

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 8th day of November 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 were 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 Mark Love, Central Church of Christ. Mayor Harpole led the Pledge of Allegiance.

A proclamation was presented for "National Hospice and Palliative Care 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 November 1, 2011. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

Mayor Harpole advised that Item 6, Resolution-Public Hearing, would be considered at this time.

ITEM 6: Mayor Harpole presented a resolution opening and conducting a required public hearing on the potential environmental impacts and alternatives of the construction of a 3,000 foot water pipeline from Southwest 34th and Osage Street to the Osage Water Treatment Plant. An Environmental Information Document has been available for public review and comment since October 24, 2011. The public hearing is a requirement of the Texas Water Development Board funding.

Mayor Harpole asked Mr. Atkinson to provide information about this item to the public. Mr. Atkinson stated that the City of Amarillo received a couple of years ago an allocation of funding from the American Recovery and Re-investment Act to borrow. That money came to us in the form of a zero interest rate loan. The proceeds of that loan were used to construct a new high service pump station at the Osage Treatment Plant and that project is very near completion. In fact, I believe it's scheduled for an opening in December. As we've come to the end of that project, there is a small amount of funding still available to us. It must be used on a project directly related to that high service pump station, so the project is being put forward to account for that is the installation of approximately 3,000 linear feet of waterline. That waterline is coming from the new pump station north to 34th Street where it will tie into an existing 30-inch distribution main. The purpose of this is the over high demand season, next summer. This will

allow the Northeast 24th Street Pump Station to take the water from the new Potter County Well Field, and if needed, push it not only directly into the distribution system but also to shunt it down through that 30-inch line into this new pipeline coming out at the Osage Water Treatment Plant. Over time, we would like to have a dedicated connection between the two at a point we're able to do that. The 3,000 feet of pipe won't be abandoned. It will just become our point of connection. Anyway, as a requirement of using these funds for this project, we are required to conduct a public hearing on the potential environmental impacts and alternatives to constructing this. To do so, Mayor, we've asked Mr. Lance Furland from HDR Engineering to come forward and to carry us through this public hearing, to present what we have, and to help us field any comments or questions that we may have.

Mr. Furland stated that we have a map showing where the pipeline is going to be and advised the public that he is Lance Furland with HDR Engineering. We did the design of the pump station, the high service pump station, and this additional project. Because it was going through some native area, the Texas Water Development Board wanted to make sure that we went through all the traps and made sure there were no environmental impacts and no culture impacts. As you can see, 34th Street is the area north and the pipeline is going to connect right there at the distribution system with a 30-inch line that runs right there along the street. It will pretty much run parallel to that natural drainage area and in between the Comanche Trail Golf Course and the plant itself. Then we'll connect into a valve bolt that we've built with this new pump station and that will transfer that water directly to our new pump station so that it can be pumped to the city, which as Mr. Atkinson stated is going to help in the high demand season especially with Lake Meredith the way it is right now. We had to contact and write letters to approximately thirteen agencies. We got letters back from each one of those agencies saying they did not see an impact and did not see a problem. Part of this EID is to have a public hearing to make sure that there are not any public problems with this pipeline, so with that I will open it up to questions and comments on this pipeline.

Mayor Harpole asked for any comments or questions from the Commission on the pipeline. Mr. Atkinson asked to make one addition regarding the installation. He stated that the proposed layout which is the entirety of that 3,000-foot line is on City-owned property and we are not crossing any other properties with it. Mayor Harpole asked for comments or questions from the Commission and there were none.

Mayor Harpole asked for comments or questions from the audience. Ronald Boyd, 2320 Hawthorne, appeared. He commented that by looking at the pipeline, it has right angles in it. He asked if that is necessary and if it is the best way to distribute the water through a right angle and then go up and shoot like that, or would it kind of angle up. Mr. Atkinson stated that he is going to let Mr. Furland speak to that from an engineering standpoint. Mr. Furland stated that this water is coming in from 34th and moving as it is coming in and this is not where it's being pushed back out again. He stated the right angles are a good question. He advised that a lot of that's done to accommodate that natural drainage area that's up there and to keep from impacting more of that frontage on 34th or to minimize the impacts of the frontage on 34th maybe is a better way to say that. Mr. Furland stated that this is a little bit older line that we've been doing the design on and this is where we've cut out some of these right angles. Mr. Atkinson asked if it was both of them. Mr. Furland commented that it was actually not both of them. He stated that the south one is the one we've cut out. We've got two 45's right there. The one north, we still have a right angle there. There's a very large storm sewer and we're trying to go over the top of it, instead of go underneath it because we would have to go very deep underneath the storm sewer. We think that's going to be a problem. It's an old storm sewer. We don't want to cause any problems with it. So to avoid it and actually get enough cover on top of our new pipeline, we need to make that right angle. We need to go out far enough and then come back in so I don't see this as being a problem as far as hydraulics are concerned. We've modeled this as it looks, and it's fine.

Mayor Harpole asked for any other questions from the audience. Al Alford, 929 S. Milam, appeared and asked the size of the pipe. Mr. Furland stated that it is a 36-inch pipeline. Mr. Alford stated that if it is 180 degrees you would get a lot of pressure. He

asked if it was a 90 degree angle. Mr. Furland stated that it was a 90 degree angle. Mr. Alford stated that is a lot of pressure against it. Mr. Furland advised that they would be using restraints on all the pipelines so they will not have that thrust on the pipeline. Mr. Alford asked if you could put two 45 angles on it. Mr. Furland stated that you could put two 45 degree angles but you would actually get more head loss with two 45's than with a 90 degree one but they could do two 45 ones.

Mayor Harpole asked for any other questions from the audience. Trina Forney, 4427 S. Hayden, appeared and stated that looking over the EID on this, I would just suggest maybe a wording change on page B-2 in Section Number 2C, where it reads Water Quality: The water table located north 80 feet below ground level on this project area. The trenching probably will not reach the water table. The precautions to prevent groundwater contamination will not be necessary. Ms. Forney asked about seepage when it rains when water goes through the soil and it leaks down through the ground. Mr. Furland explained that it wasn't going to be more than what is recommended by this SWP3, and that is allowed. Ms. Forney stated that possibly it should be worded so that we know there's no contamination possible, but that it's within the limits. Commissioner Simms asked if Ms. Forney was aware that it is fresh water. Ms. Forney commented that she was aware it was fresh water but is concerned that during the construction there were not going to be any problems with contamination. She stated that the wording of it was a little bit confusing and it sounded like there was not going to be any possibility of any contamination during the construction and that seems unrealistic. She thought it should be worded that it's within the regulated limits.

Mayor Harpole asked for questions from the audience and there were no further questions or comments. He asked Mr. Atkinson if he had any comments about the comments that were made and if he was okay with everything. Mr. Atkinson stated that he did not have any comments. He stated that Mr. Furland has made a note relative to Ms. Forney's comment, and if that is something we need to adjust we will be glad to do that. There being no further questions or comments, Mayor Harpole closed the public hearing.

Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned resolution be passed:

RESOLUTION NO. 11-08-11-1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: CONDUCTING A PUBLIC HEARING ON POTENTIAL ENVIRONMENTAL IMPACTS AND ALTERNATIVES OF A PROPOSED WATER PIPELINE; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioner Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 2: Mayor Harpole presented an ordinance changing the zoning of a lot located in the vicinity of Coulter Street and Continental Parkway from Planned Development District 238 to Amended Planned Development for the purpose of allowing land uses that are allowed within a General Retail Zoning District. This request was unanimously denied from the Planning and Zoning Commission and is being appealed by the applicant.

Bob Garrett, #7 Willow Bridge Drive, appeared representing the applicant. He reviewed the zoning ordinance approved in 1995 and the notation associated with Phase II states that an amended Planned Development review is required prior to any development occurring. Mr. Shaw reviewed the development that has occurred in this area and the process that had to be taken in order for the applicants to develop the property. Ron Boyd, 2320 Hawthorne, one of the applicants, appeared and stated that all the property in that area along Coulter Street is zoned General Retail. He stated that this property could be used for something worse than an apartment complex. Tom Moore, 4921 Cape Colony, Samantha Cox, 7508 Continental Parkway, Matt Griffith, 4211 Palacio, Kit Carter, 4919 Cape Colony, Wes and Stephanie O'Brien, 7500 Continental Parkway, Beverly Carter, 4919 Cape Colony, appeared against the zoning change particularly for an apartment complex. They expressed concerns about the height of the apartments

would allow people to see into their home and about their property values decreasing.

Commissioner Eades advised that he would like to make two motions. Mayor Harpole asked for his first motion. Motion was made by Commissioner Eades to amend Planned Development 238 by removing the notation "Amended Planned Development Review required for area of Phase II prior to any development occurring" and seconded by Commissioner Simms. 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.

Mayor Harpole asked for Commissioner Eades' second motion. Motion was made by Commissioner Eades to zone this tract of land as General Retail District and seconded by Commissioner Simms. It was stated that there are number of uses included in General Retail District zoning. There was discussion about including the Planned Development 238 as a part of the General Retail District zoning in order to allow restrictions be included in the development standards. Commissioner Eades clarified the intent of his motion was to retain and amend PD 238 by allowing any use in a General Retail Zoning District. Commissioner Escajeda affirmed her second of that. Motion was made by Commissioner Green to amend the motion to stipulate no apartment complexes. The motion died for the lack of a second.

Motion was made by Commissioner Eades, seconded by Commissioner Simms to further amend Commissioner Eades' motion to include Amended Planned Development District 238 as part of the General Retail District zoning and to include the development standards (read into the record by Mr. Atkinson from the staff report) and that such standards replace those adopted in 1995 for Phase II. Motion was made by Commissioner Green to amend the motion to stipulate no apartment complexes. The motion died for the lack of a second. Voting AYE on this amendment were Mayor Harpole, Commissioners Eades, Escajeda and Simms; voting NO was Commissioner Green; the motion carried by a 4:1 vote of the Commission.

Mayor Harpole called for a vote on Commissioner Eades' main motion as now amended. Voting AYE were Mayor Harpole, Commissioners Eades, Escajeda and Simms; voting NO was Commissioner Green; the motion carried by a 4:1 vote of the Commission.

The following captioned ordinance was passed on first reading:

ORDINANCE NO. 7304

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 COULTER STREET AND CONTINENTAL PARKWAY, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ITEM 3: Mayor Harpole presented an ordinance amending Chapter 16-3, Traffic, of the Amarillo Municipal Code modifying an existing public street from one-way vehicular traffic to two-way vehicular traffic as follows, South Taylor Street between S.E. 13th Avenue to S.E. 15th Avenue from the current one-way vehicular traffic designation to two-way vehicular traffic designation. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7303

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 16-3, ARTICLE XXI, SECTION 16-3-1001, SCHEDULE A, TO MODIFY AN EXISTING ONE WAY STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A 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 4: Mayor Harpole presented an ordinance changing the zoning of Lot 9, Beverly Gardens Unit No. 2 in Section 158, Block 2, AB&M Survey, Potter County, in the vicinity of Mirror Street and Bernard Avenue, from Residential District 1 to Residential District 1 with a specific use permit for placement of a Type A Manufactured Home. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7301

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 MIRROR STREET AND BERNARD AVENUE, POTTER 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 5: Mayor Harpole presented an ordinance changing the zoning of Lot 1, Block 27, Puckett Place Unit No. 16, in Section 28, Block 9, BS&F Survey, Randall County, in the vicinity of Southwest 34th Avenue and Bell Street, from General Retail District to Planned Development District for a light automotive repair shop. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7302

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 THIRTY-FOURTH AVENUE AND BELL STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioner 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 the consent agenda and asked if any item should be removed for discussion or separate consideration. 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. Award – BOCA Thermal Ticket Printers for Civic Center:

Sole Bidder: Tickets.Com - \$51,868.80

This is a contract for the purchase of 40 new thermal ticket printers for the Panhandle Tickets locations at the Civic Center and the remote locations.

B. Approval – Water Works Fittings Supply Agreements:

Low responsive bidders as follows:

Water Products of Oklahoma, Inc.	
Lines 1, 4, 10-27, 29-31, 36	\$16,021.40
Ferguson Enterprises, Inc.	
Lines 2 and 3	\$11,573.73
Morrison Supply Company	
Lines 5-9, 28, 32-35	<u>\$16,547.52</u>
Total Award	\$44,142.65

This is the award of the annual supply agreement to furnish various fittings, tubing, valves and associated items used by City Departments throughout the year.

C. Approval – Authorization of Special Services for Storm Sewer System Permit:

Alan Plummer Associates, Inc.

Basic Services	\$24,900.00
Special Services	<u>\$50,000.00</u>
Total Agreement	\$74,900.00

This authorizes the engineering firm of Alan Plummer Associates, Inc. to initiate the special services contemplated in the Agreement for Engineering Services executed on October 11, 2010.

D. Sale – Property:

Sheriff Sale Property in Potter County awarded as a private sale as listed below:

Stanley E. Willis	1117 N. Adams St.
	Lots 1 and 2, Block 29
	Miller Heights Addition

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.

Trina Fournier, 4427 S. Hayden, appeared concerning the Environmental Information Document not being on the City website. Susan Rogers, 6907 Cloud Crest, appeared and stated that she has started a Coalition for businesses in the Ellwood Park area. She commented that they are looking at ways to make the area safer and some of their ideas are to propose changes to the open container ordinance and the solicitation ordinance. Mayor Harpole advised her to continue communication with City Staff regarding their concerns and proposed ordinance changes. Al Alford, 929 S. Milam, appeared about a letter he submitted to the newspaper with questions about the City's budget. Mr. Atkinson advised him that he would speak with him after the meeting about his questions.

No one else appeared and the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Paul Harpole, Mayor