

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 29th day of October 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
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Greg Dowell, Central Church of Christ. Mayor Harpole led the audience in the Pledge of Allegiance.

A proclamation was presented for "Municipal Court Week."

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 October 22, 2013. Motion was made by Commissioner Simms; motion was seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance changing the zoning of Lots 1-14, Block 35, and Lots 1-10, Block 36 of Hillside Terrace Estates Unit No. 17, in Section 64, Block 9, BS&F Survey, Randall County, in the vicinity of Perry Avenue and Saxon Way from Residential District 2 to Moderate Density District. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on the second and final reading:

ORDINANCE NO. 7438

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 PERRY AVENUE AND SAXON WAY,
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 a resolution which suspends the effective date of the proposed Atmos Energy Corporation rate increase filed on or about October 18, 2013 for 90 days, requires the reimbursement of municipal rate case expenses, and authorizes participation in related rate proceeds and the retention of special counsel. As proposed, the Amarillo Rate Jurisdiction base revenue percentage increase would be 19.75%. Approval of this resolution allows for negotiation with Atmos Energy

Corporation regarding the requested increase. Motion was made by Commissioner Eades to approve the resolution suspending Atmos' proposed effective date of its requested rate increase for 90 days subject to and assuming as indicated in Sections 2 and 3 of this resolution that Atmos has properly invoked Amarillo's original ratemaking jurisdiction in compliance with Ordinance No. 7433, motion was seconded by Commissioner Green, that the following captioned resolution be passed:

RESOLUTION 10-29-13-1

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS ("CITY"): SUSPENDING THE ATMOS ENERGY CORPORATION'S PROPOSED EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE STATEMENT OF INTENT TO INCREASE RATES SUBMITTED TO THE CITY ON OR ABOUT OCTOBER 18, 2013; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE 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, Escajeda, Simms; the motion carried by a 5:0 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. Mr. Atkinson stated the award for the playground equipment was for installation only but included the surface material, fencing and all of the ADA sidewalk compliance. Buzz David, AEDC, stated after it was determined the Zarges building was not suitable for a retrofit and expansion for the Amarillo Coca-Cola project, another site was identified across the street. A new distribution center at the same or lower price could be built and also includes an incentive agreement, swapping of property and deeding the current property over to the City for its multi-venue center. He estimated the bids going out in January 2014 and notice to proceed in March 2014 with completion in January 2015. He also stated he hoped to find another tenant for the Zarges building. He further stated Folsom Road would be four-lanes by the end of December. Allen Finegold, 2601 North Grand Street, inquired how the downtown property will be exchanged and what appraisals were used for the properties at 701 and 710 South Lincoln. Buzz David responded that there were several ways property could be valued and property depreciation. He stated they would rely on broker's opinion of value. 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. Award – Installation of Modular Playground Equipment:
Award to low responsive bidder:
Tri-State General Contracting Group -- \$ 83,246.00
This item awards a contract for the installation of modular playgrounds at Willow Vista Park and Ellwood Park. The play equipment has been purchased separately and meets all current safety standards and ADA requirements. This project includes installation, surface material, fencing, and ADA accessible sidewalks. Funding for this contract is available in the approved FY 2012-2013 Parks Department Capital Improvement Program budget.
- B. Approval – Amarillo Economic Development Corporation Project:
The Amarillo Economic Development Corporation Board of Directors unanimously approved the Location Incentive Agreement (LIA) and Real Estate Exchange Agreement for the Coca-Cola Refreshments project at their October 15, 2013 meeting. The LIA and Exchange agreement approves a project to construct a new facility for Coca-Cola Refreshments in the AEDC owned CenterPort Business Park and also a like-kind exchange of the existing downtown Coca-Cola property for the property in the CenterPort Business Park. Upon completion and approval of the necessary project elements, the downtown property will be deeded to the City of Amarillo. Included in the necessary project elements is an additional agreement between the City and the AEDC regarding the

AEDC's demolition and clearance of the downtown property. As this is an essential element of the overall project, approval of such agreement is included with this item.

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. There were no comments.

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

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor

