

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 29th day of January 2013, the Amarillo City Commission met at 1:30 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 3:00 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
ELLEN ROBERTSON GREEN
BRIAN EADES
JIM SIMMS

MAYOR
COMMISSIONER NO. 1
COMMISSIONER NO. 2
COMMISSIONER NO. 4

Absent was Commissioner Lilia Escajeda. Also in attendance were the following administrative officials:

JARRETT ATKINSON
VICKI COVEY
MARCUS NORRIS
KELLEY SHAW
FRANCES HIBBS

CITY MANAGER
ASSISTANT CITY MANAGER
CITY ATTORNEY
PLANNING DIRECTOR
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 January 22, 2013. Motion was made by Commissioner Simms, seconded by Commissioner Eades, and unanimously carried, to approve the minutes as amended.

ITEM 2: Mayor Harpole presented of an ordinance changing the zoning of two lots in the vicinity of Airport Boulevard and Tiltrotor Drive from Agricultural District to Planned Development District for the expansion of existing Bell Helicopter/Textron Company operations. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7388

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 AIRPORT BOULEVARD AND TILTROTOR
DRIVE, POTTER COUNTY, TEXAS; PROVIDING A
SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE;
AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, and Simms; voting NO were none; the motion carried by a 4:0 vote of the Commission.

ITEM 3: Mayor Harpole presented an ordinance changing the zoning of a lot in the vicinity of Glenoak Lane and Bell Street from Light Commercial District to Heavy Commercial District. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7389

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 GLENOAK LANE AND BELL STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, and Simms; voting NO were none; the motion carried by a 4:0 vote of the Commission.

ITEM 4: Mayor Harpole presented an ordinance vacating and abandoning a 2.58 acre drainage easement in Section 39, Block 9, BS&F Survey, Randall County, in the vicinity of Coulter Street and South Bend Road. Motion was made by Commissioner Simms, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7390

AN ORDINANCE DETERMINING LACK OF PUBLIC NECESSITY FOR AN EASEMENT IN THE VICINITY OF SOUTHEAST COULTER STREET AND SOUTH BEND ROAD, RANDALL COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, and Simms; voting NO were none; the motion carried by a 4:0 vote of the Commission.

ITEM 5: Mayor Harpole presented a resolution supporting the efforts of the coalition of cities, the Alliance of Xcel Municipalities, to oppose legislation that would jeopardize Amarillo's ability to fully participate in the electric utility ratemaking process, and support legislation that continues Amarillo's original jurisdiction in such matters. Marcus Norris explained that current law states a requested rate increase from an electrical or gas utility company must first apply to the City Commission as its original jurisdiction. Such request can be approved, denied, compromised or settled. It is then appealed to the Public Utility Commission or the Texas Railroad Commission. Then the state agencies in Austin have the final say to what our rate payers will pay in Amarillo. If changed, such bills would remove the Commission's jurisdiction and another bill would take away the ability for cities to be reimbursed for their costs. This ordinance joins the City of Amarillo with other Panhandle cities in an alliance to work in the legislative process to maintain jurisdiction, and continue to have a voice. Commissioner Simms emphasized the need to fight to continue to maintain local jurisdiction. Commissioner Green stated with no bargaining power we would pay state-wide rates. Commissioner Eades stated that looking at Texas as the 14th largest economy in the world, it is controlled in terms of utility rates by three appointees at the PUC. Mayor Harpole stated the need to continue to fight for local control.

Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned resolution be passed:

RESOLUTION NO. 01-29-13-1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: SUPPORTING THE LEGISLATIVE ACTIVITY AND GOALS OF THE ALLIANCE OF XCEL MUNICIPALITIES (AXM) BEFORE THE TEXAS LEGISLATURE RELATED TO JURISDICTION FOR THE SETTING OF ELECTRIC UTILITY RATES AND REGULATION OF ELECTRIC UTILITIES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, and Simms; voting NO were none; the motion carried by a 4:0 vote of the Commission.

ITEM 6: Mayor Harpole 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 Green, seconded by Commissioner Simms, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Purchase – Heavy Duty Motor Grader:

Award to: Associated Supply Company, Inc. -- \$193,845.08

This item approves the purchase of a heavy duty motor grader to be used by the Solid Waste Department for daily operations at the landfill. This is a Texas Smart Buy purchase which allows cost savings and immediate delivery of a unit in stock. The new unit replaces a model year 2005 unit which has surpassed its useful life. The cost represents a 16% increase since the last purchase in 2004. Funding for this purchase is available from approved Municipal Garage Equipment Fund.

B. Award – Housing Rehabilitation Contracts:

Award to low responsive bidder: Brown Construction Services, PLLC -- \$132,347.00

Properties: 2724 South Apache Street and 1232 Sycamore Street

This item approves contracts for the rehabilitation of two owner occupied homes under the Community Development Housing Rehabilitation Program. This program provides financial assistance to qualified low income homeowners for the renovation and improvement of their owner-occupied homes. As a condition of assistance, the homeowners agree to maintain their home as their residence for a period of not less than 15 years. Should the homeowner sell, rent or vacate the residence, the owner will be liable to repay a pro-rated amount of the award. Funding is available from the approved FY 2012-2013 Department of Housing and Urban Development Home Investment Partnership Program.

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.

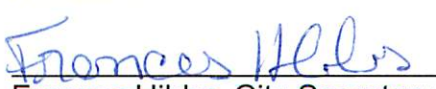
LaViza Matthews, 2516 Ashley Lane, Director of Impact Futures which works to reduce substance abuse in teens in Amarillo presented a draft ordinance. Ms. Matthews expressed concern about the rising public health issues and the rising use of synthetic drugs. Steve Patterson, 7807 Clearmeadow Drive, stated he supported an ordinance to ban synthetic drugs. Darrell Hershey, 2301 Northwest 14 Avenue, Saint John's Baptist Church, stated that synthetic drugs should be banned as the use of synthetic drugs continues to grow. Marcus Norris, City Attorney, gave a brief review of the proposed ordinance. He stated the ordinance described the problem clearly. He stated the ordinance's greatest difficulty was definitions. Trying to write definitions that would not outlaw legitimate substances or products with legitimate purposes. He stated that there were three bills currently pending in legislature on synthetic drugs. Perhaps the Commission could consider a Resolution to support this type of legislation.


Terry Orand, 4523 Willow, complained about the noise from the gun range behind his home. Wanda Sanner, 4702 Hawk, questioned water running down a street continuously and causing erosion, and who then pays for the street repairs. Ms. Sanner also stated there was a traffic problem on Ross Street in trying to get across the street to the post office.

There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:


 Frances Hibbs, City Secretary


 Paul Harpole, Mayor