

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 4<sup>th</sup> day of September 2012, the Amarillo City Commission met at 3:30 p.m. at City Hall on the third floor in Room 303 in the Conference Room for review of agenda items, discussion of the fiscal year 2012/2013 City of Amarillo budget and related items, and consideration of future agenda items.

The City Commission met at 5:30 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	ASSISTANT CITY MANAGER
DEAN FRIGO	ASSISTANT CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	ASSISTANT CITY SECRETARY

The invocation was given by Emanuel Burgos, St. Matthew's United Methodist Church. A proclamation was presented for "National Preparedness Month." 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 August 28, 2012. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole opened a public hearing and stated that the City of Amarillo is considering a tax rate of \$0.32009, which is equal to the current rate. This proposed rate will raise more taxes than last year's tax rate. The tax rate will effectively be raised by 0.79 percent. The tax on an average home last year was \$360.57. The tax on an average home would be \$363.45 under the proposed rate. There were no comments and the public hearing was closed.

ITEM 3: Mayor Harpole opened a public hearing to solicit input regarding the recommendation to ban texting and hand-held cell phone use while driving. Mr. Norris advised the audience that speakers will have a three minute time limit and they must direct their comments to the Mayor and City Commission.

Mayor Harpole asked the audience to alternate between the pros and cons comments. Stephanie Atkinson, 2207 S. Bonham, stated many accidents were preventable. She urged the Mayor and Commissioners to save a life and vote for the ban. Tony Johnson, 1944 Northwest 12<sup>th</sup> Avenue, stated using a cell phone was a freedom of choice and people should be held accountable for their actions. Denise Fletcher, 7611 Norwood, stated Cindy Whitney was struck and killed by a distracted driver reaching for his cell phone. Mike O'Reilly, 1700 S. Jackson, stated that he was in opposition to a ban on cell phones in vehicles. He stated accidents were not caused by the devices but by the devices being used in an irresponsible way. Kelly Whitney, 8401 Lamont, stated it was her sister-in-law. Cindy Whitney who was killed while training for a MS 150 ride. She questioned whether you would hunt with your eyes closed and that cars were deadly weapons. David Arps, 10501 Western, stated enough of our freedoms have been replaced with regulations. Educate people. It is not just the cell phone but inattention to

red lights and yield signs. There have been a few bad choices made but we don't need another law. Robert Davis, 13010 S. Georgia, stated his business travel time has increased due to people on cell phones. They are distracted at traffic lights and street signs. Costs are passed on to consumers. Howard Smith, 1616 Polk, stated texting should not be allowed and the use of cell phones should only be allowed if it is hands-free. Sheryl Cooper, 5160 Shield, stated laws banning cell phones may not deter accidents. Usage of cell phones has exploded. Car accidents have not increased from cell phone usage. Concentration on education makes a positive impact and there are too many duplicative rules now. Pia Haber, 1300 West Hills Parkway, stated behavior that is monitored tends to change. Robert Toliver, 4400 West 3<sup>rd</sup> Avenue, stated he commended the Traffic Commission but they misstated in their report because "as profound," should have been "can be as profound." He stated the data was inconclusive about cell phone use. Melissa Wise, 2613 Hayden, stated she has stopped pulling her child behind her bike. Kenneth Graham, 3007 Harmony, read a letter from Anna Isom, 4420 Southwest 2<sup>nd</sup> Avenue, who could not attend. She survived but her husband, David Isom, did not after they were struck by a distracted driver. She urged the Mayor and Commission to take the necessary steps. Sherri Williamson, 3412 Paramount, stated she had seen a segment with Chris Como about the City of Syracuse using an obstacle course in lieu of a fine for users of cell phones. In all cases drivers were not able to handle driving while using their phone. She also stated she has seen vehicles drive in the bike lane on Paramount while on their cell phones. Steve Parr, 1930 S. Harrison, stated he supported the ban for making safer roads. Gary Rich, 6903 Elmhurst, stated his family rides bicycles together and he supports the ban on cell phones. Robert Goodrich, 6510 Sandie, stated he recently had run a stop sign while talking on his cell phone. He inquired if there was any technology which may prevent use of the cell phone in an automobile.

Robin Willis, 6104 Tuscany, stated she was also a survivor of a distracted driver. She stated education was important. She asked them to consider the correlation between drunk driving laws and holding people accountable when they are hurt or killed. Gary Ward, 6604 Hemlock, stated we are losing the ability to text not drive and taking away cell phones while driving won't slow down commerce. DJ Stubben, 6700 Wentworth, stated she was a member of the Traffic Commission. She now uses a Bluetooth and listens to the radio while paying more attention to her driving. Carolyn Thornton, 1947 S. Marrs, stated that if someone kills or injures with or without using a cell phone they should be held accountable. There were no further public comments.

Mayor Harpole stated there already exists a law for teenagers using cell phones while driving. Mr. Norris stated he would need to check the details but use is use. Mayor Harpole stated data can be pointed either way and knows education is important. He also stated there were sensors available for automobiles but they may not be required for several years. He asked for comments from the Commission. Commissioner Green stated 38 people have spoken over the last two weeks. She expressed appreciation to everyone in attendance for speaking and the importance of education. Commissioner Eades thanked the Traffic Commission for their work. Mayor Harpole thanked the speakers. He stated that he appreciated the comments on both sides of the issue and stated that there would be a first reading on the use of cell phones next week and a second reading the week after. He closed the public hearing.

ITEM 4: Mayor Harpole presented an ordinance changing the zoning of a 1.47 acre tract in Section 4, Block 9, BS&F Survey, Randall County, from Planned Development District 306, Residential District 1, and Residential District 3 to Moderate Density for single-family attached and detached home sites. Motion was made by Commission Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7360

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 HILLSIDE ROAD AND OLYMPIA DRIVE AND VENTURA DRIVE, RANDALL 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 were none; the motion carried by a 5:0 vote of the Commission.

ITEM 5: Mayor Harpole presented an ordinance vacating a 5 foot public utility easement in Lot 6, Block 21, North Highlands Subdivision in Section 157, Block 2, AB&M Survey, Potter County, in the vicinity of East Amarillo Boulevard and Hayes Street. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7361

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR A PORTION OF A STREET IN THE VICINITY OF AMARILLO BOULEVARD AND HAYES STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED 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 6: Mayor Harpole presented an ordinance vacating a portion of Willow Creek Drive in Section 165, Block 2, AB&M Survey, Potter County, in the vicinity of Willow Creek Drive and Broadway Drive. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7362

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR A PORTION OF A STREET IN THE VICINITY OF WILLOW CREEK DRIVE AND BROADWAY DRIVE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY; 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 7: Mayor Harpole presented an ordinance amending Chapter 4-3, General Building and Construction Standards, of the Amarillo Municipal Code to adopt the 2012 Edition of the International Building Code. The Building Code is the primary standard for the construction of multi-family housing and commercial buildings in Amarillo. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7350

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE I, SECTION 4-3-1 IS REPEALED AND RE-ENACTED TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL BUILDING CODE*, WITH AMENDMENTS REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES, AND RELATED MATTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 8: Mayor Harpole presented an ordinance amending Chapter 4-3, General Building and Construction Standards, of the Amarillo Municipal Code by adopting the 2012 Edition of the International Residential Code. This code, which is utilized for the construction of one and two family dwellings, and townhouses not more than three stories, also includes code standards for structural, plumbing and mechanical

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

ORDINANCE NO. 7351

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE III, SECTION 4-3-31 TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL RESIDENTIAL CODE*, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 9: Mayor Harpole presented an ordinance amending Chapter 4-3, General Building and Construction Standards, of the Amarillo Municipal Code to adopt the 2012 Edition of the International Energy Conservation Code. This code regulates and governs energy efficient building envelopes, including the installation of energy efficient mechanical, lighting and power systems. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7352

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE IV, SECTION 4-3-41 TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL ENERGY CONSERVATION CODE*, WITH AMENDMENTS REGULATING AND GOVERNING ENERGY EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 10: Mayor Harpole presented amending Chapter 4-3, General Building and Construction Standards, of the Amarillo Municipal Code by adopting the 2012 Edition of the International Fuel Gas Code. This code regulates and governs fuel gas systems and gas fired appliances. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7353

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE V, TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL FUEL GAS CODE* REGULATING AND GOVERNING FUEL GAS SYSTEMS AND GAS-FIRED APPLIANCES AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 11: Mayor Harpole presented an ordinance amending Chapter 4-3, General Building and Construction Standards, of the Amarillo Municipal Code by adopting the 2012 Edition of the International Mechanical Code. The code regulates and governs the design, construction, quality of materials, erection, installation, alteration, repair, replacement, use and maintenance of mechanical systems. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7354

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE II, TO REPEAL THE 2006 EDITION OF THE *INTERNATIONAL MECHANICAL CODE* AND ADOPT THE 2012 EDITION OF SUCH CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 12: Mayor Harpole presented an ordinance amending Chapter 4-3, General Building and Construction Standards, of the Amarillo Municipal Code by adopting the 2012 Edition of the International Existing Building Code. The Existing Building Code provides flexibility to permit the use of alternative approaches to achieve code compliance for existing buildings. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7355

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE VI, SECTION 4-3-60, TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL EXISTING BUILDING CODE*, WITH AMENDMENTS AS SHOWN, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 13: Mayor Harpole presented an ordinance amending Chapter 4-4, Electricity, of the Amarillo Municipal Code by adopting the 2011 National Electrical Code. This code is the most current national standard for all electrical installations. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7356

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-4, TO DELETE OBSOLETE ARTICLES AND DIVISIONS IN, AND REORGANIZING, SAID CHAPTER; AND TO ADOPT THE 2011 EDITION OF THE *NATIONAL ELECTRICAL CODE*, WITH CERTAIN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 14: Mayor Harpole presented an ordinance amending Chapter 4-5, Plumbing, of the Amarillo Municipal Code by adopting the 2012 Edition of the International Plumbing Code. This code regulates and governs the design, construction, quality of materials, erection, installation, alteration, repair, replacement, use and maintenance of plumbing systems. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7357

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-5, ARTICLE II, SECTION 4-5-21 BY REPEALING THE 2006 EDITION OF THE *INTERNATIONAL PLUMBING CODE* AND ADOPTING THE 2012 EDITION OF SUCH CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 15: Mayor Harpole presented an ordinance amending Chapter 4-5, of the Amarillo Municipal Code by adopting the 2012 Edition of the International Swimming Pool and Spa Code. This code regulates and governs the design, construction, quality of materials, erection, installation, alteration, repair, replacement, use and maintenance of swimming pools, spas, hot tubs, and aquatic facilities and equipment. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7358

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-5, ARTICLE II, SECTION 4-5-22, TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL SWIMMING POOL AND SPA CODE*, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF SWIMMING POOLS AND SPAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 16: Mayor Harpole presented an ordinance amending Chapter 10-2, Fire Prevention, of the Amarillo Municipal Code by adopting the 2012 Edition of the International Fire Code. The fire code serves to safeguard life, property and premises from fire and explosion hazards. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7359

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 10-2, ARTICLE II, SECTIONS 10-2-16 AND 10-2-17, BY REPEALING THE CURRENT TEXT AND REPLACING IT WITH AND ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL FIRE CODE* TO REGULATE AND GOVERN THE SAFEGUARDING OF LIFE AND PROPERTY FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; REPEALING SECTION 10-2-18 AS FIREWORKS ARE NOW COVERED IN THE 2012

*INTERNATIONAL FIRE CODE*; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 17: Mayor Harpole presented a resolution setting the date of October 8 and October 9, 2012 for public hearings on the proposed annexation of 16.35 acres of land in the vicinity of Soncy Road/Loop 335 and Southwest 34<sup>th</sup> Avenue. There were no comments. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned resolution be passed:

RESOLUTION NO. 09-04-12-1

A RESOLUTION SETTING A DATE, TIME AND PLACE FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF AMARILLO, TEXAS; AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICES OF SUCH PUBLIC HEARING.

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 18: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Commissioner Green asked that item E be removed for separate consideration. Motion was made by Commissioner Green to approve items A-D, seconded by Commissioner Simms, and unanimously carried, to approve the consent agenda items A-D and authorize the City Manager to execute all documents necessary for each transaction.

Motion on item E was made by Commissioner Simms, to nominate Greg Ingram for Place 11, Larry Gilley for Place 12, Bryan Black for Place 13, and Pat Norris for Place 14, seconded by Commissioner Escajeda, and unanimously carried to approve item E and authorize the City Manager to execute all documents necessary.

A. Purchase – Ammunition:

Award to low responsive bidders by line item as follows:

GT Distributors (Lines 2,3,7,10,13,14,18,19,23,24)	\$ 12,088.70
Precision Delta (Lines 6,8,11,16,20,21)	45,096.90
Grace Ammo LLC (Lines 9,25)	12,427.00
Total Award	\$69,612.60

This item approves an annual contract for the purchase of ammunition for use by the Amarillo Police Department, Airport Police and Fire Marshall for training requirements and for on-duty officers. It reflects a 1.9% decrease from the last contract. Funding for this contract is available in the 2011/2012 operating budgets of the three departmental budgets.

B. Purchase – Suburban Utility Vehicle:

Award to Caldwell Country Chevrolet -- \$38,777.00

This item approves the purchase of a Suburban Utility Vehicle from the HGAC Cooperative Purchasing Agreement for use by the Amarillo Fire Department. The vehicle will replace a 2001 model and represents a 11% decrease from the last purchase in 2010. Funding for this purchase is available from the Municipal Garage rolling stock account.

C. Award – Flexible Aggregate Base Material Annual Contract:

Award to low responsive bidder: Texas Sand & Gravel, Inc. -- \$198,750.00

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 throughout the year as-needed. The price reflects a decrease of 1.85% since last year's contract. Funding for this purchase is available in the approved FY 2011/2012 Street Department operating budget.

- D. Approval – Site Development Amenities Project for the Colonies Unit 25:  
Award to low responsive bidder: Tri State General Contracting Group, Inc.  
-- \$114,119.00

This project is for the labor and materials necessary for the construction of two medians with amenities in the Colonies Unit 25, Lexington Court Office Park. The project cost is 5% less than estimated. The Colonies Public Improvement District (PID) Advisory Board reviewed the bids and recommends award to the low bidder. The Colonies Developer will fund this project and will be re-paid through PID assessments on property owners in the development.

- E. Approval – City of Amarillo votes for Places 11-14 on the Texas Municipal League Intergovernmental Risk Pool:

The Texas Municipal League Intergovernmental Risk Pool (IRP) provides excess Workers Compensation Insurance Coverage to the City and is governed by representatives elected by votes from member cities. This item casts the City's votes for representatives to fill Places 11, 12, 13, and 14. As the City began purchasing coverage through the IRP last year, this is the first time for the City to cast votes for the representatives.

PRESENTATION: Mayor Harpole asked Mr. Autrey to appear and present an update. Mr. Autrey provided an overview of the year-to-date water usage in Amarillo with five-year averages. He stated that rainfall for this year and water usage has been above the same time last year. He drew a correlation between high temperatures, water use and rainfall totals.

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 further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

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Frances Hibbs, Asst. City Secretary

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Paul Harpole, Mayor