commissioner Eades, seconded by Commissioner Scott, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7252

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 SOUTHEAST SEVENTEENTH AVENUE AND TAYLOR STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 3: Mayor McCartt presented an ordinance vacating various portions of unimproved rights-of-way in Famous Heights Addition in the vicinity of Southeast 16th Avenue and Seminole Street. Motion was made by Commissioner Boyd, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7253

AN ORDINANCE DETERMINING LACK OF PUBLIC NECESSITY FOR PORTIONS OF STREETS AND ALLEYS IN THE VICINITY OF SOUTHEAST SIXTEENTH AVENUE AND SEMINOLE STREET,

POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHTS-OF-WAYS SAVE AND EXCEPT CREATION OF A UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades and Boyd; voting NO were none; ABSTAINING was Commissioner Simms; the motion carried by a 4:0:1 vote of the Commission.

ITEM 4: Mayor McCartt presented a resolution authorizing an application to the Texas Environmental Infrastructure Program for funding in the amount of \$15,057,521 which will be matched by \$5,019,174 in local funds. These funds will be used to construct the Osage Potable Water Treatment Plant to the Arden Road Pump Station connecting pipeline. Construction of this pipeline will allow full use of the capacity generated by the new Potter County Wellfield and the Arden Road Pump Station. Motion was made by Commissioner Scott, seconded by Commissioner Simms, that the following captioned resolution be passed:

RESOLUTION NO. 11-30-10-1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS, REQUESTING FEDERAL FUNDING FROM THE TEXAS ENVIRONMENTAL INFRASTRUCTURE PROGRAM, AND COMMITTING TO A NON-FEDERAL COST SHARE; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 5: Mayor McCartt presented a resolution denying Southwestern Public Service Company's (SPS) proposed tariffs for the "Summer Only Interruptible Credit Option Program" and the "Voluntary Customer Load Reduction Program" and authorizing the City's participation in the Alliance of Xcel Municipalities (AXM) efforts to intervene in these proceedings. Denial of these proposed tariffs is requested by SPS to ensure that they are fully examined and in the best interest of all parties. Mr. Norris explained the necessity of the resolution and the process involved. Alan Finegold, 2601 N. Grand, #157, appeared and urged the City Commission and City Attorney to gather all the information concerning peak power use and how much the City had to pay in the peak time to assist with the process. Motion was made by Commissioner Simms, seconded by Commissioner Boyd, that the following captioned resolution be passed:

RESOLUTION NO. 11-30-10-2

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS ("CITY"): DENYING SOUTHWESTERN PUBLIC SERVICE COMPANY'S ("SPS") PROPOSED TARIFF SHEETS RELATED TO CERTAIN INTERRUPTIBLE-SERVICE TARIFFS FILED ON OR ABOUT OCTOBER 26, 2010; AUTHORIZING INTERVENTION IN PROCEEDINGS RELATED TO SPS' PROPOSED TARIFFS; REQUIRING THE REIMBURSEMENT OF EXPENSES ASSOCIATED WITH THE REVIEW OF SPS' TARIFFS; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 6: Mayor McCartt announced a public hearing to receive input and comments regarding the Downtown Urban Design Standards as they relate to residential properties. She advised that four years ago the City Commission decided there was a need for improvements in the downtown area and revitalizing downtown would be beneficial for the entire city. She stated that in order for improvements to occur in the right way some guidelines needed to be set and therefore the Downtown Urban Design Standards were established. Mayor McCartt advised that the City Commission wanted to give everyone another opportunity to express their opinion regarding the residential area being a part of the Urban Design Standards district. She stated that the comments

received from this public hearing would be reviewed and then it would be determined how to proceed.

Mr. Shaw gave an overview of the boundaries contained in the downtown area and also reviewed the types of zoning. He explained the building permit process and certificate of appropriateness process. He noted the walkway requirements apply only to new construction and changes to vacant, existing or new residential property

Mr. Norris clarified the Agenda 21 land use study were a product of the United Nations and that the terms mentioned in it that study have different meanings from the terms used in studies that have been done for the City of Amarillo.

Commissioner Simms read the names of people who submitted letters and emails in favor of the residential area remaining in the Urban Design Standards boundary. They were Mike Huffaker, Donna and Maxwell Peck, Charles Sanchez, Kevin Nelson, Jeffrey Doty, Cullen Lutz, Brad Gruhlkey, Troy Foos, Todd Dailey, Brittany Taylor, Lou Ann Garrett, David Horsley, Carrie Clark, and Julia Wambolt.

Those in support of keeping the residential area in the Downtown Amarillo Urban Design Standards boundary stated the standards would protect the neighborhood and help to maintain its historical character and their property value. It was stated that carrying the standards into the residential area would create a more livable neighborhood and be a compliment to the revitalization efforts of the downtown area. They urged the Commission to give the Urban Design Standards the chance to work before changes are made to the plan.

The people attending the public hearing speaking in favor were David Horsley, 1710 S. Harrison, Kevin Nelson, 2120 Harrison, Michelle Fortunato, 1710 S. Harrison, Carol Smith, 1616 S. Polk, Jinni Konis, 712 S.W. 17th, Kevin Golden, 2106 Hughes, Becky Zint, 1802 S. Tyler, Troy Foos, 1613 S. Harrison, Bill Skidmore, 1607 S. Taylor, Howard Smith, 1616 Polk, Kate Brown, 1310 Jefferson, Bonnie Rodriguez, 1607 S. Harrison, Frank Camarillo, 1714 S. Van Buren, Isabel Camarillo, 1714 S. Van Buren, Chan Davidson, 2607 Hayden, Charlie Sanchez, 1709 S. Harrison, Shawn Kelly, 1620 S. Polk, Beth Duke, 3141 W. 28th, Wes Reeves, 2117 Harrison, Todd Dailey, 1706 Polk, Melody Davidson, 2607 Hayden, and Jean Carter, 1610 Harrison.

Those in opposition to the residential area remaining a part of the Downtown Amarillo Urban Design Standards boundary stated concerns that their property rights would be taken away. They commented that they did not see the reason to make the residential area a part of the downtown revitalization plan. It was expressed that the standards and downtown revitalization efforts could cause their property taxes to increase to the point that they would not be able to afford their homes. They stated the standards had been forced upon them.

The people attending the public hearing speaking in opposition were Johnny Sawyers, 1519 S. Travis, Eloy Herras, 1604 S. Harrison, Amy Taylor-Restine, 721 Short Street, R. T. Hicks, 1801 Van Buren, Eddie Wynn, 4434 Kingston, Kathy Altman, 2105 S. Lipscomb, Arvell Williams, 1313 N.E. 3rd Avenue, Manny Perez, 1101 S. Seminole, Daryl Roberts, 1617 Harrison, Alan Finegold, 2601 N. Grant, Irma Herras, 1604 Harrison, Gary Lindvay, 4802 Carol, Jim Hammonds, 1614 Pierce, Charlene Taylor, 906 S. Crockett, Carl Taylor-Restine, 721 Short Street, Brian Staples, 514 S.E. 14th, and Dan Rogers, 506 S. Lipscomb.

Mayor McCartt advised that letters and emails regarding the Downtown Urban Design Standards relating to the residential properties would be received through December 7, 2010, and the public hearing was closed.

ITEM 7: Mayor McCartt presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Commissioner Boyd, seconded by Commissioner Eades, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

- A. Purchase – Emergency Response Medical Supplies:
Award to low responsive bidder: EMED Medical Company --- \$27,246.70

This is the purchase of specific medical supplies used in emergency response situations. These items fall under the Chemical, Biological, Radiological, and Nuclear (CBRNE) response program and provide enhanced safety to responders and potential victims.

- B. Purchase – Emergency Response Equipment Supplies:
Award to low responsive bidder: Aramsco, Inc. -- \$31,693.75

This is the purchase of replacement filter cartridges to be used by emergency responders on gas masks during certain events. These items fall under the Chemical, Biological, Radiological, and Nuclear (CBRNE) response program and provide enhanced safety to responders.

- C. Award – High Service Water Pump Repair:
Award to Smith Pump Company -- \$100,600.00

This is the re-award of a contract to repair a high service water pump at the Osage Potable Water Treatment Plant. This pump serves as the alternate to the two main pumps used to move potable water into the City's water distribution system and is necessary to ensure that the Osage Plant is able to continuously provide water to the system.

- D. Approval - Tax Abatement Agreement for Zarges Tubesca (Zarges):
This is the approval of a tax abatement agreement with Zarges Tubesca (Zarges) granting a ten (10) year abatement of 100% of property taxes eligible for abatement for a portion of the property to be owned by Zarges in the Amarillo Centerport Business Park located in the City of Amarillo Tax Abatement Reinvestment Zone Number 7 in the northeast area of the city. Zarges will construct an approximately 80,000 square foot manufacturing and distribution center that will create approximately 100 full time jobs related to the design, production and distribution of internal component systems for wind energy towers throughout North and South America. This abatement reflects the standard conditions associated with previously approved economic development projects and will assist Zarges in fully developing their new operation.

ITEM 8: Mayor McCartt asked Police Chief Robert Taylor to appear concerning the plan to increase the number of officers in the Police Department. Chief Taylor presented a plan that would allow six (6) police officers to be added to the authorized strength of the Amarillo Police Department using local funds in lieu of the six (6) officers requested under the COPPS grant program. He advised that these officers can be added to the authorized staffing in time for the 2010/2011 Police Academy. Mayor McCartt expressed that this is something that is extremely important for our city and she is pleased that additional officers will be added to the Police Department.

Mayor McCartt announced that this is the end of the regular agenda, but time is reserved to hear any citizen concerning matters pertaining to City policies, programs or services. Bill Skidmore, 1607 S. Taylor, appeared and commented about parades and walks going through his neighborhood. He asked if some of these events could be held in parks or other more appropriate places. There were no further comments. Mayor McCartt announced that the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Debra McCartt, Mayor