

STATE OF TEXAS  
 COUNTIES OF POTTER  
 AND RANDALL  
 CITY OF AMARILLO

On the 2nd day of January 2013, the Amarillo City Commission met at 4:00 p.m. at City Hall on the third floor in Room 303 in the Conference Room for review of agenda items, and consideration of 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:

PAUL HARPOLE	MAYOR
ELLEN ROBERTSON GREEN	COMMISSIONER NO. 1
BRIAN EADES	COMMISSIONER NO. 2
LILIA ESCAJEDA	COMMISSIONER NO. 3
JIM SIMMS	COMMISSIONER NO. 4

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

JARRETT ATKINSON	CITY MANAGER
VICKI COVEY	ASSISTANT CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Commissioner Simms. Mayor Harpole led the audience in the Pledge of Allegiance.

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

ITEM 1: Mayor Harpole presented the minutes of December 18, 2012. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance amending Chapter 16-3, Section 16-3-1002 (Schedule B) changing the maximum speed limit on North Coulter Street. The change extends the present 35 mph speed limit starting on Tascosa Road to White Poplar north to Jersey Elm. The remaining segment of North Coulter Street from Jersey Elm north to Loop 335 will be 45 mph. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7386

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 16-3, ARTICLE XXI, SECTION 16-3-1002, CHANGING THE MAXIMUM SPEED LIMIT ON A SEGMENT OF NORTH COULTER STREET; PROVIDING FOR SEVERABILITY, REPEALER, PENALTY, PUBLICATION AND EFFECTIVE DATE.

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

ITEM 3: Mayor Harpole presented an ordinance vacating of a 20 foot alley, in Block 338, Holland's Addition, in Section 156, Block 2, AB&M Survey, Potter County, in the vicinity of Southeast 3rd Avenue and South Arthur Street. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7387

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR AN ALLEY IN THE VICINITY OF SOUTHEAST THIRD AVENUE AND ARTHUR STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT CREATION OF A UTILITY AND DRAINAGE EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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

ITEM 4: Mayor Harpole presented a resolution changing the on-street parking restrictions in a portion of the Central Business District as requested by the adjacent business or property owners. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned resolution be passed:

RESOLUTION NO. 01-02-13-1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO: CHANGING PARKING RESTRICTIONS FOR CERTAIN SEGMENTS OF SOUTHEAST 11<sup>TH</sup> AVENUE, SOUTHEAST 9<sup>TH</sup> AVENUE, AND SOUTHEAST 5<sup>TH</sup> AVENUE IN DOWNTOWN; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

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

ITEM 5: Mayor Harpole presented a resolution approving and authorizing the submission of a grant application to the Criminal Justice Division (CJD) of the Texas Governor's Office for the purchase of computer equipment and software to support the panhandle-wide automated fingerprint identification system (AFIS). The AFIS is housed with and maintained by the City of Amarillo. This grant application is in the amount of \$34,964.00 and requires no matching. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 01-02-13-2

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE TO PURCHASE A SERVER FOR THE PANHANDLE REGIONAL AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM; AUTHORIZING THE CITY MANAGER TO REPRESENT THE CITY IN ALL MATTERS PERTAINING TO THIS APPLICATION; AND PROVIDING EFFECTIVE DATE.

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

ITEM 6: Mayor Harpole presented a resolution that sets the date and time calling a public hearing to determine whether certain conditions described herein constitute a public nuisance at the following locations: 1215 North Grand Street and 1410 South Lincoln Street and sets the date for the public hearing to January 22, 2013. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned resolution be passed:

RESOLUTION NO. 01-02-13-3

A RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER CERTAIN CONDITIONS DESCRIBED HEREIN CONSTITUTE A PUBLIC NUISANCE AT THE LOCATION(S) STATED; PROVIDING FOR NOTICE.

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

ITEM 7: Mayor Harpole advised that appointments are needed for certain boards and commissions. Motion was made by Commissioner Eades, seconded by Commissioner Green, and unanimously carried to appointment to the Construction Advisory and Appeals Board, Daniel Henke to replace Timothy Pillsbury, such term to expire December 31, 2015, and to the Parks and Recreation Commission, David Hudson and William "Rob" Chafin to replace Hal Leedy and Clint Norton, such terms to expire July 1, 2016 and July 1, 2015, respectively. Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 8: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Commissioner Green, seconded by Commissioner Simms, to approve Items A, B and D, the motion carried by a 5:0 vote of the Commission. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, to approve Item C, ABSTAINING was Commissioner Simms; the motion carried by a 4:0:1 of the Commission, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

- A. Award – Radio Communications Equipment:  
Motorola Solutions % WT Services, Inc. -- \$69,058.28  
HGAC Cooperative Purchasing Contract

This item approves the purchase of narrow-band compliant radio communications equipment for the Communications, Police and Solid Waste Departments. Funding for the purchases is available in each of the approved 2012-13 departmental operating budgets.

- B. Award – Tire Supply Agreement:  
Award to low bidders meeting specifications as follows:
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|--|--------------|
| A to Z Tire & Battery – Lines 1,4,7,12,13,17,19,21,23,26 | \$131,080.00 |
| Autco Tire – Lines 2, 22, 25                             | 150,120.00   |
| Bill Williams Tire Center – Lines 8, 9, 15, 16, 18       | 44,309.00    |
| Hathaway Industries – Lines 3, 5, 6, 10, 11, 20, 24      | 92,677.80    |
| Southern Tire Mart – Lines 14                            | 6,000.00     |
| Total Award  | \$424,186.80 |

heavy trucks and buses. Quantities of each tire are held in stock for immediate availability and are restocked as needed throughout the year. This bid represents a 8.82% increase from last year. Funding is available in the approved FY 2012-13 Warehouse Inventory budget.

- C. Approval – Center City Tax Increment Reinvestment Zone #1 Developer Agreement for Jamal Enterprises, LP:

This item approves a Tax Increment Reinvestment Zone #1 Developer Agreement with Jamal Enterprises, LP, for the reimbursement of 90% of the annual ad valorem tax increment from the participating taxing jurisdictions generated annually for a term of twenty (20) years or a total of \$494,195.00 (whichever occurs first) for the development of a Toot'n Totum convenience store in the 900 block of Buchanan Street between Southeast 9<sup>th</sup> and Southeast 10<sup>th</sup> Avenues. This project is consistent with the goals of TIRZ #1. Both the TIRZ #1 Board of Directors and the Potter County Commissioners Court has approved this project and it is now recommended to the Amarillo City Commission for final approval.

- D. Dedications and Acceptances:
- 1) A 86 square foot tract of land for right-of-way purposes in Section 137, Block 2, AB&M Survey, Potter County, in the vicinity of Amarillo Boulevard and Fairfield Street for a bus stop.
  - 2) A 60 square foot tract of land for right-of-way purposes in Section 7, Block 9, BS&F Survey, Randall County, in the vicinity of Western Street and Paramount Boulevard for a bus stop.

- 3) A 0.06 acre utility easement in Section 156, Block 2, AB&M Survey, Potter County, in the vicinity of Southeast 3<sup>rd</sup> Avenue and Garfield Street for warning devices and floodgates near 3<sup>rd</sup> Avenue underpass.

Steve Close, 3526 S. Mirror, stated the construction for the new Toot'n Totum started before the TIRZ reimbursement was approved. He further stated he thought it was an entitlement because they were going to build it anyway. Roy Johnson, 3105 Orange, stated he believed the 90% reimbursement was too much relief.

Item No. 9: Mayor Harpole introduced Sonja Gross, Community Relations Coordinator who presented an updated on the "One Text or Call Could Wreck It All" Campaign and Handheld Cell Phone Ban Enforcement. Mrs. Gross reminded everyone that the handheld cell phone while driving goes into effect January 3 and citations would be issued beginning February 2. The campaign includes educational presentations, a media blitz consisting of radio, television, Nixle, and newspaper advertising.

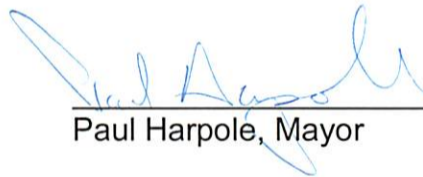
Mayor Harpole announced that this is the end of the regular agenda, but time is reserved to hear any citizen concerning matters pertaining to City policies, programs or services. The public forum is set under the Open Meetings Act and that during the public forum the City Commission can respond with a statement of fact, a statement of city policy or decide whether to place an item on a future agenda. David Kossey, 1014 Cimarron, Canyon, stated he was one of the main organizers of the cell phone petition and was at the Southwest Branch Library on Saturday. Mr. Kossey clarified his statements regarding city employees' exemptions under the ordinance. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



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Frances Hibbs, City Secretary



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Paul Harpole, Mayor