

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 8th day of May 2012, 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 was none. Also in attendance were the following administrative officials:

JARRETT ATKINSON	CITY MANAGER
VICKI COVEY	ASSISTANT CITY MANAGER
DEAN FRIGO	ASSISTANT CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Gene Shelburne, Anna Street Church of Christ. Mayor Harpole led the audience in the Pledge of Allegiance.

Proclamations were presented for "Elder Abuse Awareness Month," "Motorcycle Safety and Awareness Month" and "Older Americans 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 1, 2012. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance changing the zoning of Lot 6D, Block 42, Westgate Mall Addition Unit No. 2, in Section 42, Block 9, BS&F Survey, Potter County, in the vicinity of Interstate 40 and Soncy Road/Loop 335, from Planned Development District 108 Series to Amended Planned Development District for a freestanding sign. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7330

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 INTERSTATE-FORTY AND SONCY ROAD, POTTER 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 none; the motion carried by a 5:0 vote of the Commission.

ITEM 3: Mayor Harpole presented an ordinance vacating a segment of the remaining portion of S. W. 83rd Avenue adjacent to Westover Village Unit No. 1 Amended in Section 38, Block 9, BS&F Survey, Randall County, in the vicinity of S. W. 81st Avenue

and Coulter Street. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7331

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR A PORTION OF A STREET IN THE VICINITY OF SOUTHWEST EIGHTY-FIRST AVENUE AND COULTER STREET, RANDALL COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT CREATION OF A UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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 amending the Amarillo Municipal Code, Chapter 12-4, Sections 12-4-5 and 12-4-9 modifying weekday green fees at both of Amarillo's golf courses. The fee changes will be an incentive for play during the week and to remain competitive with the local and regional golf market. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7332

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 12-4, SECTIONS 12-4-5 AND 12-4-9 (GOLF FEES) AUTHORIZING NEW RATES AND AUTHORITY FOR PROMOTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; 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 5: Mayor Harpole presented a resolution petitioning the Texas Alcoholic Beverage Commission (TABC) to conduct a public hearing and provide approval of the City's request to modify the boundaries for the existing prohibition on open containers of alcoholic beverages in the Central Business District. This resolution does not modify the existing ordinance or boundaries. Upon approval of the petition by the TABC, the City Commission will formally consider an ordinance amending the existing ordinance and boundaries at a later date. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 05-08-12-1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: DETERMINING POSSESSION OF OPEN CONTAINER AND PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE CENTRAL BUSINESS DISTRICT, AS AMENDED, ARE RISKS TO PUBLIC HEALTH AND SAFETY; AUTHORIZING A PETITION TO THE TEXAS ALCOHOLIC BEVERAGE COMMISSION FOR AN ORDER AMENDING THE BOUNDARY OF THE CENTRAL BUSINESS DISTRICT AND THE PROHIBITION ON OPEN CONTAINERS OF AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE CENTRAL BUSINESS DISTRICT, AS AMENDED; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE; AND, PROVIDING 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 6: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Commissioner Escajeda, 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. Purchase – Police Department Mobile Radios:
Award to WT Services on Houston Galveston Area Council of Governments (HGAC) Cooperative Purchasing Contract -- \$36,601.60

This approves the purchase of eight mobile radios and related accessories for the Amarillo Police Department. These radios will be installed in the new police cars and offer enhanced capabilities for officer safety. The new radios will function both as radios and as a controller for the lights, sirens, and other equipment in the vehicle.

- B. Approval – Change Order #3 – Lawrence Lake Bank Stabilization Project:
Award to Ark Contracting Services, LLC as follows:

Original Contract Total:	\$1,494,912.00
Previous Change Orders:	\$ 30,004.00
Requested Change Order:	<u>\$ 33,254.00</u>
Revised Contract Total:	\$1,558,170.00
Cumulative % Change:	4.2%

This change order is to stabilize the banks at Lawrence Lake. It is necessary to adjust the quantities of the Gabion (rock) baskets and associated mattresses (base) to the actual field conditions.

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 City Commission would return to Closed Session.

ATTEST:

Donna DeRight, City Secretary

Paul Harpole, Mayor