

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 24<sup>th</sup> day of August 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 for a presentation of the Amarillo Convention and Visitors Council and Amarillo Economic Development Corporation 2010/2011 fiscal budgets and program of services, review agenda items for the regular meeting and discuss the City of Amarillo 2010/2011 budget.

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

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

JARRETT ATKINSON	INTERIM CITY MANAGER
KELLEY SHAW	PLANNING DIRECTOR
MARCUS NORRIS	CITY ATTORNEY
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Kevin Deckard, Polk Street United Methodist 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 August 17, 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 adopting the 2010/2011 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Greenways Public Improvement District (PID). 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. 7233

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 2010-2011; ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011 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 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 3: Mayor McCartt presented an ordinance adopting the 2010/2011 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Quail Creek Public Improvement District (PID). 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. 7234

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 2010-2011; ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011 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 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 adopting the 2010/2011 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Brennan Boulevard Public Improvement District (PID). 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. 7235

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 2010-2011; ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011 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 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 approving revised tariffs for the sale of natural gas in Amarillo by the Atmos Energy Company. There were no comments. Motion was made by Commissioner Simms, seconded by Commissioner Boyd, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7229

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS, ("CITY"): APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY AND ATMOS ENERGY CORP., WEST TEXAS DIVISION ("ATMOS WEST TEXAS" OR "COMPANY") REGARDING THE COMPANY'S SECOND RATE REVIEW MECHANISM FILING IN THE CITY; DECLARING EXISTING RATES TO BE UNREASONABLE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATE CASE EXPENSES; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ATMOS' PROOF OF REVENUES; ADOPTING AN AGREED CAP CALCULATION; ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; PROVIDING REPEALER AND SAVINGS CLAUSES; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE CITY'S LEGAL COUNSEL.

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 presented an ordinance adopting the 2010/2011 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Colonies Public Improvement District (PID). 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. 7230

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE COLONIES PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2010-2011; ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011 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 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 adopting the 2010/2011 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Point West Public Improvement District (PID). 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. 7231

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE POINT WEST PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2010-2011; ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011 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 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 an ordinance adopting the 2010/2011 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Tutbury Public Improvement District (PID). 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. 7232

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE TUTBURY PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2010-2011; ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011 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 McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 9: Mayor McCartt advised that an appointment is needed to be made for the Canadian River Municipal Water Authority Board of Directors. Motion was made by Commissioner Boyd, seconded by Commissioner Eades, and unanimously carried, to reappoint William Hallerberg, such term to expire July 31, 2012.

ITEM 10: 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 – Computer Hardware and Licenses:

Award to Dell Marketing on Department of Information Resources (DIR) State of Texas Cooperative Purchasing Contract - \$86,938.09

This is the purchase of computer hardware and additional software licenses. These computers are budgeted replacements for existing units that are past their useful service life and the software licenses are necessary to support growth in the mobile computing environment used predominantly by the City Police and Fire Departments.

B. Award – Lighting Control System Renovation Contract:

Award to sole responsive bidder:

Brown Construction Services, PLLC. - \$79,452.00

This is the award of a contract to furnish and install a new lighting control system for the Civic Center Regency Room.

- C. Award – Fire Station #12 Construction Contract:  
Award to low responsive bidder: Southwest General Contractors - \$1,388,142.00  
This is the award of a contract to construct the new Fire Station #12. This station will be constructed at 3100 S.W. 58<sup>th</sup> Avenue and will provide increased service levels and fire protection to the surrounding area.
- D. Approval – Phase II of Playa Lake #13/City View Subdivision Drainage Improvement Project:  
Award to low responsive bidder: Perry Williams, Inc. - \$846,259.75  
This is the award of a contract to install the second and final phase of storm sewer improvements necessary to accommodate and direct storm water drainage created in the City View residential subdivision to an adjacent storm water retention area (Playa Lake #13) in the vicinity of South Western Street and Hollywood Road (Loop 335). Phase II of this project includes the installation of new underground piping and related appurtenances from the southern boundary of the subdivision southward under Hollywood Road (Loop 335). From this point, the project will connect to the improvements constructed in Phase I.
- E. Approval – Airport Flood Event Emergency Repairs:  
Award to Western Builders of Amarillo, Inc. - \$485,030.65  
This is the approval of the Agreement to perform immediate emergency repairs and remediation activities related to the July 7, 2010 flood event at the Rick Husband Amarillo International Airport. The work under this item was performed beginning July 7 during the flood event and continuing through July 25. Major work items included dewatering the basement area, remediating water damage on the first floor, re-establishing telecommunications, addressing the major flood-damaged electrical gear and establishing the needed emergency connections to provide temporary lighting, HVAC systems and electrical generation. Funding for this Agreement is provided by the City of Amarillo's insurance carrier, FM Global. A subsequent contract will be issued to perform permanent repairs to the damaged facilities and equipment and to maintain the temporary HVAC and electrical systems until the permanent repairs are completed.
- F. Acceptance – 2010/2011 Immunization Grant:  
Grantor: Texas Department of State Health Services  
Grantee: City of Amarillo Public Health Department  
Grant Amount: \$261,049.00  
This is the acceptance of the 2010/2011 grant from the Texas Department of State Health Services for the Public Health Immunization Program. The grant amount represents level funding as compared to the current year and will support the Public Health Department's efforts to provide immunization services, daycare audits, outreach services and vaccine preventable disease surveillance programs.

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. Erma Heras, 1604 S. Harrison, appeared and asked the City Commission to remove her neighborhood from the Downtown Urban Design District. Mayor McCartt commented that good things are going to happen with this new plan in place and it would be best to wait before they remove her neighborhood from the district. Jimmy Barnes, 3305 Reeder, appeared and asked if signs were going to be posted at the schools stating no cell phone use is allowed in a school zone. Mayor McCartt advised that the City Commission and Staff would review his request. There were no further comments. Mayor McCartt announced that the meeting was adjourned.

ATTEST:

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Donna DeRight, City Secretary

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Debra McCartt, Mayor