

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 24th day of July 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
BRIAN EADES
JIM SIMMS

MAYOR
COMMISSIONER NO. 2
COMMISSIONER NO. 4

Absent was Ellen Robertson Green, Commissioner No. 1, due to personal business and Lilia Escajeda, Commissioner No. 3, due to personal business. Also in attendance were the following administrative officials:

JARRETT ATKINSON
VICKI COVEY
DEAN FRIGO
MARCUS NORRIS
KELLEY SHAW
DONNA DERIGHT

CITY MANAGER
ASSISTANT CITY MANAGER
ASSISTANT CITY MANAGER
CITY ATTORNEY
PLANNING DIRECTOR
CITY SECRETARY

The invocation was given by Brian Eades, Commissioner No. 2. Mayor Harpole led the audience in the Pledge of Allegiance.

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 July 17, 2012. Motion was made by Commissioner Simms, seconded by Commissioner Eades, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance adopting the 2012/2013 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Greenways Public Improvement District (PID). Steve Carter, 7414 Woodmont, and Ray Churchman, 7804 Bayswater, appeared against the seven percent assessment increase and commented about the lack of maintenance in the parks. Muff London, 6006 Tuscan Village, appeared on behalf of the developer. She stated that the added amount to the assessments is because of the water rate increase, to not having as many lots developed as planned, and to needed repairs in the neighborhood. She also expressed concern about the condition of the parks. Amy Taylor Restine, 721 Short Street, appeared in regard to public improvement districts. It was stated that the governing body of the PID proposes the increase and the City Commission administers the request. Mr. Atkinson advised that Rod Tweet, Interim Parks and Recreation Director, would check on the issues at the parks. Motion was made by Commissioner Eades, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7340

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE GREENWAYS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2012-2013; ADOPTING A BUDGET FOR FISCAL YEAR 2012-2013 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT;

ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

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

ITEM 3: Mayor Harpole presented an ordinance adopting the 2012/2013 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Brennan Boulevard Public Improvement District (PID). Mr. Atkinson advised that there would be no change this year in the assessment. Motion was made by Commissioner Simms, seconded by Commissioner Eades, to approve a zero percent increase and the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7341

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE BRENNAN BOULEVARD PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2012-2013; ADOPTING A BUDGET FOR FISCAL YEAR 2012-2013 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

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

ITEM 4: Mayor Harpole presented an ordinance adopting the 2012/2013 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Quail Creek Public Improvement District (PID). Motion was made by Commissioner Eades, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7342

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE QUAIL CREEK PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2012-2013; ADOPTING A BUDGET FOR FISCAL YEAR 2012-2013 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

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

ITEM 5: Mayor Harpole presented an ordinance adopting the 2012/2013 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Redstone Public Improvement District (PID). Motion was made by Commissioner Simms, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7343

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE REDSTONE PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2012-2013; ADOPTING A BUDGET FOR FISCAL YEAR 2012-2013 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

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

ITEM 6: Mayor Harpole presented an ordinance changing the zoning of a 77.99 acre tract of unplatted land in Section 63, Block 9, BS&F Survey, Randall County, in the vicinity of Hillside Road and Nancy Ellen Street from Agricultural District to Planned Development District for mixed use development. Motion was made by Commissioner Eades, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7337

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 NANCY ELLEN STREET AND HILLSIDE ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 7: Mayor Harpole presented an ordinance amending Chapter 16-3, Traffic, of the Amarillo Municipal Code regarding school zone speed limit signage. At this time, there are two different Code sections to enforce a school zone speed limit based on whether the signage in the zone was posted on a traditional 'sign' or was on an 'electronically controlled sign'. This ordinance will remove the distinction between the two types of signs. Motion was made by Commissioner Simms, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7338

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 16-3, ARTICLE IV, DIVISION 2, SECTION 16-3-117 TO SIMPLIFY SCHOOL ZONE SPEED PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

ITEM 8: Mayor Harpole presented an ordinance amending Chapter 18-2, Water Utility System, of the Amarillo Municipal Code to revise the protocol for water meter testing. This ordinance is recommended in order to update the City's meter testing standards in accordance with the industry standards prescribed by the American Water Works Association. Motion was made by Commissioner Eades, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7339

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 18-2, ARTICLE III, SECTION 18-2-54 TO REVISE THE PROTOCOL FOR WATER METER TESTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR AN EFFECTIVE DATE.

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

ITEM 9: Mayor Harpole presented a resolution conducting a public hearing to allow interested parties to comment on the revised Community Development and Housing Guide to Citizen Participation. The Guide is consistent with the requirement for citizen participation as required by the U.S. Department of Housing and Urban Development. Trina Fournier appeared and stated that she was not aware of the guide and had not seen it on the City's website. James Allen, Community Development Administration, stated that public hearings were held and it was posted on the website. Motion was made by Commissioner Simms, seconded by Commissioner Eades, that the following captioned resolution be passed:

RESOLUTION NO. 07-24-12-1

A RESOLUTION CONDUCTING A PUBLIC HEARING AND APPROVING THE REVISED COMMUNITY DEVELOPMENT AND HOUSING GUIDE FOR CITIZEN PARTICIPATION AND AUTHORIZING THE CITY MANAGER AS CHIEF ADMINISTRATIVE OFFICER TO EXECUTE AND FILE SAID PLAN WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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

ITEM 10: Mayor Harpole presented a resolution conducts the final public hearing to allow interested parties to comment on the proposed activities and programs and authorizes the City of Amarillo to submit the 2012-2013 Annual Action Plan of the 2010-2014 Consolidated Plan for Housing and Community Development to the U.S. Department of Housing and Urban Development. The 2012-2013 allocation reflects a total 19% reduction in funding with the most significant reduction in the HOME Investment Partnership Program. Beginning October 1, 2012, this federal funding will provide a variety of programs, services and projects which benefit low and moderate income residents and neighborhoods in Amarillo. Chuck Parr, Chairman of the Community Development Advisory Committee, appeared and presented information regarding the recommended allocations. There were no comments. Motion was made by Commissioner Eades, seconded by Commissioner Simms, that the following captioned resolution be passed:

RESOLUTION NO. 07-24-12-2

A RESOLUTION CONDUCTING A PUBLIC HEARING AND APPROVING THE 2012-2013 ANNUAL ACTION PLAN AND AUTHORIZING THE CITY MANAGER AS CHIEF ADMINISTRATIVE OFFICER TO EXECUTE AND FILE SAID PLAN WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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

ITEM 11: 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 Simms, 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. Approval – State/Local Urban Public Transportation Project Grant Agreement:
Grantor: Texas Department of Transportation
Grantee: City of Amarillo
Amount: \$403,966.00

This is the acceptance of a grant from the Texas Department of Transportation for fiscal year 2012-13 funding to support the Amarillo City Transit. These funds are used to provide operational support to the system.

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. Kathy Altman, 2105 S. Lipscomb, appeared and stated that it was difficult to hear at the recent TIRZ Board meeting and asked if there was something that could be done in the conference room so the audience could hear. She was advised that we would see what could be done to remedy it. Carl Restine and Amy Taylor Restine, 721 Short Street, appeared and presented information about the International Council for Local Environmental Initiatives (ICLEI) and provided the Commission a handout with additional information. There were no further comments. Mayor Harpole advised that the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Paul Harpole, Mayor