

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 8th day of June 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 EADES	COMMISSIONER NO. 2
RONALD BOYD	COMMISSIONER NO. 3
JIM SIMMS	COMMISSIONER NO. 4

Also in attendance were the following administrative officials:

JARRETT ATKINSON	INTERIM CITY MANAGER
KELLEY SHAW	PLANNING DIRECTOR
CLAUD DRINNEN	DEPUTY CITY ATTORNEY
TAYLOR WITHROW	TRAFFIC ENGINEER
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Jeff Geske, Prince of Peace Lutheran Church.

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 June 1, 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 6th Avenue and Roberts Street from Multiple-Family District 1 to Multiple-Family District 1 with a specific use permit 157 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 second and final reading:

ORDINANCE NO. 7218

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 SIXTH AVENUE AND ROBERTS STREET, 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 3: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of Arden Road and Bernay Street from General Retail District to Multiple-Family District 1. There were no comments. Motion was made by Commissioner Eades, seconded by Commissioner Scott, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7219

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 ARDEN ROAD AND BERNAY STREET, RANDALL 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 a resolution suspending until September 19, 2010, Xcel Energy's request filed May 17, 2010 with the Texas Public Utility Commission, for a rate increase of all Xcel customers in Amarillo along with a reconciliation of its fuel costs for the 2008 and 2009 years. This resolution will allow the City time to review and evaluate Xcel Energy's rate and fuel filing on behalf of Amarillo residents and Xcel customers. There were no comments. Motion was made by Commissioner Scott, seconded by Commissioner Simms, that the following captioned resolution be passed:

RESOLUTION NO. 6-8-10-1

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS ("CITY"): SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE RATE INCREASE FILING OF SOUTHWESTERN PUBLIC SERVICE COMPANY ON MAY 17, 2010; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING 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 5: Mayor McCartt presented a resolution reauthorizing the City of Amarillo Environmental Advisory Committee for an additional one (1) year term until June 1, 2011. 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. Mayor McCartt asked Mary Emeny, a member of the committee, to advise them of their accomplishments and goals over the last year. Ms. Emeny stated that a website has been developed and additional information will continue to be placed on it. She stated that one of the goals for this next year is to get more people involved in their efforts. There were no further comments. Motion was made by Commissioner Simms, seconded by Commissioner Boyd, that the following captioned resolution be passed:

RESOLUTION NO. 6-8-10-2

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: REAUTHORIZING 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 McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 6: Mayor McCartt opened a public hearing to reconsider the installation of four-way stop signs at the intersection of South Hayden Street and S.W. 32nd Avenue in the Wolflin Addition. Residents in this neighborhood area submitted a petition to make this intersection a four-way stop to control speeding vehicles on S.W. 32nd Avenue. The Amarillo Traffic Commission considered this request at its October 21, 2009 meeting and voted 4:2 to recommend denial of the four-way stop sign installation. On December 1, 2009, the Amarillo City Commission upheld the denial of this request with a subsequent review in six months. Residents in this neighborhood area request that the installation of the four-way stop signs be approved.

Mr. Withrow appeared and stated that the four-way stop at Ong and S.W. 32nd Avenue has caused the speed to drop and an additional stop at Hayden would not provide any increased safety. He commented that the additional stop signs could cause drivers to ignore them because they may begin to feel they are unnecessary.

Lane Seliger, 2618 S. Hughes, appeared in favor of the four-way stop stating it is for the greater good of the community. Dale Smith, 3009 S. Ong, asked for a show of the audience in favor of the stop sign and approximately sixteen people were in support. He stated that this is a safety matter for the children. Currie Smith, 1017 S.W. 33rd, appeared stating that excessive speed is unacceptable and the four-way stop is something the neighborhood feels is necessary to slow down the speeding. Blake O'Brien, 3011 S. Ong, appeared stating that the notice letter was not clear to have people call if they were in favor of the four-way stop sign.

Commissioner Simms stated that as a Grandfather he wouldn't mind if there were four-way stop signs at every intersection of a residential area. He stated that seventy-four percent of the residents signed a petition in favor of the stop sign so that indicates the need a support to have one. Commissioners Boyd and Scott commented that because of safety reasons they are in favor of the four-way stop sign.

Motion was made by Commissioner Boyd, seconded by Commissioner Scott, and unanimously carried, to approve the installation of a four-way stop sign at the intersection of South Hayden Street and S. W. 32nd Avenue.

ITEM 7: Mayor McCartt presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were no comments. Motion was made by Commissioner Eades, seconded by Commissioner Scott, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

- A. Purchase – Outdoor Warning Sirens:
Award on Texas BuyBoard Cooperative Purchasing Program to Federal Signal Corporation -- \$81,927.78
This is the purchase of six outdoor warning sirens and related equipment. The units will be used to replace four existing sirens and to add two new sirens in the U.S. Department of Energy (DOE) Pantex Plant 10-mile Emergency Planning Zone (EPZ). These sirens are installed and maintained by the City Emergency Management Department under an Agreement in Principle with the Pantex Plant and all funding is provided through this Agreement with no additional City funds required.
- B. Purchase – Sacked Cement Annual Contract:
Award to low bidder: Tascosa Brick, Inc. -- \$61,216.40
This is the approval of the annual supply contract for sacked cement. This purchase is for approximately 8,680 bags of various types of sacked cement that are used throughout the year by various City Departments in the routine repair, maintenance, and construction of City facilities and infrastructure.
- C. Award – Potter County Well Field Well Drilling Contract (Phase 2):
Award to low eligible bidder: HydroResources, Inc. -- \$4,848,370.92
This is the award of a contract to drill 17 new municipal water wells in the new Potter County Well Field. Under this contract, the bidder will drill and complete these new wells, which will bring the total number of water supply wells in the new well field to 21.

Due to this project being funded through the TWDB, the City is obligated to evaluate bidders based on their principal place of business and, if such is another state, apply any of that state's bidder preference laws to this project in a reciprocal manner. The apparent low bidder on this project has a principal place of business in another state that requires non-resident bidders to under-bid resident bidders by 5% in order to receive the award. When this requirement is applied to the bids received for this project, the apparent low bidder did not under bid the second low bidder by 5% or more, therefore the award is recommended to the second bidder. The recommended bidder, Hydro Resources, Inc., has a principal place of business in Texas and their bid is within \$50,553.92 or 1% of the apparent low bidder.

D. Award – Potable Water Tank Repair:

Award to low bidder: Vendigm Construction, LLC -- \$191,311.84

This is a contract to provide necessary repairs and maintenance to the five million gallon concrete potable water tank at the Bonham Street Pump Station (Bonham III) and to the 500,000 gallon concrete potable water tank at the Palo Duro Pump Station. The repairs are necessary due to the age and routine maintenance requirements of these tanks.

E. Approval – Delta Air Lines Lease Agreement:

Lessee: Delta Air Lines

Lessor: City of Amarillo

Terms and Conditions: Current Approved Signatory Air Line Agreement

Fixed Lease Rate: \$69,050.93 annually

Variable Lease Rate: Per Approved Signatory Air Line Agreement

This is the approval of a lease agreement to add Delta Air Lines as a signatory carrier at the Rick Husband Amarillo International Airport. The addition of Delta Air Lines includes approximately 3,333 square feet of exclusive use space, which is charged in accordance with the approved signatory agreement and is subject to the same terms and conditions as applies to all signatory carriers. Delta Air Lines will further be charged for non-exclusive use such as landing fees and common areas which is also charged in accordance with the approved signatory agreement.

F. Approval – Amarillo Economic Development Corporation Incentive Project:

Owens Corning Composite Materials, LLC

Owens Corning Composite Materials, LLC in Amarillo has requested assistance from the Amarillo EDC to support the expansion of their operations in Amarillo and to create 100 to 145 new primary jobs. Amarillo EDC will support these expansion plans through the provision of a job creation incentive grant in an amount not to exceed \$1.5 million with \$500,000 in up-front funding and the balance through agreed upon performance measures for jobs, payroll and local spending.

G. Dedication and Acceptance – Street Deed:

Dedication of 1.23-acre tract and 0.041 acre tract for right-of-way purposes in the vicinity of Barstow Drive and Hollywood Road/Loop 335 from Rockrose Development Corp.

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. George Ingalls, 1210 S.W. 11th Avenue, Josh Paulson and Robert Morgan, 1320 S. Fillmore, appeared stating concern for the safety of bicyclists in Amarillo. They stated that motorists are not courteous to bicycle riders and many motorists threaten them. They suggested placing “Share the Road” signs around the city to encourage motorists to be more bicycle friendly. Mayor McCartt advised them to contact Taylor Withrow about the signs. H.B. White, 602 S. Adams, appeared and asked the Commission to ban cell phone use while driving. He also expressed concerns with the Police Department. Robert Pinkerton appeared concerning a red light camera citation he received. Jessie Pfrimmer, 5723 S. Milam, appeared stating that he loves Amarillo. He commented that cell phone use while driving is a danger, motorists are not respectful of bicyclists, and suggested firefighters buy groceries on personal time. There were no further comments. Mayor McCartt announced that the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Debra McCartt, Mayor