

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 23rd day of August 2011, the Amarillo City Commission met at 1:00 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
DEAN FRIGO	ASSISTANT CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Gene Shelburne, Anna Street Church of Christ. Mayor Harpole led the Pledge of Allegiance.

Mr. Atkinson provided information on the cause of the Carson County Well Field line that failed earlier in the week. He advised that the repairs have been completed and the line is in use. He thanked the residents of Amarillo and Canyon for responding to the need to reduce their water use and that everyone continue with the request for a few more days.

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 16, 2011. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented a resolution to discuss and consider accepting the recommendations received for moving the proposed Downtown Redevelopment Projects forward to the next step in the process of ultimately implementing and constructing the Downtown Convention Hotel, Parking Structure, and Multi Purpose Event Venue. This resolution further provides for the assignment of the Development Agreement to the Amarillo Local Government Corporation, defines the acceptance of the recommendations, the general terms of the financing and cost structure of the project, and provides instruction for moving forward. Finally, the resolution expresses the Commission's gratitude to the many partner agencies who have assisted in the development of this project. Mr. Atkinson provided the history of the downtown project and how we arrived at the recommendations that were presented last week.

Mayor Harpole opened the meeting for public comment. There were comments made in regard to concerns about the downtown project by Steve Dawson, 7902 Prosper, Danny South, 7003 Windridge, Eloy Heras, 1604 S. Harrison, Kathy Revell, 4827 Tulip, Phillip Petty, 6804 Daniel Dr., Sandra Dunn, 2709 Van Buren, Roza Khashan, 6804 Daniel Dr., Erma Heras, 1604 S. Harrison, Mark Meissenburg, 5326 Briar, Jimmy Hammons, 1514 S. Pierce, Jim Hale, 4109 Terrace, Barbara Hale, 4109 Terrace,

Manny Perez, 1101 S. Pierce, Charles Ward, 4122 Terrace, Jesse Pfrimmer, 5723 S. Milam, Gary Lindvay, 4802 Carole Lane, and Robert Burns Whatley, 1607 S. Crockett. Some of the concerns included the need to take the project to a public vote, the bad economy, the EB5 funding and those who will provide that funding, the possibility it will cause a property tax increase, and the location of the hotel and parking garage.

The following appeared and commented in support of the downtown revitalization project, Craig Henderson, 7410 Lynnlee, with the Lonestar Ballet, Richard Brown, 3004 Hayden, Chairman of the TIRZ Board, Keith Grays, 2326 N 11th Avenue, H. R. Kelly, 2300 Judy, David O'Dell, General Manager of the Amarillo Opera, Carol Autry, 6161 Cliffside, member of the TIRZ Board, John Ben Blanchard, 4512 Tutbury, member of the TIRZ Board, Paula Bliss, 4903 Cape Colony, member of the TIRZ Board, Carol Smith, 1616 S. Polk, Scott Bentley, 6716 Elmhurst, member of the TIRZ Board, Gary Pitner, 1 Sutton Place, Chairman of the Amarillo Local Government Corporation, Elizabeth Goodnow, 3415 Hayden, Kevin Nelson, 2120 S. Harrison, John Skaggs, 2601 Bowie, and Mary Fuller, 1606 S. Van Buren.

Mayor Harpole asked for a motion from the Commission. Motion was made by Commissioner Escajeda and seconded by Commissioner Eades, to approve the Downtown Redevelopment Projects as recommended by the Amarillo Local Government Corporation. The City Commission expressed their support for the downtown projects and for the financing structure that Wallace Bajjali put together. 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. Costa Bajjali, Wallace Bajjali Development Partners, appeared and advised of the next steps in the development and construction of the projects.

ITEM 3: Mayor Harpole advised that appointments are needed for certain boards and commissions. Motion was made by Commissioner Eades, seconded by Commissioner Green, to reappoint Liz Hughes and appoint Dr. Bob Stafford to the expired term of Paul Proffer on the Amarillo Hospital District Board of Managers, and to reappoint Sandra Riney and appoint Rita Wilson to the unexpired term of Carolyn Blackerby on the Library Board.

ITEM 4: 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 Green, seconded by Commissioner Simms, to approve the changes as outlined in the previous item, and the following captioned ordinance be passed on second and final 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 5: 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 Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final 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 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 Brennan Boulevard 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. 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 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 Quail Creek Public Improvement District (PID). Motion was made by Commissioner Eades, seconded by Commissioner Green, that the following captioned ordinance be passed on second and final 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 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 Green, seconded by Commissioner Simms, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Approval – HIV Surveillance Grant (HARS):

Grantor: Texas Department of State Health Services
Grantee: City of Amarillo
Grant Amount: \$53,636.00

This is the acceptance of a grant award from the Texas Department of State Health Services to continue funding HIV/AIDS surveillance activities in the Panhandle Region. The grant supports the staff and costs necessary to investigate, review and report all HIV/AIDS positive cases in the area to the State Health Department. The grant amount is the same as the current funding and runs from September 1, 2011 to August 31, 2012.

B. Approval – Airport Architectural Services Agreement Addendum #5:

Shiver-Megert & Associates - \$49,600.00

This approves an addendum to the architectural services contract for the Central Concourse Project at the Rick Husband Amarillo International Airport. Specifically, this addendum is necessary to cover the additional cost of the Resident Project Representative (RPR) services. The RPR serves throughout the project as the City's full-time representative on the project and ensures the project is built according to specifications and that the necessary documentation, including pay requests, is properly handled. Due to weather delays and the July 7, 2010 flood, the construction period for this project exceeded the original estimates and the requested addendum is needed to account for these costs.

C. Award – Cationic Polymer Annual Contract:

Low responsive bidders as follows:

Lot 1 – Fort Bend Services	\$63,600.00
Lot 2 – Ashland Hercules Water Technologies	<u>\$15,180.00</u>
Total award	\$78,780.00

This is the award of two annual contracts for cationic polymers used in the wastewater sludge process at the Hollywood Road Wastewater Treatment Plant and as a coagulant aid for the treatment processing of potable water.

D. Award – Flexible Aggregate Base Material Annual Contract:

Low bidder as determined by tie-breaker process to Texas Sand & Gravel, Inc. - \$202,500.00

This is the award of the annual supply contract to provide flexible aggregate base material. This material is for approximately 15,000 tons of material used by the City Street Department in the maintenance and repair of unpaved streets and alleys.

- E. Award – Police Department Taser Purchase:
Sole bidder: G T Distributors, Inc. - \$26,796.00

This is the purchase of thirty Taser units for the Amarillo Police Department.

- F. Award – Electronics Upgrade for Police Department Bomb Team F6A Robot:
Propriety vendor: Remotec, Inc. - \$51,922.00

This is a contract to upgrade the existing F6A Bomb Team Robot to the upgraded F6+ electronics. This upgrade will provide additional capabilities for the robot unit and also an extended warranty on the unit.

- G. Award – Amarillo Shooting Complex Improvements:
Low responsive bidder:
Brown Construction Services, PLLC - \$100,148.00

This is a construction contract for the installation of new reinforced concrete walls and six foot concrete walkways at the Amarillo Shooting Complex.

- H. Award – Sanitary Sewer Main Improvements:
Low responsive bidder: PM Construction Inc. - \$549,786.16

This is a construction contract for the rehabilitation of sanitary sewer mains in the Oliver-Eakle area and the replacement of sanitary sewer mains in areas of I-40 and Western, SW 5th and Independence, and SW 32nd and Washington. The project will utilize the in-place pipe bursting method to minimize open cuts and ditches. The sanitary sewer mains in this area have deteriorated over time and now experience numerous backups in the wastewater collection system

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 problems with the traffic lights and pedestrian lights at Georgia Street and 45th Avenue. Charles Ward, 4122 Terrace Drive, appeared about problems with the traffic lights at 45th Avenue and Canyon Expressway. There were no further comments. Mayor Harpole stated that the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Paul Harpole, Mayor