

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 16th day of August 2011, the Amarillo City Commission met at 12:00 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
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
DONNA DERIGHT	CITY SECRETARY

The invocation was given by David Green, Amarillo Unitarian Universalist Fellowship. 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 regular meeting held on August 9, 2011. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole stated that at this time a recommendation would be made from the Amarillo Local Government Corporation Board of Directors regarding the Downtown Redevelopment Projects and the recommended path forward with the next phase in the implementation of these projects.

Gary Pitner, President of the Amarillo Local Government Corporation, appeared and advised the City Commission that the Local Government Corporation Board of Directors recommends moving forward with the Downtown Revitalization Plan for a convention hotel, multi-purpose event venue and a structured parking facility as presented by Wallace-Bajjali Development Partners, Inc. He stated that the Board also recommends the funding proposal submitted by Wallace-Bajjali that will not require an increase in property taxes, or the use of Certificates of Obligation or General Obligation Bonds. Richard Brown with the Tax Increment Reinvestment Zone No. 1 Board of Directors, Gabe Irving and Beth Duke representing Center City and Melissa Daily with Downtown Amarillo, Inc. appeared in support of the Downtown Revitalization Plan. Phillip Petty, 6804 Daniel Drive, appeared and stated concern that property taxes would be affected by the revitalization projects. There were no further comments.

ITEM 3: Mayor Harpole presented an item for discussion and consideration on the proposed tax rate for maintenance and operation and debt service for the proposed 2011/2012 City of Amarillo fiscal budget. He advised that public comment could be made at the public hearings on August 30 and September 6. Motion was made by Commissioner Escajeda and seconded by Commissioner Simms to set a tax rate of \$0.32009 per \$100 of taxable value. Commissioner Eades stated that the downtown projects will create economic growth and that growth will provide an increase in property

taxes to help support projects such as street maintenance. He stated that he does agree with the need for additional police officers and he is in favor of a tax increase to support two additional police officers. It was stated by other members of the City Commission that a one cent tax increase is needed at this time for both street maintenance projects and additional police officers. It was stated that the Commission could lower the tax rate set today but cannot increase it before final approval. Mayor Harpole called for a vote on this item. Voting AYE were Mayor Harpole, Commissioners Green, Escajeda and Simms; voting NO was Commissioner Eades; the motion carried by a 4:1 vote of the Commission.

ITEM 4: Mayor Harpole opened a public hearing to receive comments on the proposed updates and codifications to the Amarillo Drought Contingency Plan. Mr. Atkinson stated that the Texas Commission on Environmental Quality requires the City of Amarillo adopt a Drought Contingency Plan and the City of Amarillo has had a plan in place since 1999. He advised the Commission of the proposed revisions and set out suggested changes to the plan that was previously provided to them. There were no comments and the public hearing was closed.

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. Motion was made by Commissioner Eades, seconded by Commissioner Green, to approve the changes as outlined in the previous item, and the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7290

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 18-2, CREATING NEW ARTICLE VI, SECTIONS 18-2-85 TO 18-2-99 AND FOLLOWING, TO BOTH AMEND AND CODIFY THE EXISTING DROUGHT CONTINGENCY PLAN; 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 6: 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 Greenways 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. 7291

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 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 7: 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 Brennan Boulevard Public Improvement District (PID). Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7292

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 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 8: 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 Quail Creek 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. 7293

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 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 9: Mayor Harpole presented a resolution reauthorizing the City of Amarillo Environmental Advisory Committee for an additional one (1) year term until September 1, 2012. This committee will continue their work with City staff on specific recycling programs and community education and outreach activities for recycling and other green efforts as outlined in the resolution. Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned resolution be passed:

RESOLUTION NO. 8-16-11-1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: RE-AUTHORIZING AND APPOINTING AN ENVIRONMENTAL ADVISORY COMMITTEE; PROVIDING DUTIES OF THE COMMITTEE; PROVIDING A SUNSET DATE; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS 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 10: 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 Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final 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 11: 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 Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final 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 12: 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 Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final 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 13: 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. Approval – Professional Services Agreement:

KSA Engineers, Inc. as follows:

Task 1 - \$16,000

Task 2 - \$ 7,000

Task 3 - \$10,000 (optional)

Total - \$33,000

This is a professional services contract for the design and bidding services necessary to rehabilitate portions of the north clarifier floor (task 1) and the stairway at the administration building (task 2) of the Osage Surface Water Treatment Plant. Task 3 would be the rehabilitation of the main entrance to the administration building and will be approved at the City's discretion based on all available funds.

B. Award – Water Well Pulling and Re-setting Contract:

Low responsive bidder: Etter Water Well LLC - \$146,250.00

This is a contract to provide the necessary services to pull and reset water wells in the Carson County Wellfield.

C. Award -- Civic Center Grand Plaza Floor Repairs:

Low responsive bidder: Panhandle Steel Buildings -- \$64,616.00

This is a contract to remove the existing tile floors in the Grand Plaza and to install a stained concrete floor in their place.

D. Approval – Potter County Wellfield Collection System Contract:
S. J. Louis Construction of Texas Ltd., LLP as follows:

Original Contract Amount: \$11,387,713.61
Change Order #1: \$ 78,301.56
(landowner requested & funded)
Change Orders #2 - #4: \$ 132,085.00
Requested Change Order: \$ 458,467.00
Revised Contract Amount: \$12,056,576.77
Cumulative % Change: \$5.9%

This is the approval of change order #5 to the wellfield collection system contract in the Potter County Wellfield. This change order will purchase and install temporary pumps in four of the new water wells. Installation of these pumps in addition to the one pump previously approved in change order #3 will deliver an additional five million gallons per day of water beginning the week of August 22, 2011. Upon installation of the permanent pumps in these wells, these temporary units will be removed and retained as on-hand spares for future use or emergencies.

E. Award – Potter County Wellfield Pumping Equipment and Wellhead Improvements Contract:

Sole bidder: L.A. Fuller & Sons Construction -- \$6,325,301

This is a contract for the installation of water well pumps, electrical control equipment, well head improvements and related items necessary for the final completion of the 21 new wells in the Potter County Wellfield. This is the final contract for the Wellfield and upon completion, the new wellfield will operate at the full design capacity.

F. Approval – State/Local Urban Public Transportation Project Grant Agreement:

Grantor: Texas Department of Transportation
Grantee: City of Amarillo
Amount: \$396,940.00

This is the acceptance of a grant from the Texas Department of Transportation for fiscal year 2011/2012 funding to support the Amarillo City Transit program.

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.

Jesse Pfrimmer, 5723 S. Milam, appeared about the minimum charge for water usage to residential customers and stated that it is not fair to those who consume less than the amount charged. Valerie Williams, 4613 Matador, appeared and asked the Commission to consider setting aside money in the City's budget over the next several years for a girls' softball complex. Alan Abraham, 7205 SW 35th Avenue, appeared and stated that he would like the City Commission to consider the Herring Hotel as the convention hotel instead of building a new hotel. Kathy Altman, 2105 S. Lipscomb, appeared and expressed concern about the use of EB5 funding for the downtown project. Phillip Petty appeared and stated that in some way the money for the downtown project is coming from the taxpayers and that is not right because some people do not want it taken out of their pocket. There were no further comments. Mayor Harpole stated that the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Paul Harpole, Mayor