

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 2nd day of March 2010, the Amarillo City Commission met at 1:30 p.m. at City Hall on the third floor in Room 303 in the Conference Room to review agenda items for the regular meeting.

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:

DEBRA MCCARTT	MAYOR
MADISON SCOTT	COMMISSIONER NO. 1
BRIAN J. EADES	COMMISSIONER NO. 2
RONALD BOYD	COMMISSIONER NO. 3
JIM SIMMS	COMMISSIONER NO. 4

Absent was none. Also in attendance were the following administrative officials:

ALAN M. TAYLOR	CITY MANAGER
JARRETT ATKINSON	DEPUTY 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.

A proclamation was presented for "Telephone Book Recycling".

Mayor McCartt established a quorum, called the meeting to order, welcomed those in attendance, and the following items of business were conducted:

ITEM 1: Mayor McCartt presented the minutes of the regular meeting held February 23, 2010. Motion was made by Commissioner Simms, seconded by Commissioner Boyd, and unanimously carried, to approve the minutes.

ITEM 2: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of Southeast 3rd Avenue and Interstate 40 East from Heavy Commercial District to Planned Development District 361 for a criminal justice halfway house. Mayor McCartt stated that she would abstain from this item, and therefore Mayor Pro Tem Simms would conduct the business regarding this item.

Mayor Pro Tem Simms asked Mr. Shaw to review this item. Mr. Shaw reviewed the request and stated that an appeal was filed after the Planning and Zoning Commission approved the request. He stated that Jefferson Highway Investments, LLC filed an appeal because they believe this zoning change would affect the value of the property in this area. He advised that because of this appeal a three-fourths majority vote of the City Commission would be required on this item.

Mayor Pro Tem Simms asked for comments. Paul Walker, Dwight Vick, Ross Clopton, Seldon Hale and Judge John Board, appeared in favor of the project. It was stated that a Transitional Treatment Center in Amarillo would provide persons who return from prison to our community with additional opportunities to improve their lives and gradually return to a normal way of life.

Motion was made by Commissioner Boyd, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7208

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 SOUTHEAST THIRD AVENUE AND INTERSTATE 40, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Simms, Commissioners Scott, Eades and Boyd; voting NO were none; ABSTAINING was Mayor McCartt; the motion carried by a 4:0:1 vote of the Commission.

ITEM 3: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of Broadway Drive and Hastings Avenue from Agricultural District to Residential District 3 to develop the land with single-family detached homes. There were no comments. Motion was made by Commissioner Eades, seconded by Commissioner Scott, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7209

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 HASTINGS AVENUE AND BROADWAY DRIVE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 4: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of Central Avenue and Slope Drive from Residential District 1 to Residential District 1 with a Specific Use Permit 156 for placement of a Type A Manufactured Home. There were no comments. Motion was made by Commissioner Scott, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7210

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 CENTRAL AVENUE AND SLOPE DRIVE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING A EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 5: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of Coulter Street and Hillside Road from General Retail District to Planned Development District 362 for an auto tune-up repair business. There were no comments. Motion was made by Commissioner Simms, seconded by Commissioner Boyd, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7211

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 HILLSIDE ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING A EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Eades, Boyd and Simms; voting NO were none; ABSTAINING was Commissioner Scott; the motion carried by a 4:0:1 vote of the Commission.

ITEM 6: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of River Road and Valley Avenue from Residential District 1 to Residential

District 1 with a Specific Use Permit 155 for placement of a Type A Manufactured Home. There were no comments. Motion was made by Commissioner Boyd, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7212

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 RIVER ROAD AND VALLEY AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING A EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 7: Mayor McCartt presented an ordinance amending Chapter 10-3, Miscellaneous Offenses, of the Amarillo Municipal Code to re-adopt a nocturnal (midnight and after) juvenile curfew for persons under the age of seventeen years. The City Commission last adopted a juvenile curfew in March 2007. Per state law, a juvenile curfew must be reviewed and re-adopted every three years. The re-adoption of this curfew is recommended by the Amarillo Police Department and is supported by statistics, which reflect a reduction in juvenile curfew violations and juvenile arrests after the hour of midnight. Motion was made by Commissioner Eades, seconded by Commissioner Scott, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7207

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO: RE-ADOPTING AND CONTINUING CHAPTER 10-3, ARTICLE VI, SECTIONS 10-3-71 THROUGH 10-3-75, INCLUSIVE OF THE AMARILLO MUNICIPAL CODE, WITHOUT CHANGE; PROVIDING FOR A NOCTURNAL CURFEW (STARTING AT MIDNIGHT) FOR PERSONS UNDER 17 YEARS OF AGE; DEFINING OFFENSES; PROVIDING DEFENSES; PROVIDING A CUMULATIVE REMEDY CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 8: Mayor McCartt presented the appointment of Roger Smalligan, M.D. to the position of Public Health Authority for the Bi-City-County Public Health District. This district includes the cities of Amarillo and Canyon, along with Potter and Randall Counties. The term of this appointment shall be effective until February 24, 2012. Motion was made by Commissioner Scott, seconded by Commissioner Simms, and unanimously carried, to approve the appointment of Roger Smalligan, M.D.

ITEM 9: Mayor McCartt 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 Boyd, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Approval – Tax Abatement Agreement for Alstom Power, Inc.:

This approves a tax abatement agreement with Alstom Power, Inc. granting a ten (10) year abatement on 100% of property taxes eligible for abatement for a portion of the property to be owned by Alstom in the Amarillo Centerport Business Park located in the City of Amarillo Tax Abatement Reinvestment Zone Number 7 in the northeast area of the city. The Potter County Commissioners Court, the Amarillo Junior College Board of Regents and the Panhandle Groundwater Conservation District Board of Directors have each voted to approve and join the City of Amarillo in this tax abatement agreement.

- B. Approval – Amended Interlocal Services Agreement:
Texas Tech University Health Sciences Center
This approves an amended Interlocal Services Agreement with the Texas Tech University Health Sciences Center – Amarillo School of Medicine related to the City of Amarillo and the Bi-City-County Public Health District appointment of Roger Smalligan, M.D. as Public Health Authority. Dr. Smalligan is a faculty member and physician with the Texas Tech Amarillo School of Medicine.
- C. Approval - Teen Court Interlocal Agreement Renewal:
This approves the renewal of the Interlocal Agreement between the City of Amarillo and the Junior League of Amarillo for the operation of the Amarillo Teen Court. Through this agreement, the Junior League of Amarillo commits to participate and provide financial and volunteer support to the City's operation of Amarillo Teen Court through September 30, 2012.
- D. Approval – United States Government Lease Agreement:
This approves a lease agreement between the United States Government and the Rick Husband Amarillo International Airport for approximately 1,746 square feet of office space in the Terminal Building. This is a continuation of a previous lease and runs through September 30, 2014.
- E. Approval – Reynolds, Smith and Hills, Inc. Lease Agreement:
This approves a lease agreement between Reynolds, Smith and Hills, Inc. and the Rick Husband Amarillo International Airport for approximately 439 square feet of office space in the Terminal Building. The lease is for an original six-month period with subsequent six-month renewals unless otherwise cancelled.
- F. Approval – Sports Complex Lighting Installation Contract:
Award to low responsive bidder: AAA Electric Company -- \$124,901.00
This approves a contract to install new energy efficient lighting at the Rick Klein Sports Complex. The contractor will install, connect and wire the light and pole assemblies previously purchased by the City on the six fields at the Rick Klein Complex.
- G. Approval – Park Irrigation System Renovation Project:
Award to low responsive bidder: Golf Works, Inc. -- \$66,614.00
This approves a contract to furnish and install a new irrigation system at Southlawn Park.

Mayor McCartt 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. There were no comments. Mayor McCartt announced that the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Debra McCartt, Mayor