

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 19th day of July 2011, 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

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
CRIS VALVERDE	SENIOR PLANNER
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Kevin Deckard, Polk Street United Methodist Church. Mayor Harpole led 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 the special meetings and regular meeting held July 9, July 11, July 14, and July 12, 2011, respectively. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes as presented and amended.

ITEM 2: Mayor Harpole presented an ordinance amending Section 16-4-124 (k) of the Amarillo Municipal Code regarding Unauthorized Passengers in taxicabs. This amendment would authorize the carrying of non-paying persons in a taxicab under certain conditions. Jack Juett, Jack & Son's Family Taxi, 5400 Keystone Drive, thanked the Commission for making the change to the ordinance. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7283

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 16-4, DIVISION 6, SECTION 16-4-124(k) TO BROADEN EXCEPTION FOR NON-PAYING TAXI PASSENGERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING 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 3: Mayor Harpole presented a resolution setting the date of August 9, 2011 for a public hearing on a substandard structure and solid waste accumulation on property located in the city. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned resolution be passed:

RESOLUTION NO. 07-19-11-1

A RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER CERTAIN CONDITIONS DESCRIBED HEREIN CONSTITUTE A PUBLIC NUISANCE.

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 a resolution conducting a public hearing and authorizing the City of Amarillo's submission of the 2011-2012 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD). The Annual Action Plan recommends the allocation of \$3,011,779.00 from the Community Development Block Grant Program and the Home Investment Partnership Program. This federal funding will provide for programs, services and projects which benefit low and moderate income residents in our community.

Mayor Harpole opened the public hearing. James Allen, Chairperson for the Community Development Advisory Committee, appeared and recognized the members of the Committee that were in attendance and thanked them for their many hours of service. He also thanked the staff of the Community Development Department for their work. Mr. Allen presented the funding recommendations made by the Community Development Advisory Committee. He stated that the funding allocations were reduced this year and that made it more difficult for the Committee to make their decisions on how to allocate those funds. Janet Byars, 1001 S. Polk, Family Support Services, and Paula Ward, Amarillo Independent School District, appeared and asked the City Commission to consider funding the Family Support Services request for the Recovery and Prevention Program. Mr. Allen advised that due to the structure of the funding allocations, the City Commission would have to cut the funding to one of the other recommended agencies in order to fund the Family Support Services funding request. Commissioner Simms thanked the Community Development Advisory Committee for their work and stated that this board had some difficult decisions to make since funding was reduced. Commissioner Eades also thanked the Committee members for their service to the community and for the crucial decisions they had to make. Commissioner Green stated that she appreciates the work done by Family Support Services but she could not reduce funding from another agency in order to fund them. There were no further comments and the public hearing was closed.

Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned resolution be passed:

RESOLUTION NO. 07-19-11-2

A RESOLUTION CONDUCTING A PUBLIC HEARING AND APPROVING THE 2011-2012 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; 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 5: 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 Escajeda, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Award – Sulfur Dioxide Annual Contract:

Low responsive bidder: Brenntag Southwest -- \$37,400.00

This is the award of the annual contract to provide sulfur dioxide to the two City Wastewater Treatment Plants. This chemical is used at the end of the treatment process to de-chlorinate the treated effluent in accordance with State standards.

- B. Award – Phase II Bus Stop Improvements Contract:
Low responsive bidder: Cruz & Associates, Inc. -- \$171,988.00

This is the award of a contract to perform the second phase of the bus stop improvements project. Phase II of this effort will install new bus stops and bus benches on various stops on Routes 3, 4, 5, 6, 7 and 8. These installations are governed by the Americans with Disabilities Act (ADA) and Texas Architectural Standards (TAS) requirements and must be performed in accordance with all Federal Transit Administration (FTA) guidelines and mandates.

- C. Award – Mower and Utility Cart Purchase:
Low responsive bidder as follows:

Professional Turf Products: (Lines 1 and 2)	\$102,249.34
Western Equipment LLC: (Lines 3, 6, 7)	\$100,434.38
Heritage Equipment: (Line 4)	\$ 12,600.00
West Texas Golf Carts: (Line 5)	<u>\$ 41,941.56</u>
Total Award:	<u>\$257,225.28</u>

This is the purchase of various mowers and utility carts for use by City Departments. These units will be utilized by the Wastewater Treatment and Surface Water Treatment Plants, the two golf courses, and the Parks Maintenance Department.

- D. Approval – Potter County Wellfield Collection System Change Order #3:
SJ Louis Construction of Texas, Ltd., LLP as follows:

Original Contract Price:	\$11,387,713.61
Previous Change Orders:	78,310.56 (landowner requested & funded)
Requested Change Order:	<u>108,788.90</u>
Revised Contract Amount:	<u>\$11,574,813.07</u>
Cumulative Change %	1.6%

This is the approval of change order #3 for the Potter County Wellfield Collection System construction contract. This change order will allow the contractor to equip well #514 with a pumping unit and related equipment. Equipping this well at this point of the construction will provide potable water to be used in testing the transmission and collection pipelines prior to being placed in service. Doing so eliminates the need to use water from the City's water system to backfill these lines for testing purposes.

- E. Approval – Hazel/Echo Tower Site Lease Amendment:
Parties: City of Amarillo and Global Tower Partners (GTP)

This is the approval of an amendment to the existing lease between the City of Amarillo and GTP for the communications tower site lease agreement at Hazel and Echo in north Amarillo. GTP has requested three five year extensions to the lease agreement beginning in 2016. In exchange, GTP will provide the City with six antenna locations at the 350' level, which is an increase from the current five locations at the 300' level. In addition, GTP will pay a \$1,000 per month rental fee which is not in the current lease agreement.

- F. Approval – License and Hold Harmless Agreement:
License and Hold Harmless for an encumbrance for fiber optic lines within public right-of-way in Section 170, Block 2, AB&M Survey, Plemons Addition, Potter County, for Happy State Bank and Trust Company.

- G. Dedication and Acceptance – Drainage Easement:
Dedication of a 0.33 acre drainage easement in Section 38, Block 9, BS&F Survey, Potter County, Texas in the vicinity of Loop 335 and Gardenway Drive.

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.

Jack Juett, appeared and thanked the Police Department for helping with the change to the taxicab ordinance and thanked the City Commission. Beatrice Hearon appeared and advised of some areas of the city that needed to be cleaned up. Derek Henry, 6801 Achieve, appeared and expressed the need for additional softball fields for girls fast pitch leagues. Jimmy Johnson, 4460 Ridgecrest Circle, appeared against regulations in the sign ordinance. There were no further comments.

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

ATTEST:

Donna DeRight, City Secretary

Paul Harpole, Mayor