

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 20th day of September 2011, 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 review of agenda items and consideration of future agenda items.

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
ELLEN ROBERTSON GREEN	COMMISSIONER NO. 1
LILIA ESCAJEDA	COMMISSIONER NO. 3
JIM SIMMS	COMMISSIONER NO. 4

Absent was Paul Harpole, Mayor, due to personal business. Also in attendance were the following administrative officials:

JARRETT ATKINSON	CITY MANAGER
VICKI COVEY	ASSISTANT CITY MANAGER
DEAN FRIGO	ASSISTANT CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
CRIS VALVERDE	SENIOR PLANNER
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Gene Shelburne, Anna Street Church of Christ. Mayor Pro Tem Eades led 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 September 9, 2011 and September 13, 2011. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Pro Tem Eades presented an ordinance changing the zoning of Lot 8, Block 19, Fairview Townsite in Section 123, Block 2, AB&M Survey, Potter County, in the vicinity of Southeast 6th Avenue and Vernon Street, from Residential District 3 to Residential District 3 with a Specific Use Permit 163. Motion was made by Commissioner Escajeda, seconded by Commissioner Green, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7297

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 VERNON 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 Green, Escajeda and Simms; voting NO were none; the motion carried by a 4:0 vote of the Commission.

ITEM 3: Mayor Pro Tem Eades presented an ordinance changing the zoning of a 13.08 acre tract of unplatted land in Section 37, Block 9, BS&F Survey, Randall County, in the vicinity of Coulter Street and Hollywood Road/Loop 335, from Agricultural District to Multiple-Family District 1. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7298

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 COULTER STREET AND HOLLYWOOD ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 4: Mayor Pro Tem Eades presented an ordinance adopting the City of Amarillo budget for the 2011/2012 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year. Robert Goodrich, 6510 Sandie Drive, and Jimmy Hammons, 1514 S. Pierce, appeared against a tax increase. Trinia Fournier, 4427 S. Hayden, asked questions about several items in the budget. Mayor Pro Tem Eades and Mr. Atkinson answered the questions. Gene Shelburne, 3516 Carlton, thanked the City Commission for their work on the budget. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned ordinance passed on second and final reading:

ORDINANCE NO. 7295

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2011, THROUGH SEPTEMBER 30, 2012, 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; STATING PENSION CONTRIBUTION; AMENDING VARIOUS PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO MODIFY, INCREASE, OR DELETE VARIOUS FEES AND RATES AS FOLLOWS: CHAPTER 8-2, ARTICLE I, ANIMAL CONTROL FEES; CHAPTER 8-3, ARTICLE IV, CERTAIN SOLID WASTE FEES AND RATES; CHAPTER 8-3, ARTICLE V, CERTAIN ABATEMENT FEES; CHAPTER 12-1, ARTICLE I, ATHLETIC FIELD RENTAL FEES AND ARTICLE II, ADULT ZOO ADMISSION FEE, AND ARTICLE VI, RANGE FEES; CHAPTER 12-7, ARTICLE IV, FEES; CHAPTERS 18-2 AND 18-3, VARIOUS WATER AND SEWER RATES AND FEES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Commissioners Green, Escajeda and Simms; voting NO was Mayor Pro Tem Eades; the motion carried by a 3:1 vote of the Commission.

ITEM 5: 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 2011 tax year. This ordinance establishes an ad valorem tax rate of \$0.29230 per \$100.00 property valuation for City maintenance and operations expenses and \$0.02779 per \$100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of \$0.32009 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 3.51% and will raise taxes for maintenance and operations on a \$100,000.00 home by approximately \$9.51. Phillip Lopez, 3804 N.E. 24th Avenue, Trinia Fournier, 4427 S. Hayden, Robert Goodrich, 6510 Sandie Drive, and Jimmy Hammons, 1514 S. Pierce, appeared against the tax increase.

Motion was made by Commissioner Green that the property tax rate be increased by the adoption of a tax rate of \$0.29230 for maintenance and operations and \$0.02779 for existing debt expenses, for a total rate of \$0.32009 per \$100 evaluation, which is effectively a 3.51% increase in the tax rate. Commissioner Simms seconded the motion and the following captioned ordinance passed on second and final reading:

ORDINANCE NO. 7296

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 2011; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES.

Voting AYE were Commissioners Green, Escajeda and Simms; voting NO was Mayor Pro Tem Eades; the motion carried by a 3:1 vote of the Commission.

ITEM 6: Mayor Pro Tem Eades stated 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. Robert Goodrich, 6510 Sandie Drive, Jimmy Hammons, 1514 S. Pierce, and Trinia Fournier, 4427 S. Hayden, appeared against the tax increase. John Ingerson, 4706 W. 36th Avenue, stated that no one likes to pay taxes but he is thankful to pay them for the services they provide the citizens. Motion was made Commissioner Green, seconded by Commissioner Simms, to ratify the property tax increase reflected in the approved budget. Voting AYE were Commissioners Green, Escajeda and Simms; voting NO was Mayor Pro Tem Eades; the motion carried by a 3:1 vote of the Commission.

ITEM 7: Mayor Pro Tem Eades presented a resolution conducting a public hearing on and ordering the removal of substandard structures and solid waste accumulation located in the city. Mr. Atkinson presented the properties for consideration and advised that progress is being made at 8409 Interstate 40 East and it is recommended that it be removed from the resolution. Michael Alemeyahu appeared on behalf of the property at 1620 S. Van Buren Street. He stated that he has been working on another property and has not had time to work on this one. He asked the Commission to give him an extension. Karla Ross appeared and stated that she owns the property at 1617 and 1619 S. Van Buren and she request the property be condemned. She stated that it has been an eyesore for years and continues to get worse. She presented a letter from David Horsley who also owns property in this area and he also request the property be condemned. Joe Kuster stated that this property could be renovated and he would like to purchase it for charity to help women and children. Cody White, 3007 S. Polk, stated that the property has been an eyesore for years and should be condemned.

Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that 8409 Interstate 40 East be removed for consideration and the following captioned resolution be passed:

RESOLUTION NO. 09-20-11-1

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

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

ITEM 8: Mayor Pro Tem Eades presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Commissioner Escajeda, seconded by Commissioner Green, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

- A. Award – Housing Rehabilitation Contract:
Award to sole bidder: Brown Construction Services - \$52,051.50
Property: 1007 S. Ricks

This is a contract to perform various rehabilitation projects to an owner occupied home under the City's Housing Rehabilitation Program. This program provides

financial assistance to qualified low income homeowners to perform needed repairs and improvements to their owner-occupied property. As a condition of receiving this funding and the subsequent improvements, the homeowner agrees to maintain the home as their residence for a period of not less than 15 years. Should the homeowner sell, rent or vacate the residence, they will be liable to repay a pro-rated amount of the award.

B. Acceptance – Texas State Library and Archives Commission FY 2010/2011 Grants:

Interlibrary Loan Center Grant (771-12002)	\$ 4,000.00
Library System Operating Grant (470-12007)	\$204,341.00
Technical Assistance Negotiated Grant (476-12008)	<u>\$ 79,971.00</u>
Total	\$288,312.00

This is the acceptance of one grant to the City of Amarillo and two grants to the Harrington Library Consortium from the State of Texas to support various services offered to Library patrons in Amarillo and the surrounding area.

This funding received is a reduction of 55% from the current year. This will be the last year for these grant programs as the funding for the Texas State Library was substantially reduced by the Texas Legislature this session.

The Interlibrary Loan Center Grant is for one month of transition to October 1, 2011 to transition the staff to a city funded position. This state program has been eliminated in this fiscal year.

The Library System Operating Grant provides basic operating support to the Amarillo Public Library System as well as required coordination with the Texas State Library and Archives Commission.

The Technical Assistance Negotiated Grant (TANG) provides funding to support personnel and information technology used in local and regional libraries to enhance service levels for patrons.

C. Approval – Pipe Clamps Annual Contract:

Award to low responsive bidder by line item as follows:

Power Seal Pipeline Products (Lines 1, 2, 4, 5, 7, 10, 21, 22)	\$10,787.84
Western Industrial Supply (Lines 3, 6, 43, 45, 48)	\$10,651.96
Water Products (Lines 8, 9, 11-19, 23-27, 29-40, 42, 46, 47)	\$50,335.27
Ferguson Enterprises (Lines 20, 41, 44)	<u>\$ 1,519.01</u>
Total	\$73,249.08

This is the annual supply contract for the purchase of various pipe fittings and clamps.

D. Dedication and Acceptance – Water Line Easement and Sanitary Sewer Easement:

1. Dedication of a water line easement in Section 137, Block 2, AB&M Survey, Potter County, Texas in the vicinity of Marrs Street and Fairfield Street.
2. Dedication of a 10 foot sanitary sewer easement in Section 25, Block 9, BS&F Survey, Potter County, Texas in the vicinity of Lost Canyon Drive and Canyon Crest Drive.

Chief Steve Ross and Lieutenant James Williams with the Fire Department appeared and asked the City Commission for permission to allow the Firefighters to wear pink tee shirts during their shifts on October 24, 25 and 26, 2011 in support of breast cancer awareness. Lieutenant Williams stated that last year the Fire Department presented checks in the amount of \$9,500 each to the Susan Komen Foundation and the Harrington Cancer Center from the sale of the pink tee shirts. The Commission thanked them for bringing breast cancer awareness to our community in this way.

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. The public forum is set under the Open Meetings Act and that during the public forum the City Commission can respond with a statement of fact, a statement of city policy or decide whether to place an item on a future agenda.

Representatives from the High Plains Food Bank provided invitations to the City Commission for their upcoming fund raiser. Beatrice Hearon, 516 S. 2nd Street, appeared and stated that there are no street lights in this area and asked if one could be put at this location. Cody White, 3007 S. Polk, asked if local contractors could bid on the downtown projects. He also stated problems with the ramps at 26th Avenue on Interstate 27. Robert Goodrich, 6510 Sandie Drive, expressed his support of the Fire Department promoting breast cancer awareness. Joe Kuster also expressed support of breast cancer awareness.

Mayor Pro Tem Eades adjourned the meeting.

ATTEST:

Donna DeRight, City Secretary

Brian Eades, Mayor Pro Tem