

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th day of May 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

MAYOR
COMMISSIONER NO. 1
COMMISSIONER NO. 2

Absent were Commissioners Lilia Escajeda and Jim Simms. Also in attendance were the following administrative officials:

VICKI COVEY
MARCUS NORRIS
KELLEY SHAW
FRANCES HIBBS

DEPUTY CITY MANAGER
CITY ATTORNEY
PLANNING DIRECTOR
CITY SECRETARY

The invocation was given by Howard Griffin, First Presbyterian Church replacing Bryan Houser, Amarillo Area Baptist Association. Mayor Harpole led the audience in the Pledge of Allegiance.

Proclamation was presented for "Elder Abuse Awareness Month."

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 May 7, 2013. Motion was made by Commissioner Eades seconded by Commissioner Green, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance changing the zoning of Quail Creek Unit No. 30 in Section 25, Block 9, BS&F Survey, Potter County, in the vicinity of Bridlewood Drive and Tascosa Road from Residential District 2 to Residential District 3. Motion was made by Commissioner Green, seconded by Commissioner Eades, that the following captioned ordinance be passed on the first reading:

ORDINANCE NO. 7407

AN ORDINANCE OF THE CITY COMMISSION 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 BRIDLEWOOD DRIVE AND TASCOSA ROAD, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, and Eades; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 3: Mayor Harpole presented an ordinance approving a negotiated settlement agreement on Southwestern Public Service Company's proposed increase in electrical rates. The agreement was negotiated and is recommended by the Alliance of Xcel Municipalities and the special counsel and consultants hired by the Alliance. If approved, the proposed settlement will result in an overall increase to all customer classes of \$50.8 million rather than the requested \$90 million. Impact to the average

residential customer will be approximately a 6.6% increase. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on the first reading:

ORDINANCE NO. 7406

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: APPROVING A SETTLEMENT AGREEMENT BETWEEN THE ALLIANCE OF XCEL MUNICIPALITIES ("AXM") AND SOUTHWESTERN PUBLIC SERVICE COMPANY ("SPS" OR "COMPANY") REGARDING THE COMPANY'S STATEMENT OF INTENT TO CHANGE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE SETTLEMENT AGREEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; FINDING THE CITY'S RATE CASE EXPENSES REASONABLE; DIRECTING SPS TO REIMBURSE THE CITY ITS REASONABLE RATE CASE EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; REPEALING ANY PRIOR RESOLUTIONS INCONSISTENT WITH THIS ORDINANCE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL.

Voting AYE were Mayor Harpole, Commissioners Green, and Eades; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 4: 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 Eades, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Award – Replacement of Boiler System:

Low responsive bidder: Tex-Air Mechanical Services -- \$258,754.00

This item awards a contract for the replacement of the 1992 boiler system at Municipal Court and Police Building. The current system no longer complies with energy codes. The estimated cost for the project was \$250,000. Funding for the project is available in the approved Police Department 2012-2013 capital improvement budget.

B. Award – Electrical Service at 808 South Buchanan:

Low responsive bidder: Brown Construction Services -- \$153,186.00

This item awards a contract to relocate and upgrade the electrical service in the city-owned building at 808 South Buchanan. These efforts support the future renovation and redevelopment of the building and also support the continued relocation of utilities for downtown redevelopment. The estimated cost for the project was \$195,000. Funding for the project is available in the approved 2012-2013 capital improvement budget.

C. Approval – Amarillo Economic Development Corporation – City of Amarillo Lease Agreement Amendment No. 1:

Parties: City of Amarillo and Amarillo Economic Development Corporation

Terms and Conditions as Noted

This item is the consideration of Amendment Number 1 to the existing lease agreement for the City-owned facility known as the former Ben E. Keith Building. This amendment re-structures the notice and termination periods to align with the approved sub-lease between the Amarillo Economic

Development Corporation (AEDC) and their tenant. The amendment further clarifies the rent amounts for the lease term. Approval of this amendment is to the benefit of both parties and allows for the continued use of the facility as a beneficial economic development project.

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. Bill Moser, 3703 Harrison, appeared to ask the City Commission to remove the city sales tax from the Atmos rider tax. Arthur Alford, 929 S. Milam, appeared and stated he did not know that the City's water bill had a minimum. Mr. Atkinson responded that the base charge includes the first 3,000 gallons of water. Jean Alford, 929 S. Milam, stated she was in favor of saving water but she has noticed water being wasted by apartment complexes and the parks. She also stated she was in favor of water rationing. There were no other 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