

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 9th day of April 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	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:

VICKI COVEY	ASSISTANT CITY MANAGER
COURTNEY GOODMAN-MORRIS	ASSISTANT CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Bryan Houser, Amarillo Area Baptist Association. Mayor Harpole led the audience in the Pledge of Allegiance.

A Proclamation was presented for "Mayors Day of Recognition for National Service."

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 April 2, 2013. 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 16-3-1002, Traffic Schedule B, of the Amarillo Municipal Code by changing the speed limit on Coulter Street from Hollywood Road to Sundown Lane from 50 mph to 55 mph. The speed limit from Hillside to Hollywood Road will remain 50 mph. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7399

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 SEGMENTS OF COULTER STREET; PROVIDING FOR SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, 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 changing the zoning of an 8.5 acre tract of unplatted land in Section 62, Block 9, BS&F Survey, Randall County, in the vicinity of Soncy Road/Loop 335 and Tarter Avenue, from Agricultural District to General Retail District. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7400

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 SONCY ROAD/LOOP THREE THIRTY FIVE AND TARTER AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN 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 4: Mayor Harpole presented a resolution setting the date and time for a public hearing to determine if a property constitutes a public nuisance and thereby declared 308 North Lincoln Street as a dangerous structure. The public hearing date was set for April 30, 2013. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned resolution be passed:

RESOLUTION NO. 04-09-13-1

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 5: Mayor Harpole presented a resolution conducting a public hearing on and considered ordering the removal of a substandard structure located at 604 South Spring Street. Motion was made by Commissioner Simms after finding a public nuisance exists and the structure is dangerous and orders its removal ten (10) days after notice of this decision, seconded by Commissioner Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 04-09-13-2

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND RQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

Scott McDonald, Building Official was sworn in and stated the property at 604 South Spring Street has been vacate since August 2006. There have been no applications for permits to abate the property. The building currently creates an environment for illegal activity. There is an open cellar in the yard. The property is a nuisance to the community and creates an unsafe environment. Rosa Rivera-Rivas is in the process of buying this property from Nayeli Rivera-Rivas, her sister. She previously inquired about obtaining a working permit. There has been no permits issued. Current taxes due on the property are \$286.11; delinquent taxes are zero. There has been no water service since August 11, 2006. The City has contractor liens totaling \$806.41 on the property.

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 conducting a public hearing on and considered ordering the removal of a substandard structure located at 2511 South Williams Street. Motion was made by Commissioner Escajeda after finding a public nuisance exists and finding the structure is dangerous and orders its removal ten (10) days after notice of this decision, Commissioner Green added to also remove accumulation of rubbish, trash, solid waste and/or unsanitary matter described in the notice violation and hereby ordered to remove the same from the premises, seconded as amended by Commissioner Eades, that the following captioned resolution be

passed:

RESOLUTION NO. 04-09-13-3

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND RQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

Scott McDonald, Building Official was sworn in and stated the property at 2511 South Williams Street are two residential structures both have been vacate for over five years. They sustained severe fire damage on April 28, 2010. Recently, numerous tires have been dumped on the property. There have been no attempts by the owners to abate the property. Notice of the dangerous structure has been sent to 2511 South Williams, 4705 Oregon, and 2301 South Mirror. Public hearing notice was received at 4705 Oregon on March 22, 2013. On March 14, 2013 a Notice of Condemnation placard was placed on the property. There are current taxes of \$126.74 due; delinquent taxes owed in the amount of \$6,081.02 for the years 2006-2011; and there has been no water service since December 7, 2007. Currently, there is \$3,075.66 owed to the City for prior years of maintenance and mowing.

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 Amarillo Economic Development Corporation, Roy Bara to replace Eddie Bradley, such term to expire March 31, 2016 and John Kritser to replace Brad Martin, such term to expire March 31, 2016, respectively; to the Bi-City-County Public Health Board to reappoint Kenneth Crossland, such term to expire January 31, 2016; and to the Tax Increment Reinvestment Zone No. 1 Board of Directors to reappoint David Woodburn, such term to expire March 20, 2015.

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. There were none. Mr. Atkinson stated the Contract with the City of Canyon increased their water supply up to 6.8 million gallons per day in an emergency, from the 5 million gallons of water per day during normal periods. 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. Approval - Interlocal Agreement – Agreement for Water Service:
City of Canyon

This item approves an Interlocal Agreement between the City of Amarillo and the City of Canyon for the sale of treated water. The agreement has a twenty-year term and provides for two mutually agreeable ten-year extensions. Under the terms of the proposed agreement, Canyon may purchase up to 5 million gallons of water per day during normal periods, and up to 6.8 million gallons per day in an emergency, subject to Amarillo's approval. Canyon further agrees to abide by the terms of Amarillo's Drought Contingency Plan. The Canyon City Commission approved the agreement on April 1, 2013.

B. Approval – Proposal for Safety Consulting Services:
Best Evaluated Proposal:

DuPont Sustainable Solutions -- \$136,369.00

This item approves a consulting services contract for the analysis of the City's safety program including evaluation of each department's safety program as well as the safety culture within the City of Amarillo. Funding for the project is

available from the self-insurance fund.

C. Award – 2013 Street Milling and Overlay Project:
Award to low responsive bidder:


L.A. Fuller & Sons Construction, LTD. -- \$1,695,265.00

This item awards a contract for the annual street milling and overlay project. The contract includes the needed repairs, milling, and installation of a new layer of hot-mix asphalt on eleven existing arterial street segments. Collectively, this project includes over 303,400 square yards of asphalt overlay across approximately 9 street miles. Funding for this award is in the approved FY 2011/2012 Street Department Capital Improvement Program budget.

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. There were no comments.

Mayor Harpole advised that the meeting was adjourned and the Commission would return to Closed Session.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor