

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 7<sup>th</sup> day of September 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 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:

BRIAN EADES	MAYOR PRO TEM
MADISON SCOTT	COMMISSIONER NO. 1
RONALD BOYD	COMMISSIONER NO. 3

Absent were Debra McCartt, Mayor, and Jim Simms, Commissioner No. 4, due to attending the funeral of Commissioner Simms' father. 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 Mark Love, Central Church of Christ. Mayor Pro Tem Eades led the audience in the Pledge of Allegiance.

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

ITEM 1: Mayor Pro Tem Eades presented the minutes of the regular meeting held August 31, 2010. Motion was made by Commissioner Boyd, seconded by Commissioner Scott, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Pro Tem Eades conducted a public hearing on the City of Amarillo's fiscal year 2010/2011 budget. He stated that this budget will raise more total property taxes than last year's budget by \$203,435 or 0.68%, and of that amount \$486,600 is tax revenue to be raised from new property added to the tax roll this year. This budget will require a property tax rate of \$0.31009, which is the same as the current fiscal year. Mr. Atkinson advised that this is a conservative budget but one that will continue to provide for the City's infrastructure needs as well as provide for other projects, programs and services. Mayor Pro Tem Eades noted the graphs shown on the screens that reflect a comparison of other cities in regard to the ad valorem tax rates and debit per capita for the general fund. He advised that Amarillo compares very favorably against other cities in both of these areas. There were no comments and the public hearing was closed.

ITEM 3: Mayor Pro Tem Eades presented an ordinance adopting the City of Amarillo budget for the 2010/2011 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year. There were no comments. Motion was made by Commissioner Scott, seconded by Commissioner Boyd, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7238

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011 FOR THE CITY OF AMARILLO; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET; ESTABLISHING AND ADOPTING AN OFFICIAL PERSONNEL PLAN FOR THE CLASSIFIED

AND UNCLASSIFIED SERVICE AND, ABOLISHING ALL POSITIONS NOT LISTED IN SAID BUDGET; AMENDING VARIOUS PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO MODIFY, INCREASE, OR DELETE VARIOUS FEES AND RATES AS FOLLOWS: CHAPTERS 18-2 AND 18-3, VARIOUS WATER & SEWER RATES & FEES; CHAPTER 8-3, ARTICLE IV, CERTAIN SOLID WASTE FEES AND RATES; CHAPTER 18-2, ARTICLE III, A FEE FOR BACTERIOLOGICAL COLIFORM TESTING; CHAPTER 12-1 FOR TENNIS FEES AND CERTAIN ENTRY FEES; CHAPTER 12-4 FOR GOLF FEES; CHAPTER 4-1, ARTICLE I, DIVISIONS 1, 2 3, 4 AND 5, VARIOUS BUILDING RELATED FEES; PROVIDING FOR AN INCREASE IN RETURNED CHECK FEE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 4: Mayor Pro Tem Eades presented an ordinance approving the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2010 tax year. This ordinance establishes an ad valorem tax rate of \$0.28279 per \$100.00 property valuation for City maintenance and operations expenses and \$0.02730 per \$100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of \$0.31009 per \$100.00 property valuation. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 0.14% and will raise taxes for maintenance and operations on a \$100,000.00 home by approximately forty cents \$0.40. However the total tax rate is the same as last year and will reduce taxes collected for interest and sinking fund purposes. This will reduce taxes for Interest and Sinking fund (debt service) on a \$100,000 home by approximately forty cents (\$0.40). The net effect is that total taxes collected on a \$100,000 home for FY 2010/2011 are the same as collected on a \$100,000 home for FY 2009/2010, excluding any change in taxes due to appraisal value.

There were no comments. Motion was made by Commissioner Boyd, seconded by Commissioner Scott, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7239

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: APPROVING TAX ROLL; SETTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF AMARILLO FOR THE TAX YEAR 2010; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 5: Mayor Pro Tem Eades presented an ordinance modifying the terms of the City of Amarillo's participation in the Texas Municipal Retirement System (TMRS). This ordinance terminates the automatically repeating allowance of increased prior and current service annuities or cost-of-living adjustments (COLA's), which is prudent and necessary due to current economic conditions. Passage of this ordinance does not prevent the Amarillo City Commission from considering the reinstatement of these retirement annuity adjustments in the future. Mr. Atkinson explained that changes made in the way the City's contribution is figured to fund the cost-of-living adjustments for retirees has put a burden on the City's budget. Due to the economy and the cost to continue with the COLA, he stated that it was decided to eliminate it this year. He advised that the staff would be working next year to get legislation passed in the 2011 Legislative Session that would provide the means to reinstate the COLA in the future.

Merril Nunn, 1900 Crestview, appeared stating that if the problems with TMRS are not good at this time it could be difficult for the City to participate in the COLA at a later time due to the cost involved in adding it back. Laurie Thomas appeared against the City eliminating the cost-of-living adjustment. She stated that retirees of the City rely on the

COLA and it will hurt them if it is eliminated. Rob Nagel, 5702 S. Milam, appeared and stated this will affect the City's retirees and when she retired she trusted that her retirement would not change and she would always receive cost-of-living adjustments. She commented that this could cause many retirees to have to go back to work after working all their lives for the City of Amarillo. Commissioner Boyd stated that this is about living within the City's budget and does not think the retirees will really be hurt by this decision. Mayor Pro Tem Eades advised that the City of Amarillo retirees would remain on the forefront of their minds and as the economy improves this would be reconsidered at a later time. There were no further comments. Motion was made by Commissioner Scott, seconded by Commissioner Boyd, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7240

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: TERMINATING THE AUTOMATICALLY REPEATING ALLOWANCE OF INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE TEXAS MUNICIPAL RETIREMENT SYSTEM, AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 6: Mayor Pro Tem Eades presented an ordinance amending Chapter 16-3-180 (a) of the Amarillo Municipal Code by adding a new sub-section 7 to authorize the Amarillo Police Department to enforce temporary traffic regulations promulgated by the City Traffic Engineer. This amendment is necessary to provide clear authority to enforce temporary traffic regulations for special conditions such as parades or other permitted events as well as for temporary and special conditions or emergencies. There were no comments. Motion was made by Commissioner Boyd, seconded by Commissioner Scott, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7241

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 16-3, ARTICLE V, DIVISION 1, SECTION 16-3-180 TO PROVIDE FOR ENFORCEMENT OF TEMPORARY OR EMERGENCY TRAFFIC REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 7: Mayor Pro Tem Eades presented a resolution approving the 2010/2011 Budget and associated program of services for the Amarillo Hospital District. There were no comments. Motion was made by Commissioner Scott, seconded by Commissioner Boyd, that the following captioned resolution be passed:

RESOLUTION NO. 9-7-10-1

A RESOLUTION OF THE CITY OF AMARILLO CITY COMMISSION: ADOPTING THE BUDGET OF THE AMARILLO HOSPITAL DISTRICT FOR THE FISCAL YEAR OCTOBER 1, 2010 TO SEPTEMBER 30, 2011.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 8: Mayor Pro Tem Eades presented a resolution approving the 2010/2011 Amarillo Economic Development Corporation (AEDC) Budget. There were no comments. Motion was made by Commissioner Boyd, seconded by Commissioner Scott, that the following captioned resolution be passed:

RESOLUTION NO. 9-7-10-2

A RESOLUTION OF THE CITY OF AMARILLO: APPROVING THE OPERATING BUDGET FOR THE FISCAL YEAR 2010-2011 FOR THE AMARILLO ECONOMIC DEVELOPMENT CORPORATION.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 9: Mayor Pro Tem Eades presented a resolution approving the 2010/2011 Amarillo Convention and Visitor Council budget. There were no comments. Motion was made by Commissioner Boyd, seconded by Commissioner Scott, that the following captioned resolution be passed:

RESOLUTION NO. 9-7-10-3

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: APPROVING EXPENDITURE OF HOTEL OCCUPANCY TAX REVENUE BY THE AMARILLO CONVENTION AND VISITOR COUNCIL FOR THE FISCAL YEAR OCTOBER 1, 2010 TO SEPTEMBER 30, 2011.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 10: Mayor Pro Tem Eades presented a resolution approving the 2010/2011 Tax Increment Reinvestment Zone Number 1 (TIRZ) budget. There were no comments. Motion was made by Commissioner Scott, seconded by Commissioner Boyd, that the following captioned resolution be passed:

RESOLUTION NO. 9-7-10-4

A RESOLUTION OF THE CITY OF AMARILLO CITY COMMISSION: ADOPTING THE BUDGET OF THE TAX INCREMENT REINVESTMENT ZONE NO. 1, CITY OF AMARILLO FOR THE FISCAL YEAR OCTOBER 1, 2010 TO SEPTEMBER 30, 2011.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 11: Mayor Pro Tem Eades presented an ordinance changing the zoning of a tract of land in the vicinity of Southwest 17<sup>th</sup> Avenue and Western Street from Residential District 1 to Planned Development District for off-street parking and single-family residential development. There were no comments. Motion was made by Commissioner Boyd, seconded by Commissioner Scott, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7236

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 SEVENTEENTH AVENUE AND WESTERN STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Eades, Commissioners Scott and Boyd; voting NO were none; the motion carried by a 3:0 vote of the Commission.

ITEM 12: Mayor Pro Tem Eades advised that appointments are needed for several boards and commissions. Motion was made by Commissioner Scott, seconded by Commissioner Boyd, and unanimously carried, for the Library Board reappoint Denise Blanchard, appoint Lola Whitaker to the expired term of Pearlene Martin and Maury Ramon-Jordan to the expired term of Lois Nix, such terms to expire July 19, 2013, for the Parks and Recreation Commission reappoint Joyce Cunningham and Hal Leedy, such terms to expire July 1, 2013; and to the Texas Panhandle Mental Health Mental Retardation Board of Trustees reappoint Dr. Sam Reeves, such term to expire September 1, 2012.

ITEM 13: Mayor Pro Tem Eades 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 Boyd, 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 - Police Patrol Rifles and Accessories:  
Award to low responsive bidders by line item as follows:  
Kiesler Police Supply \$62,591.76  
(Line 1)

GT Distributors (Line 2)	\$ 3,733.91
Attack Opgear (Line 3)	\$ 2,236.52
Cheaper Than Dirt CTD, Inc. (Line 4)	\$ 825.93
Proforce Law Enforcement (Line 5)	\$ 1,012.50
C&G Wholesale (Lines 6 & 8)	\$25,228.00
Personal Protection Group LLC (Line 7)	<u>\$ 1,169.60</u>
Total Award	\$96,798.22

This is the purchase of up to seventy-seven patrol rifles for use by the members of the Amarillo Police Department. These rifles will be purchased by the Police Department and then resold to authorized officers for on-duty use.

B. Purchase – Airport Communications Switch:

Award to NACR on Houston Galveston Area Council Cooperative Purchasing Program -- \$36,728.47

This is the purchase of a new communications (telephone and data) switch and related appurtenances for the Rick Husband Amarillo International Airport. The requested unit is a replacement for the existing unit that was damaged in the July 7, 2010 flood event.

C. Award – Landfill Monitoring Well Installation Contract:

Award to best evaluated proposer: Talon/LPE, LTD. -- \$227,964.40

This is a contract to install groundwater monitoring wells at the City of Amarillo Municipal Solid Waste Landfill. Under this contract, nineteen additional groundwater monitoring wells will be installed at approximately 600 foot intervals in order to maintain compliance with updated standards adopted by the Texas Commission on Environmental Quality in 2009.

D. Award – Elevator and Escalator Service Contract:

Award to sole bidder: Schindler Elevator Corporation -- \$84,000.00

This is the annual contract for maintenance, repair, and emergency response for City-owned elevators and escalators. The contract provides these services for twenty-one elevators and four escalators currently operating in City facilities.

E. Acceptance – 2010/2011 Bioterrorism/Public Health Preparedness Grant:

This is the acceptance of grant funding from the Texas Department of State Health Services (DSHS) for the continuation of the City of Amarillo Department of Public Health Bioterrorism/Public Health Preparedness Program. This grant supports ongoing efforts to ensure proper preparation and capabilities are available to address public health issues. The grant amount of \$294,836 represents level funding from the current year and provides for staff support, supplies, training and response efforts.

F. Approval – Community Development Block Grant (CDBG) HOME Program Rental Rehabilitation Project:

Owner: AB Equity Investment Properties, LLC

Location: 4442 S. Bowie

Loan Amount: \$ 59,000.00

Owners Cost: \$ 60,430.00

Total Rehabilitation Cost: \$119,430.00

This is the approval of a forgivable loan to assist in the rehabilitation of an existing, unoccupied single family dwelling. Under this program, CDBG funds may be used to provide up to fifty percent of the cost of rehabilitating a property as a zero interest forgivable loan. Upon completion of the project this property will be made available as a rental unit to low-income individuals or families with rental rates being subject to affordability requirements for a period of fifteen years.

G. Dedication and Acceptance Easements:

1. 20 ft. SPS Utility Easement in Lot 1, Block 23, Hillside Terrace Estates Unit No. 11, Section 64, Block 9, Randall County from City of Amarillo.
2. Two-5 ft. drainage easements in The Vineyards Unit #1 from Eric Nielsen. 191, Block 2 AB&M Survey, Potter County from Eric Nielsen.
3. Two drainage easements and a temporary drainage easement in Section 191, Block 2 AB&M Survey, Potter County from Eric Nielsen.
4. 10 ft. wide Sanitary Sewer Easement in Section 191, Block 2 AB&M Survey, Potter County from Thomas W. Nielsen.
5. Three-15 ft. drainage easements in Section 191, Block 2 AB&M Survey, Potter County from Thomas W. Nielsen.
6. 1.23-acre tract and 0.041-acre tract of land for public Right-of-Way in Sections 231 and 232, Block 2 AB&M, Randall County from Rockrose Development Corp.

Mayor Pro Tem Eades 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. Coy Lovvorn, 2407 S. Taylor, appeared stating that the apartment building at 2500 Canyon Drive needs to be condemned due to the condition of the structure and property. He advised that it has been bad for many years and it is not good for the neighborhood. He asked the Commission to consider the condition the condemnation of this property. David Ferrell with T. Miller Wrecker Services, 621 E. 10<sup>th</sup> Avenue, appeared stating that a study done by Morningside Research indicates that towing rates on private property should be increased. He believes that the amount recommended is too much of an increase for Amarillo and asked the Commission to review the study before making any decisions on a rate increase as requested in last week's meeting. There were no further comments. Mayor Pro Tem Eades announced that the meeting was adjourned.

ATTEST:

---

Donna DeRight, City Secretary

---

Brian Eades, Mayor Pro Tem