

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th 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 review 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 Marvin James, First Christian 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 September 7, 2010. Motion was made by Commissioner Simms, seconded by Commissioner Boyd, and unanimously carried, to approve the minutes.

Due to the request of Strick Watkins, retired City of Amarillo employee, Item 5, Ordinance No. 7240, was considered at this time.

ITEM 2: Mayor McCartt 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 Eades, seconded by Commissioner Scott, that the following captioned ordinance be passed on second and final 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 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 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 Scott, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final 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 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 advised that pursuant to the terms of Tex. Loc. Gov. Code, sec. 102.007(c), the City Commission is required to take a separate ratification vote on the tax rate when the adopted budget requires more property tax revenue than did the previous year's budget. There were no comments. Motion was made by Commissioner Simms, seconded by Commissioner Boyd, to approve the ratification. 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 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 this ordinance is only to stop the automatic repeating cost-of-living adjustments. He advised that the basic annuities or prior COLA's to the retired employees would not be affected.

Sidney Glasgow, a 30-year retired employee, appeared and asked the Commission to table the ordinance in order to see what the sales tax would be for September. He asked them to take more time to consider how the ordinance would affect the retired employees and the employees close to retirement. He commented that he is concerned that future COLA's would not be reinstated. Mayor McCartt stated that she could not imagine the COLA not being reconsidered in the future but she is not sure an increase in sales tax would make that much difference if the ordinance was tabled. Dean Frigo, Assistant City Manager, stated that it is still difficult to know what will happen with the sales tax and time is running out to get the tax rate set and the budget approved.

Commissioner Boyd stated that this is a business decision. He commented that the City cannot afford to continue the automatic COLA's at this time. He stated that it will be considered in the future and the Commission will take care of their retirees. Commissioner Eades advised that everyone is making sacrifices due to the economy and the current employees will receive a small increase this year after not getting one last year. Merrill Nunn, 1900 Crestview, appeared and stated that due to the cost he believes it would be difficult for the City to reinstate the COLA in the future. He asked if the ordinance could be tabled since the time limit to pass it is later in the year and that would provide additional time for review. Commissioner Scott advised that the legislation that is to be considered next year would not require previous years to be repaid. Laurie Thomas appeared stating that she does not want to be put against the existing city employees. She commented that she is concerned about the future if the repeating COLA is taken away and she wants to be sure the retirees are not forgotten. Mayor McCartt asked if the COLA could be negotiated and Mr. Frigo advised her that it could not the way it is set up now but the proposed legislation would allow it. Strick Watkins appeared and stated that he is concerned about the retirees who were paid a lower salary and do not have much of a retirement because they are the ones who need a cost-of-living increase.

There were no further 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. 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 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 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 Eades, that the following captioned ordinance be passed on second and final 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 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 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. Award – Potter County Wellfield Transmission Pipeline Construction Contract:
Award to low responsive bidder:
S.J. Louis Construction of Texas, LTD. -- \$24,515,941.00

This is a contract to construct the new water transmission pipeline from the Potter County Wellfield to the existing City of Amarillo 24th Avenue Pump Station. The contract includes the installation of approximately 13.4 miles of 48" pipeline and 6.8 miles of 42" pipeline. The project will provide the necessary connection to bring the water produced in the Potter County Wellfield to Amarillo and also includes an interconnecting pipeline between the new Potter County pipeline and the existing Carson County pipeline. This interconnecting pipeline will provide for greatly increased safety and redundancy of these two critical systems and will allow water to be shifted from one pipeline to the other during emergency situations or to allow routine maintenance without interrupting the ability to deliver water to the city.

B. Award – Airport Flood Damage Repair & Restoration Project:

Award to Western Builders of Amarillo, Inc. at a guaranteed maximum price of \$9,006,363.00

This is a contract to perform permanent repairs and restoration to the Rick Husband Amarillo International Airport for damage caused by the July 7, 2010 flood event. Under the terms of this contract, all damage caused to the airport and the associated equipment and fixtures by the flood will be restored to new condition and all equipment warranties and guarantees will be restored. Funding for this contract is provided by the City of Amarillo's insurance carrier, FM Global, with certain items of work being funded by the All Builders Risk Policy

C. Award – Public Safety Software Interface Contract:

Awards to Intergraph Corporation on State of Texas Department of Information Resources (DIR) Cooperative Purchasing Contract -- \$68,860.00

This is a contract to create and install two software interfaces for the City of Amarillo Police Department. The first interface will allow the automatic importation of Automated Fingerprint Identification System (AFIS) information into the new I/Leads automated Police record management and access system. The second interface will automate the importation of data collected from pawn tickets into the I/Leads Police record management and access system.

D. Acceptance – Federal Aviation Administration Airport Improvement Program Grant Funds:

Federal Aviation Administration Funds	\$3,137,987.00
Airport Matching Funds	<u>\$ 165,157.00</u>
Total	\$3,303,144.00

This is the acceptance of the annual Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant funds. These dedicated funds are provided to the Rick Husband Amarillo International Airport each year based on enplanement numbers and are restricted for use on aviation projects. This grant represents the full funding award for FY 2009/2010. These funds are programmed to support Terminal Building Improvements. The required five percent Airport matching funds are in the approved FY 2009/2010 Airport Budget.

E. Approval – City Radio Network Evaluation Contract:

Award to RCC Consultants, Inc. on Houston Galveston Area Council Cooperative Purchasing Program -- \$86,390.00

This is a contract to conduct a diagnostic evaluation of the coverage provided by the City's radio network and the potential impact of the mandated conversion to narrowband technology by January 1, 2013. This study will analyze the performance of our existing mobile and hand-held radios in both open areas and buildings and provide recommendations as to what changes or improvements may be necessary to ensure that complete coverage is available when the system is converted to narrowband operation.

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