

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 30th day of October 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:

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| 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:

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

The invocation was given by Bob Schroeder, Hillside Christian Church. Mayor Harpole led the audience in the Pledge of Allegiance.

A proclamation was presented for "Pancreatic Cancer Awareness 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 October 23, 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 annexing a 16.35 acre tract of land in Section 62, Block 9, BS&F Survey, Randall County. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7371

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 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 an ordinance approving and clarifying the assessment method for property located within the Redstone Public Improvement District (PID). The assessment establishes a method to be an amount equal to the market value of the lot multiplied by the appropriating factor, which is currently \$0.0017.

Approval of this ordinance will ensure a more equitable assessment method across properties in the subdivision. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7372

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: CLARIFYING THE ASSESSMENT METHOD IN WHICH PROPERTY WITH THE REDSTONE PUBLIC IMPROVEMENT DISTRICT WILL BE ASSESSED, AS AUTHORIZED BY CHAPTER 372 OF TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; 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 4: Mayor Harpole presented an ordinance appointing a Presiding Judge for the City of Amarillo Municipal Court. This appointment will be effective January 1, 2013. Commissioner Green commented that Presiding Judge Donna Clayton has announced her retirement of 27 years of combined service in the Legal Department and Municipal Court and that the appointment of Presiding Judge will be to Sonya Letson, and a motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7373

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: APPOINTING MUNICIPAL COURT PRESIDING JUDGE FOR UNEXPIRED TERM OF FISCAL YEARS 2011-2012 AND 2012-2013; 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 authorizing the submission of an application for financial assistance to the Texas Water Development Board in an amount not to exceed \$1,310,000. The application is for the planning and design phase of a proposed project to connect the Osage Potable Water Treatment Plant to the Arden Road Pump Station with a single large diameter water pipeline. Doing so will greatly increase the water supply available to the southwest area of Amarillo and will support the recent improvements made at both the Potter County Wellfield and the Osage Potable Water Treatment Plant High Service Pump Station. Collectively, these projects will increase the capacity and safety of the water system. Should this application be approved, the City will receive favorable financing terms for the \$1,310,000 and will receive preference towards future applications related to construction of the proposed project. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned resolution be passed:

RESOLUTION NO. 10-30-12-1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

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. There were none. 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. Approval – Engineering Services Agreement Landfill Cell 10:
Award to best evaluated proposer: Shaw Engineering, Inc. -- \$122,455.00

This item approves an engineering services agreement to provide design and construction related services for the connection of the Cell 10 landfill liner to Cell 4. The project will install 4 acres of liner to connect the two cells. Design and installation of this liner is required by Texas Commission on Environmental Quality (TCEQ) regulations and is necessary for the landfill to remain in compliance. The project will create space below the natural ground level which will allow for landfill operations during very high winds.

- B. Acceptance – State Homeland Security Program Grant Award:
Grantor: Texas Department of Public Safety
Grant Amount: \$127,841.40

This is the acceptance of the FY 2012 Homeland Security Grant Program – State Homeland Security Program grant award for the City of Amarillo. The grant covers the period from September 1, 2012 to January 31, 2014. Grant funds under this award will be used to continue the communications enhancement program for the Amarillo Police Department.

- C. Acceptance – Emergency Management Performance Grant Award:
Grantor: Texas Department of Public Safety
Grant Amount: \$120,404.62

This is the acceptance of the FY 2012 Emergency Management Performance Grant. Funds from this grant program are used to support the on-going program of services provided by the Office of Emergency Management to the residents of the city of Amarillo and both Potter and Randall Counties.

- D. Approval - Tax Abatement Agreement:
This approves a tax abatement agreement with CPT BLVD 2012, LP granting a 5-year step down abatement of 100% of City property taxes eligible for abatement for a portion of the property to be owned by PRANA in the Amarillo Centerport Business Park located in the City of Amarillo Tax Abatement Reinvestment Zone Number 7 in the northeast area of the city. PRANA will construct a 50,000 square foot warehouse facility. Lindsay Manufacturing will lease approximately 22,000 square feet. Lindsay is a manufacturer and distributor of agricultural equipment. This abatement reflects the standard conditions associated with previously approved economic development projects and will assist PRANA in fully developing their new facility.

- E. Approval – Tax Increment Reinvestment Zone #1 Incentive Project:
Downtown Athletic Club
Developer Agreement for Streetscape Improvements -- \$42,306.00

This approves a project to fund streetscape improvements in the public right-of-way at the new parking lot for the Downtown Athletic Club. The streetscape improvements around the perimeter of the parking lot include 18 street trees, 11 pedestrian lights, and new sidewalks. The estimated cost of the improvements is approximately \$312,706, and the amount requested from the TIRZ is \$42,306.00. This project is consistent with the goals of the TIRZ and all activities funded through this project will be performed on the public right-of-way.

- F. Approval -- Amendment - HOME Rental Rehabilitation Project Contract:
Vineyard Manor, LLC – 1201 S. Polk
Requested amendment - \$331,255.00

Revised Owner Share (Vineyard Manor, LLC)
Revised HOME Program grant funds
Revised Total Project Costs

This approves a substantial amendment in the amount of \$331,255 to the rental rehabilitation contract for the Vineyard Manor, a historic, mixed use residential property located at 1201 South Polk Street approved in September 2011. The cost of this project increased from the original estimate of \$1,165,182.00 due to unforeseen building conditions as well as the requirements from the Texas Historical Commission. The additional HOME Investment Partnership Program funding of \$331,255 is available from prior year funds which have an obligation deadline. After renovation, this property will provide sixteen (16) one and two bedroom residential units. Two units will be fully ADA accessible. The amendment also increases the compliance affordability period from 10 years to 20 years.

- G. Approval -- Amendment - Community Housing Development Organization (CHDO):
Amarillo Habitat for Humanity, Inc

This approves an amendment to the 2011-12 Community Housing Development Organization Funding Contract with Amarillo Habitat for Humanity to increase the maximum funding available for the rehabilitation or construction of single homes available to low and moderate income households. The amendment increases the maximum HOME Investment Partnership Program funding from \$30,000 to \$50,000 per unit.


- H. Approval – License and Hold Harmless Agreement:
License and Hold Harmless for a public utility easement positioned across the north five feet of Lot 5, Block 23, Country Club District, in Section 226, Block 2, AB&M Survey, Potter County, Texas for John Emmitt.

- I. Dedication and Acceptance:
A 225 square foot Public Utility Easement in Lot 6, Block 117, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, in the vicinity of Southeast 10th Avenue and Buchanan Street to install water and sewer appurtenances.


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. All documents presented at this meeting will be on file with the minutes in the office of the City Secretary.

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

ATTEST:



Donna DeRight, City Secretary
FRANCES HIBBS



Paul Harpole, Mayor