

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 13th day of July 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
JIM SIMMS	COMMISSIONER NO. 4

Absent was Ronald Boyd, Commissioner No. 3, due to personal business. Also in attendance were the following administrative officials:

JARRETT ATKINSON	INTERIM CITY MANAGER
VICKI COVEY	ASSISTANT CITY MANAGER
KELLEY SHAW	PLANNING DIRECTOR
MARCUS NORRIS	CITY ATTORNEY
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 July 6, 2010. Motion was made by Commissioner Simms, seconded by Commissioner Eades, and unanimously carried, to approve the minutes.

ITEM 2: Mayor McCartt presented an ordinance amending the Amarillo Municipal Code of Ordinances regarding the City of Amarillo's Downtown Urban Design Standards. The ordinance adopts the proposed Design Standards, creates the Downtown Urban Design Review Board and amends existing sections of the Code to allow for the proper implementation and administration of the Standards.

Mayor McCartt advised that a meeting was held after the public hearing last week to answer questions and clarify concerns from the residents in the Design Standards area. Mr. Shaw advised of the clarifications and changes made to the Urban Design Standards since the City Commission meeting held July 6, 2010. He noted that the changes include further clarification that exterior painting is not regulated in the Standards, further definition of new construction and redevelopment of vacant buildings, clarification of what could and could not be done on private property and public right-of-way, and clarification of temporary real estate signs. Melissa Dailey, Executive Director of Downtown Amarillo, Inc., explained the reason the residential area is included in the Design Standards area is to match the Tax Increment Reinvestment Zone area. She stated that as the downtown area is redeveloped it will help property values go up not only downtown but also in the residential area.

Amy Restine, 721 Short Street, stated that she is still concerned about the Design Standards. She commented that the residents should not have to be restricted what they can and cannot do with their property. She stated that their neighborhood is not being represented. Wes Reeves, 2117 Harrison, commented that excluding the residential neighborhood from the Design Standards area could cause failure for the downtown revitalization. He expressed support of the Urban Design Standards. Troy Foos, 1613 S. Harrison, stated that he sees the Standards as a way of protecting his

assets and thinks they will be a great help to the neighborhood. Michelle Fortunato, 1710 S. Harrison, stated that she owns several pieces of property in this area and sees this as a positive measure for the neighborhood. She states that we need the ordinance in place to keep the standards consistent. Alan Finegold, 2601 N. Grand, commented that the City should only have required standards that affect the health and safety of citizens and anything else should be voluntary. Beth Duke, of Center City of Amarillo, commented that voluntary standards do not work and believes an ordinance enforcing the standards will make a difference in being able to move forward with the Urban Design Standards. Karl Restine, 721 Short Street, stated that many things could have been done with the money that has been used on the studies on downtown revitalization. He stated concern about increased taxes after the ordinance is implemented.

Mayor McCartt applauded everyone for their efforts on this project and thanked Downtown Amarillo, Inc. for their participation with the Downtown Urban Design Standards plan. She stated that she believes these Standards will protect the residential property and will bring improvements to the neighborhood. She commented that it is time to move forward with the vision of revitalizing our downtown area. There were no further comments.

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

ORDINANCE NO. 7223

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS AMENDING THE AMARILLO MUNICIPAL CODE: CHAPTER 2-6 TO ESTABLISH A DOWNTOWN URBAN DESIGN REVIEW BOARD; CHAPTER 4-10 TO CREATE A DIVISION 3 IN ARTICLE IV, ESTABLISHING A DOWNTOWN URBAN DESIGN OVERLAY DISTRICT WITH CORRESPONDING DEVELOPMENT STANDARDS AND PROCEDURES; CHAPTER 4-10, ARTICLE II, DIVISION 2 TO EXPAND AUTHORITY OF THE ZONING BOARD OF ADJUSTMENT; CHAPTER 4-10, ARTICLE XXI, TO CREATE SECTION 4-10-1002 (APPENDIX); AMENDING VARIOUS OTHER SECTIONS TO CONFORM TO THE AFOREMENTIONED AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

ITEM 3: Mayor McCartt presented a resolution setting the date of August 3, 2010 for a public hearing on substandard structures located in the city. There were no comments. Motion was made by Commissioner Eades, seconded by Commissioner Scott, that the following captioned resolution be passed:

RESOLUTION NO. 7-13-10-1

A RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER CERTAIN CONDITIONS DESCRIBED HEREIN CONSTITUTE A PUBLIC NUISANCE.

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

ITEM 4: Mayor McCartt presented an ordinance amending the Amarillo Municipal Code of Ordinances regarding the City of Amarillo's Wastewater Pre-Treatment Program and Response Plan and by defining specific technically based discharge limits for all categories of users. This ordinance repeals the current Articles I, II, and III of Chapter 18-3, Wastewater System, in their entirety and replaces them with revised Articles I, II and III of Chapter 18-3. There were no comments. Motion was made by Commissioner Scott, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7222

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE OF ORDINANCES, CHAPTER 18-3,

WASTEWATER SYSTEM, BY REPEALING ARTICLES I, II AND III OF CHAPTER 18-3 AND REPLACING SAID ARTICLES WITH COMPREHENSIVELY REVISED ARTICLES I, II, AND III WITH CHANGES THAT INCLUDE REVISED ENFORCEMENT PROCEDURES AND REMEDIES, DEFINITIONS, PROHIBITING THE DISCHARGE OF CERTAIN POLLUTANTS, CHANGING SPECIFIC POLLUTANT LIMITATIONS, ADOPTING TAP AND SEWER RATES, ADOPTING MANIFEST AND DISPOSAL REQUIREMENTS FOR WASTE HAULERS AND OTHER CHANGES AS SET OUT MORE FULLY HEREIN; PROVIDING FOR PENALTIES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR CONTINUATION OF EXISTING LAW FOR PENDING PROCEEDINGS; PROVIDING AN EFFECTIVE DATE.

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

ITEM 5: 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 Simms, seconded by Commissioner Eades, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Approval – Funding Agreement Amendment - Jason Avenue Residential Complex:

Current Funding	HOME Funds - \$1,100,200
	CDBG Funds - <u>\$ 250,000</u>
	Total <u>\$1,350,200</u>
Proposed Funding	HOME Funds \$1,350,200
	CDBG Funds <u>\$ 0</u>
	Total <u>\$1,350,200</u>

This amends the existing Funding Agreement between the City of Amarillo and SSFP Jason Avenue IX LLC (Jason Avenue Residential Complex) to accommodate funding requirements of the project. This amendment eliminates the Community Development Block Grant (CDBG) funding and replaces it with HOME funding. The amendment does not increase total funding to the project and both the City and the Project Developer maintain their respective fiscal responsibilities and obligations.

B. Award – Medical Laboratory Services:

Award to low responsive bidder: Physicians Preferred Laboratory - \$143,403.31

This is a contract to provide medical laboratory testing services to the City of Amarillo. These services are used by the City Public Health Department, CityCare Clinic, Fire Department, Risk Management Department and Benefits Department throughout the year to provide necessary testing services for patients, prospective employees, promotional and pre-employment screening as well as required random and incident specific drug screening. The contract is for one year with up to four one-year extensions upon mutual consent.

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. Jim Hammons, 1514 S. Pierce, expressed support of the Urban Design Standards. There were no further comments. Mayor McCartt announced that the meeting was adjourned.

ATTEST:

Donna DeRight, City Secretary

Debra McCartt, Mayor