

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 9th day of August 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

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 Ellen Robertson Green, Commissioner No. 1. Lilia Escajeda, Commissioner No. 3, 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 regular meeting held on August 2, 2011. 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 adopting the 2011/2012 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Colonies Public Improvement District (PID). Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7287

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE COLONIES PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2011-2012; ADOPTING A BUDGET FOR FISCAL YEAR 2011-2012 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 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 adopting the 2011/2012 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Point West Public Improvement District (PID). Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7288

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE POINT WEST PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2011-2012; ADOPTING A BUDGET FOR FISCAL YEAR 2011-2012 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 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 adopting the 2011/2012 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Tutbury Public Improvement District (PID). Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7289

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE TUTBURY PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2011-2012; ADOPTING A BUDGET FOR FISCAL YEAR 2011-2012 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 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 adopting a revised Drought Contingency Plan for the City of Amarillo, including all necessary triggering events and regulatory compliance matters. Upon final adoption, this revised Plan shall set forth the terms and conditions under which the City of Amarillo will respond to water supply and demand conditions and the related implementation of the various stages of water demand reduction. Until such time as this proposed Plan is finally adopted, the existing

Drought Contingency Plan shall remain in full force and effect. Mayor Harpole advised that this ordinance would be tabled until next Tuesday, August 16, 2011.

ITEM 6: Mayor Harpole presented a resolution conducting a public hearing on and ordering the removal of substandard structures and solid waste accumulation located in the city. Mr. Atkinson reviewed the properties for consideration. Kalor Williams appeared on behalf of the property on N. Hayes Street. He stated that they try to keep the property cleaned up but it is difficult because people continually dump things on it. It was stated that payments are still due on previous junk and debris removal that has been done on this property. Motion was made by Commissioner Simms, seconded by Commissioner Eades, to condemn both properties as set out in the resolution, and payment arrangements be made for any past and present charges on the property at N. Hayes Street, and the following captioned resolution be passed:

RESOLUTION NO. 08-09-11-1

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; 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 7: Mayor Harpole presented an ordinance changing the zoning of the south .33 acres of Lot 10 Block 3, South Side Acres Unit No. 12, in Section 230, Block 2, AB&M Survey, Randall County, in the vicinity of S. W. 58th Avenue and Danny Street, from Agricultural District to Multiple-Family District 1. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7286

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 SOUTHWEST FIFTY-EIGHTH AVENUE AND DANNY STREET, 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 8: 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 Eades, seconded by Commissioner Green, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Purchase – Modular Playground Equipment:

Low responsive bidder: Total Recreation Products, Inc. -- \$33,400.31

This is the purchase of a modular playground structure and three-bay swing set. This equipment will be installed at Hamlet School Park and will replace existing equipment that is no longer serviceable. These units meet all current safety standards and ADA requirements. This purchase is for the play structures only and the installation and safety surface material will be handled separately.

B. Purchase – Computer Hardware:

Award to Dell on the State of Texas Department of Information Resources (DIR) Cooperative Purchasing Contract -- \$94,782.20

This is the purchase of 85 desktop computers and 5 laptop computers.

- C. Purchase – Landfill Compactor:
Award to Warren Cat on Texas BuyBoard Cooperative Purchasing Contract -- \$675,516.76

This is the purchase of a new landfill compactor machine to replace an existing 2007 model machine that is no longer serviceable. This machine is used daily at the landfill to move and compact solid waste in the active cells. This is one of two such machines and it is essential that they are fully operational and that they are able to compact the solid waste to a proper density to ensure proper operation and lifespan of the landfill. After sufficient receipt of the new machine, the existing machine will be returned to the manufacturer for a buy-back amount of \$146,500, thus lowering the net cost of the new unit.

- D. Purchase – Downtown Bus Benches:
Award to Landscapeforms on the TXMAS Cooperative Purchasing Contract -- \$37,119.81

This is the purchase of 19 bus benches that will be installed in the downtown area.

- E. Purchase – Well Motor Electrical Cable Emergency Purchase:
Award to Gicon Pumps & Equipment -- \$25,928.00

This approves the emergency purchase of one, 700 foot roll of submersible cable to be used on a 480 volt submersible well motor.

- F. Award – Airport Asbestos Removal Contract:
Low responsive bidder: Empire Environmental Group, LLC -- \$62,000.00

This is a contract to perform asbestos removal services in the recently closed Concourse 30 at the Rick Husband Amarillo International Airport. This work is necessary to allow the general contractor to proceed with the ultimate demolition of Concourse 30 and the repair of the concrete surfaces below the building.

- G. Approval – Osage Combined Pump Station Project Addendum #2:
HDR Engineering, Inc. as follows:

Original Contract:	\$675,480.00
Addendum #1:	\$ 18,300.00
Addendum #2:	<u>\$109,850.00</u>
New Contract Amount:	\$803,630.00
Cumulative Change:	18.9%

This approves an addendum to the existing engineering contract for professional services related to the Osage Combined Pump Station Project. This project is funded by a 0% loan through the American Recovery and Reinvestment Act (ARRA) and all loan proceeds are required to be spent on projects that directly support the Pump Station. The addendum will provide design services necessary to prepare Phase I of a three phase project to connect the existing N.E. 24th Street Pump Station to the Osage Water Treatment Plant and Combined Pump Station in anticipation of the subsequent Phase II and Phase III projects.

- H. Approval — Potter County Wellfield Pump Station Contract Change Order #1:
Archer Western Contractors, LTD as follows:

Original Contract:	\$7,833,000.00
Change Order #1:	<u>\$ 30,049.49</u>
New Contract Amount:	\$7,863,049.49
Cumulative % Change:	0.4%

This is the approval of Change Order #1 to the contract for constructing the Pump Station and related improvements in the new Potter County Wellfield. This change order is necessary to account for changed field conditions and to accommodate a delivery schedule delay for a large 42" water meter.

I. Acceptance – 2011-2012 Bioterrorism/Public Health Preparedness Grant:

This accepts a grant from the Texas Department of State Health Services (DSHS) for the continuation of the City of Amarillo Department of Public Health's Public Health Preparedness Program. This grant supports the City's ongoing efforts to plan for, respond to, and recover from all hazards event that would require Public Health intervention. Planning and coordination activities are targeted towards mass vaccinations, management of the strategic national stockpile of equipment and medications and coordination of volunteers with the Greater Amarillo Medical Reserve Corps. The grant award of \$247,401.00 is a 16% reduction in funding from the current year.

ITEM 9: Mayor Harpole advised that a presentation regarding the path for proceeding with the Downtown Redevelopment Projects, including possible funding strategy would be given at this time.

Les Simpson, Chairman, Downtown Amarillo, Inc., appeared and commented that this is a milestone moment. He stated that a Downtown Strategic Action Plan was prepared several years ago that described how to proceed with downtown redevelopment efforts. He advised that from that plan the Downtown Amarillo, Inc. was formed and an Executive Director was hired and the major steps began for downtown redevelopment. He stated that an agreement was made with Wallace Bajjali Development Partners to assist with the redevelopment efforts. He advised that they were charged with not only working on plans for the project but doing so with no tax increase. He thanked David Wallace and his team for their work.

David Wallace, Wallace Bajjali Development Partners, appeared and stated that Wallace Bajjali and the City of Amarillo entered an agreement eighteen months ago to explore potential downtown redevelopment projects within a 54 block area surrounding the Civic Center. He stated that the projects were to include a downtown hotel, parking garage and multi-purpose events venue. He advised that the three initial projects would be paid for by a combination of public sources, private investments and user fees. He emphasized that their funding plan does not use increased property taxes and municipal funding instruments such as Certificates of Obligation or General Obligation Bonds. Mr. Wallace stated that a development team from local, state and national firms will provide their expertise and assistance with the project. He introduced representatives on the development team, which include architects, builders, hotel operators, baseball interests, and financial investors. The Commission thanked Mr. Wallace and Wallace Bajjali Development Partners for working with our community to bring together a plan for the downtown redevelopment project.

Keith Grays appeared and stated that this will be good for Amarillo and for our future generations. Kathie Altman appeared and expressed concern with the financing, especially the EB5 plan. Phillip Petty, 6804 Daniel Drive, appeared and stated if a problem occurs with the financing, he is concerned the money would have to come from an increase in property taxes. He stated that more businesses are on the west side of town and he is not sure businesses will want to locate in the downtown area. Ryan Hodge appeared and expressed his support of the downtown revitalization plans. David O'Dell, General Director, Amarillo Opera, appeared and stated that he is concerned that the new venues could draw people away from the local arts community. Susan White, Executive Director, Amarillo Symphony, appeared concerning the effect this could have on the arts community. H. R. Kelly, Potter County Commissioner, appeared and stated that there are different attitudes among the Potter County Commission, but he is in support of the downtown revitalization project. Jimmy Hammonds appeared and stated that there are already many locations in the city to have events. There were no further comments.

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.

Shannon Williams and Bob Medina appeared and expressed the need for additional fast pitch softball fields for girls. There were no further comments.

Mayor Harpole stated that the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Paul Harpole, Mayor