

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 24th 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:

ELLEN ROBERTSON GREEN	COMMISSIONER NO. 1
BRIAN EADES	COMMISSIONER NO. 2
LILIA ESCAJEDA	COMMISSIONER NO. 3

Absent were Mayor Harpole and Commission Simms. Also in attendance were the following administrative officials:

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

The invocation was given by Howard Griffin, First Presbyterian Church. Mayor Pro Tem Eades led the audience in the Pledge of Allegiance.

Proclamations were presented for Recovery Month and Realtor Day.

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

ITEM 1: Mayor Pro Tem Eades presented the minutes of September 17, 2013. Motion was made by Commissioner Escajeda; motion was seconded by Commissioner Green, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Pro Tem Eades presented an ordinance annexing a 344.58 acre tract of land in Sections 65 and 38, Block 9, BS&F Survey, Randall County. Motion was made by Commissioner Green, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7430

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS:
VOLUNTARY ANNEXATION OF TERRITORY ADJACENT
TO THE PRESENT CORPORATE LIMITS OF THE CITY OF
AMARILLO, FINDING THAT ALL NOTICES AND
HEARINGS AS REQUIRED BY LAW HAVE BEEN ISSUED
AND CONDUCTED, DESCRIBING THE TERRITORY
ANNEXED, OBLIGATING THE PROPERTY SITUATED
THEREIN TO BEAR ITS PRO RATA PART OF TAXES
LEVIED, PROVIDING RIGHTS AND PRIVILEGES AS
WELL AS DUTIES AND RESPONSIBILITIES OF
INHABITANTS AND OWNERS IN SAID TERRITORY;
PROVIDING A SAVINGS CLAUSE; PROVIDING A
REPEALER CLAUSE AND EFFECTIVE DATE.

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

ITEM 3: Mayor Pro Tem Eades 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 Green, that

the following captioned ordinance be passed on the second and final 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 Pro Tem Eades, Commissioners Green and Escajeda voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 4: Mayor Pro Tem Eades 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 7th 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 Green, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on the second and final 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 7TH AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 5: Mayor Pro Tem Eades 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 Escajeda, seconded by Commissioner Green, that the following captioned ordinance be passed on the second and final 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 Pro Tem Eades, Commissioners Green and Escajeda voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 6: Mayor Pro Tem Eades presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 1221 South Arthur Street. Motion was made by Commissioner Green to select Options ii and v, seconded by Commissioner Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 09-24-13-1

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

Scott McDonald, Building Official was sworn in and stated the property at 1221 South Arthur Street had been abandon for a decade. There have been no applications for permits to abate the property. The property is a nuisance to the community and creates an unsafe environment and demolition is recommended. Current taxes due on the property are none; there are no delinquent taxes due. There has been no water service since October 2000. The City has contractor liens totaling \$160.24 on the property.

Voting AYE were Mayor Pro Tem Eades, Commissioners Green and Escajeda; the motion carried by a 3:0 vote of the Commission.

ITEM 7: Mayor Pro Tem Eades presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure and accessory building located at 2410 South Arthur Street. Motion was made by Commissioner Escajeda to select Options ii and v, seconded by Commissioner Green, that the following captioned resolution be passed:

RESOLUTION NO. 09-24-13-2

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

Scott McDonald, Building Official was sworn in and stated the property at 2410 South Arthur Street had been abandon since March 2011. There have been no applications for permits to abate the property. The property is a nuisance to the community and creates an unsafe environment and demolition is recommended. Current taxes due on the property are \$118.44; there are \$130.56 delinquent taxes due. There has been no water service since March 2011. The City has contractor liens totaling \$753.57 on the property.

Voting AYE were Mayor Pro Tem Eades, Commissioners Green, Eades, and Escajeda; the motion carried by a 3:0 vote of the Commission.

ITEM 8: Mayor Pro Tem Eades presented the consent agenda and asked if any item should be removed for discussion or separate consideration. David Bailey, 4115 Julie, asked the Commissioners to consider 8C as a separate item. Motion was made by Commissioner Green, seconded by Commissioner Escajeda, and unanimously carried, to approve Items 8A and 8B of the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

Mr. Atkinson gave an overview of the property known as the Santa Fe Depot which is a little over 6.11 acres and includes an auction facility (newest building) with an improved parking lot, the 1910 Santa Fe Depot and the rail express agent (REA) or baggage building. This property is over six acres of contiguous property in downtown Amarillo. Further the City owns the entirety of the block immediately to the west commonly called the east parking lot for the Civic Center. One block south, the City owns 3/4th of that block including a piece of property recently purchased. Mr. Atkinson further stated that together the property provides many opportunities that the City does not have today. The proposed purchase does include a two-year leaseback to allow Mr. Goree to continue his operations, with the City reserving the right to take possession of the depot immediately if Amtrak did come through Amarillo. Funding for purchase would come from the general construction revenue fund.

Robert Templeton, 2405 Travis, inquired as to how much Mr. Goree would pay for the leaseback. Mr. Atkinson responded a nominal fee of \$1 per year. Mr. Templeton presented an appraisal of the depot property and cost estimates to renovate the depot. He asked the Commission to take a harder look at the fair market value of the property and to do their due diligence. David Bailey, 4115 Julie, stated he had the same concerns as Mr. Templeton and believed it was an exorbitant purchase price. He stated that the City had previously vacated 10% of the land for the alleys and street. He further stated this was the first of many costs which he believed the taxpayers would pay. Mr. Atkinson replied that the documents provided by Mr. Templeton had been provided previously by Mr. Wolfram and the appraisal did not cover the entire property.

David Bailey, 4115 Julie, inquired if the City of Amarillo was previously offered this property from the railroad. He stated it was the railroad's policy at the time to offer them to the cities.

Commissioner Green stated she considered these separate and different transactions. She stated the depot has historical value and the purchase was imperative for the depot to be put in public hands, and hopefully it would give new life to the warehouse district. Commissioner Escajeda stated this opportunity is for the future and the needs today are different than that of 10-20 years ago.

Mayor Pro Tem Eades stated a strategic action plan was developed about 10 years ago. He further stated real estate in the downtown area is up 35%, based on the demand for this type of property.

Marcus Norris commented the documents handed to the Commission today were appraisals that were previously shared in closed sessions over the last several weeks with the Mayor and Commissioners.

Allen Finegold, 2601 North Grand #158, requested the Commission table this item today and give a full explanation on the procedures of how the property was evaluated at its next meeting.

Robert Templeton 2405 Travis, stated this item requires an in-depth examination. If a price cannot be negotiated peacefully, the City has the right of eminent domain, for reasonable fair market value. He stated there has been no explanations on the studies that were done. The appraisal gives them the opportunity to study and look at estimates to consider the costs in renovate the building. He further stated that the properties have not been appraised separately. He asked the Commission to table this item until given ample opportunity to examine the costs. Commissioner Green confirmed that the appraisal received was only for the depot building.

Mr. Atkinson stated he wanted to make it abundantly clear that eminent domain was not used as a negotiating tool. He stated there are political problems when you begin taking private property through eminent domain. He stated the City has been inspecting the property for about 50 days. The Facilities Director has been through the building, and is aware of the condition and types of material used. Mayor Pro Tem Eades stated the City Manager has kept the Commission up-to-date on negotiations through executive sessions.

David West, 5307 Brinkman, asked who would buy the property if not the City. Commissioner Green commented that Mr. Goree would continue to pay the taxes during the leaseback periods. Mayor Pro Tem Eades stated no one would benefit from its use like the City.

Louann Garrett, 7000 White Bluff Trail, stated she was grateful for the commitments expressed in the historic preservation but with such a unique property comes less certainty in appraising its value and the depot is an important part of our past. She inquired how Mr. Goree was currently using the building, and what the City would do with the building. Mr. Atkinson stated the documents Mr. Templeton provided were prepared for Mr. Wolfram on verbal conversations with Mr. Goree in an attempt to purchase the building. The building's uses could differ, it could possibly be considered to be used for the preservation of a railroad museum. He further stated that the first floor is over 17,000 square feet. The depot building is largely vacant today.

Motion was made by Commissioner Escajeda, seconded by Commissioner Green, and unanimously carried, to approve Item 8C of the consent agenda and authorize the City Manager to execute all documents necessary for such transaction. There were no further comments.

- A. Award – City Group Health Plan Stop Loss Insurance Coverage:
 Award to best evaluated proposer: ING/ReliStar Life Insurance Company
 Amount: \$340,921.00
 Term: One year with up to two one-year renewals

This item awards a contract to provide specified stop loss insurance coverage for the City of Amarillo Group Health Plan. As the City is self-insured for health insurance, the stop loss coverage provides a limit on the amount of exposure faced by the Plan for large claims. Funding for this contract is available in the approved Self Insurance Fund budget.

- B. Award – Flexible Aggregate Base Material Annual Contract:
Award to low responsive bidder: Texas Sand & Gravel, Inc. -- \$195,000.00

This item approves the annual supply contract for flexible aggregate base material. This material is used by the City Street Department in the maintenance and repair of unpaved streets and alleys. The contract will provide 15,000 tons of material to be purchased and delivered as-needed throughout the year. The price reflects a decrease of 1.9% from last year's contract. Funding for this purchase is available in the approved Street Department repair and maintenance budget.

- C. Purchase – Real Property:

Parties: City of Amarillo and the Bob L. Goree Properties Group, LP

Location: 401 South Grant, further described as Survey 156, AB&M, Block 2, Abstract 582 being all of Blocks 350 and 351, portions of Blocks 344 and 345 and all vacated streets and alleys, Holland Addition, City of Amarillo, Potter County, Texas. The property comprises approximately 6.11 acres +/- and includes all structures

Price: \$2,624,768.00

Terms and Conditions: As Noted

This item is the fee simple purchase of the property described above. The property is contiguous to City-owned property and provides for the preservation of existing historical structures, expansion opportunity and re-use and re-development of a 6 + acre tract of land in downtown Amarillo. The purchase contract includes a lease back to the Seller with reservations for potential opportunities that may arise during the lease back period. Funding for this purchase is available in the General Construction Reserve fund.


Mayor Pro Tem Eades 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. There were no further comments.

Mayor Pro Tem Eades advised that the meeting was adjourned.

ATTEST:



Frances Hibbs, City Secretary



Brian Eades, Mayor Pro Tem