

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 17th day of September 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:

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

The invocation was given by Davlyn Duesterhaus, Baptist St. Anthony's Health Systems. Mayor Harpole led the audience in the Pledge of Allegiance.

Proclamations were presented for Constitution Week and to the Panhandle Independent Living Center.

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 September 9, 2013 and September 10, 2013. Motion was made by Commissioner Simms to change Items 3 and 4 on the September 10, 2013 minutes to reflect that Commissioner Eades opposed not abstained; motion was seconded by Commissioner Escajeda, and unanimously carried, to approve the corrected minutes.

**ITEM 2:** Mayor Harpole presented an ordinance changing the zoning of a 0.63 acre tract and a 2.36 acre tract of unplatted land in the vicinity of Pineridge Drive and Glenwood Drive from Agricultural District and Residential District 1 to Residential District 3 and Agricultural District, Moderate Density District, and Residential District 3 to Residential District 1 for a mix of single-family detached homes and vacant land. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on the first reading:

**ORDINANCE NO. 7434**

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 PINERIDGE DRIVE AND GLENWOOD DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE AND PROVIDING FOR 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 Lot 11, Block 252, Holland Addition Unit No. 9, in Section 156, Block 2, AB&M Survey, Potter County, in the vicinity of North Arthur Street and Northeast 7<sup>th</sup> Avenue from Multiple Family 1 District to Multiple Family 1 District with Specific Use Permit 172 for the placement of a Type B Manufactured home. Motion was made by Commissioner Eades, seconded by

Commissioner Green, that the following captioned ordinance be passed on the first reading:

ORDINANCE NO. 7435

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 NORTH ARTHUR STREET AND NORTHEAST 7<sup>TH</sup> AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR 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 an ordinance changing the zoning of Lot 1A, Block 60, Bivins Addition Unit No. 5, in Section 187, Block 2, AB&M Survey, Potter County, in the vicinity of Georgia Street and Interstate 40 from Planned Development District 185A to Amended Planned Development District 185B for the purpose of erecting a columbarium. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on the first reading:

ORDINANCE NO. 7436

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 GEORGIA STREET AND INTERSTATE 40, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR 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 an ordinance adopting the City of Amarillo budget for the 2013/2014 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year. Commissioner Simms motioned to adopt the proposed budget which reflects an increase in revenue derived from property tax revenues over last year's budget. It was seconded by Commissioner Escajeda and the following captioned ordinance passed on second and final reading:

ORDINANCE NO. 7431

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2013, THROUGH SEPTEMBER 30, 2014, FOR THE CITY OF AMARILLO; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET; ESTABLISHING AND ADOPTING AN OFFICIAL PERSONNEL PLAN FOR THE CLASSIFIED AND UNCLASSIFIED SERVICE AND, ABOLISHING ALL POSITIONS NOT LISTED IN SAID BUDGET; PRESCRIBING THE USE OF STATE FEE SCHEDULES FOR PUBLIC INFORMATION; INCREASING CERTAIN LIBRARY FEES; AMENDING VARIOUS PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO MODIFY, INCREASE OR DELETE VARIOUS FEES AND RATES AS FOLLOWS: CHAPTER 4-1, ARTICLE I AND ARTICLE II, VARIOUS FEES FOR PLAN REVIEW, INSPECTIONS AND PERMITS, AND CONTRACTOR REGISTRATION; CHAPTER 8-3, ARTICLE IV, CERTAIN LANDFILL FEES; CHAPTER 21-1, CERTAIN TENNIS FEES; CHAPTERS 18-2 AND 18-3, VARIOUS WATER AND SEWER RATES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Escajeda and Simms; voting NO was Commissioner Eades; the motion carried by a 4:1 vote of the Commission. Commissioner Eades opposed.

ITEM 6: Mayor Harpole an ordinance approving the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2013 tax year. This ordinance establishes an ad valorem tax rate of \$0.31335 per \$100.00 property valuation for City maintenance and operations expenses and \$0.02674 per \$100.00 property valuation for existing debt expenses resulting in a

total ad valorem rate of \$0.34009 per \$100.00 property valuation. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 7.89 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$20.59.

Commissioner Escajeda stated that whereas the proposed tax rate exceeds the effective rate, and pursuant to Texas Tax Code section 26.05(b), she now moved that the property tax rate be increased by the adoption of a tax rate, being \$0.31335 for maintenance and operations, and \$0.02674 for debt service, for a combined total rate of \$0.34009, which is effectively a 7.89 percent increase in the tax rate over the effective rate. The motion was seconded by Commissioner Green and the following captioned ordinance passed on second and final reading:

ORDINANCE NO. 7432

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: APPROVING TAX ROLL; SETTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF AMARILLO FOR THE TAX YEAR 2013; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES.

Voting AYE were Mayor Harpole, Commissioners Green, Escajeda and Simms; voting NO was Commissioner Eades; the motion carried by a 4:1 vote of the Commission. Commissioner Eades opposed.

ITEM 7: Mayor Harpole stated that pursuant to the terms of Tex. Loc. Gov. Code, Sec. 102.007(c), the City Commission is required to take a separate ratification vote on the tax rate when the adopted budget requires more property tax revenue than did the previous year's budget. Commissioner Eades stated that pursuant Tex. Loc. Gov. Code, Section 102.007(c), he moved that the City Commission ratify the budget and tax rate, as adopted, recognizing such budget will require more revenue from property taxes than did the budget adopted last year. It was seconded by Commissioner Green. 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 advised that appointments are needed for certain boards and commission. Motion was made by Commissioner Green seconded by Commissioner Simms and unanimously carried to reappoint to the Amarillo Local Government Corporation, Ron Boyd, Richard Brown, and Gary Pitner such terms to expire September 30, 2015; and to reappoint the Amarillo-Potter Events Venue District, Bill Brewer, Glenn McMennamy, Vance Reed and Terry Wright such terms to expire October 1, 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 9: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Mr. Atkinson stated that Item 9D references an amendment to an agreement to relocate the City's utilities in preparation to expand the southeast corner of Loop. The cost is to relocate the City's existing water and sewer lines in the state's right-of-way. The cost share between the City and TxDot has been reallocated and the amount in 9D will now be paid by the City. There were no other comments. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

- A. Purchase – Amarillo Police and Airport Police Uniforms:  
Award to low responsive bidder: Nardis Public Safety, Inc. -- \$57,840.00

This item awards an annual supply agreement for the purchase of uniforms for both the Amarillo and Airport Police Departments. The uniforms are stocked as inventory and distributed to officers as replacements for worn-out uniforms and to issue to new officers. The average unit price reflects a 4.56% decrease from last year contract. Funding for these purchases is in the approved departmental quartermaster inventory budgets.

**B. Purchase – Radiological Monitors:  
Award on GSA State and Local Disaster Purchasing Program:  
Government Scientific Source, Inc. -- \$222,879.80**

This item awards a contract for the replacement of Personnel Contamination Monitors for an emergency off-site monitoring and decontamination center to be operated by the Office of Emergency Management. The purchase includes set-up and training. The existing equipment was provided by the Texas Department of State Health Services and has reached its useful life. Funding for the purchase is available from the Department of Energy's Agreement in Principle grant program.

**C. Acceptance – Emergency Management Performance Grant Award:  
Grant Amount: \$113,077.69  
Grantor: Texas Department of Public Safety, Division of Emergency Management**

This item accepts the FY 2013 Emergency Management Performance Grant. Funds from this grant program are used to support the on-going program of services provided by the Office of Emergency Management to the residents of the City of Amarillo and both Potter and Randall Counties. The funding represents a 11% reduction in funding from the current year.

**D. Approval – Texas Department of Transportation Amendment to Standard Utility Agreements for Loop 335, Phase 1 – Water and Sewer:  
Amount of Reduction: \$61,543.77**

This item approves an amendment reducing in the (TXDOT) eligible reimbursements for the City's water and sewer relocations associated with Phase 1 of the Loop 335 Expansion. After review by TXDOT headquarters, the total work eligible for TXDOT reimbursement was reduced by \$61,543.77. The City will now fund this portion through the Utilities Division Capital Improvement Program.

**E. Approval – Agreement for Services with Center City of Amarillo, Inc.:  
This item approves a one (1) year agreement with Center City of Amarillo, Inc. for services associated with the preservation, improvement and revitalization of the Central Business District of Amarillo. Two sources of funding are included in the agreement:**

1. The City will provide \$85,000.00 for administrative operations;
2. The City will provide \$60,000.00 as matching funds for a Center City façade grant program up to \$20,000.00 to business for exterior building improvements;
3. The Tax Increment Reinvestment Zone #1 will provide \$150,000.00 for matching grants up to \$50,000.00 for streetscape improvements in the City's right of way.

**F. Approval – Agreement for Services with Downtown Amarillo, Inc.:  
This item approves a one (1) year agreement with Downtown Amarillo, Inc. for services associated with the implementation of the approved Downtown Amarillo Strategic Action Plan, the Tax Increment Reinvestment Zone No. 1 (TIRZ) Project and Financing Plan, and the Civic Center Area Redevelopment Plan for the revitalization of downtown Amarillo. In consideration for these services, the City of Amarillo is to provide \$276,298 in total funding.**

**G. Approval – Purchase Public Utility Easement:  
Purchase Amount: \$34,079.10  
This is a purchase of a 20 ft. permanent easement and a 50 ft. temporary construction easement for a future 18-inch sanitary sewer line in Section 45, Block 9, BS&F, Potter County, from Cryogenics Research & Development, Inc.**

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 not on today's agenda. 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.

Walter Wolfram, 6714 Hollywood Road, representing the US Postal Workers Union Local 114, encouraged the City Commission and City of Amarillo to become actively involved in halting the USPS consolidation study which would consolidate the mail processing to Lubbock. Eddie Dunn, 2015 Magnolia, asked the Commission to consider the possibility of an ordinance concerning parking vehicles on the lawn. Carolyn Thornton, 1947 South Marrs, commended City employee, James Allen on his service. There were no further comments.

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

ATTEST:

Frances Hibbs  
Frances Hibbs, City Secretary

Brian Eades M.D.  
Brian Eades, Mayor Pro Tem