

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 12th day of December 2017, the Amarillo City Council met at 4:00 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
COUNCILMEMBER NO. 4

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

JARED H. MILLER
MICHELLE BONNER
MICK MCKAMIE
ANDREW FREEMAN
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
ECONOMIC DEVELOPMENT MGR.
CITY SECRETARY

The invocation was given by Fire District Chief Mays, Amarillo Fire Department. Mayor Nelson led the audience in the Pledge of Allegiance.

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

An award was presented to the City of Amarillo's Department of Environmental Health by the Texas Environmental Health Association (TEHA). A Presidential Award was also presented to Shaun May, Environmental Health Director.

PUBLIC COMMENT:

Dayton Dobbs, 1414 Sunrise Drive, spoke on Item 4. He stated he represented the Big Texan Steak Ranch and encouraged Council to approve the ordinance. There were no further comments.

ITEM 1: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Sauer to approval the consent agenda, seconded by Councilmember Smith.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

A. **MINUTES:**

Approval of the City Council minutes of the regular meeting held on December 5, 2017.

B. **ORDINANCE NO. 7698:**

(Contact: Andrew Freeman, Economic Development Manager)

This is the second and final reading of an ordinance approving the Final Project and Financing Plan for East Gateway Tax Increment Reinvestment Zone No. 2 ("Zone"), approving the City of Amarillo's participation in the Zone, and amending Ordinance No. 7627 as to the Board composition, project approval procedures, and clarifying the correct 2016 base value.

C. **ORDINANCE NO. 7699:**

(Contact: Rod Tweet, Parks Director and Kevin Starbuck, Assist. City Manager)

This is the second and final reading of an ordinance amending Section 2-6-44, Article IV, Parks and Recreation Board, Chapter 2-6, Boards and Commission to expand the board from five (5) members to eleven (11)

members.

D. **ORDINANCE NO. 7700:**

(Contact: Jared Miller, City Manager)

This is the second and final reading of an ordinance establishing a Beautification and Public Arts Advisory Board.

E. **CONSIDER APPROVAL OF PAPER GOODS ANNUAL SUPPLY AGREEMENT:**

(Contact: Trent Davis, Purchasing Agent)

This item is for the annual supply agreement to purchase paper goods for use by city departments.

Award to:

Mayfield Paper	\$ 164.00
Wagner Supply	\$ 760.80
Empire Paper	\$87,033.80
American Pride Paper	<u>\$31,488.36</u>
Total Award	\$119,446.96

F. **PRESENTATION AND CONSIDERATION OF AMARILLO AREA FOUNDATION FIELD OF INTEREST FUND AGREEMENT:**

(Contact: Jared Miller, City Manager)

This is a contract with the Amarillo Area Foundation creating "The First Responders Excellence and Innovation Fund." Distribution of the Fund income shall be made at least annually for support of excellence and innovation to the Amarillo Police Department, Amarillo Fire Department and other Amarillo emergency personnel. A committee consisting of two City Council members, City Manager, Chief of Police, Fire Chief and two citizens of Amarillo will make recommendations to the Amarillo Area Foundation for Fund distributions.

G. **CONSIDERATION: APPROVAL OF LEASE AGREEMENT BETWEEN THE UNITED STATES CUSTOMS AND BORDER PROTECTION AND THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT, CITY OF AMARILLO, TEXAS:**

(Contact: Michael W. Conner, Director of Aviation)

This lease agreement is for the rental of 1,096 square feet of space in the Airport Terminal. The current lease agreement is in a month-to-month status. This new document incorporates the new standard Federal Government lease form. The lease agreement under consideration is strictly for facilities and does not encompass operational decisions or commitments by the U.S. Customs and Border Protection Agency. The term of the agreement is 1 year, with 19 automatic renewals, for a total term of 20 years. The rate that the Federal Government is obligated to pay the City of Amarillo Rick Husband Amarillo International Airport is \$1.00 annually. This is standard for airport CBP facilities nationwide.

H. **CONSIDER PURCHASE OF REPLACEMENT VEHICLE FOR WASTE WATER COLLECTION DIVISION:**

(Contact: Glenn Lavender, Fleet Services Superintendent)

Awarded to: Freightliner of Austin -- \$354,131.00

Scheduled replacement of unit 6476, 2005 IHC Sewer Cleaning Truck used by the Waste Water Collection Division. This vehicle will be used for daily operational requirements to maintain sanitary sewer systems throughout the City. Vehicle has exceeded its useable life span and is in need of major repairs.

I. **AWARD - TELECOMMUNICATIONS SERVICE:**

(Contact: Rich Gagnon, IT Director)

AMA Techtel -- \$79,500.00

Under the terms of this agreement AMA Techtel will upgrade the network speed of the City's internet service and provide dynamic failover to prevent an internet outage at fiber connected facilities downtown. This contract is for a term of 36-months.

J. **CONSIDER APPROVAL OF A RADIO TOWER SITE LAND LEASE AGREEMENT WITH SOUTH PLAINS COMMUNICATIONS:**

(Contact: Kevin Starbuck, Assistant City Manager)

The Land Lease Agreement between the City of Amarillo and South Plains Communications is for the placement of a radio communications tower on a parcel of City property approximately 650 feet by 650 feet (10 acres) located at 16700 Bezner Road (southeast corner of the City of Amarillo Shooting Complex).

REGULAR AGENDA

ITEM 2: Mayor Nelson presented the first reading of an rezoning of Tract 10, Block 1, Eberstadt & Brock Unit No. 1, in Section 185, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from General Retail (GR) to Light Commercial (LC). (Vicinity: Southwest 45th Avenue and Katharina Court.) Mr. McKamie called for an Executive Session. This item was presented by AJ Fawver, Planning and Zoning Director. Mayor Nelson opened a public hearing. Pat Tunnell, 7019 O'Neill Drive, stated general retail does not allow for mini storage. Light commercial would allow for enclosed storage units. There were no further comments. Mayor Nelson closed the public hearing. Motion was made to approve Ordinance No. 7701 by Mayor Nelson, seconded by Councilmember Smith.

ORDINANCE NO. 7701

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTHWEST FORTY-FIFTH AVENUE AND KATARINA COURT, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmember Smith; voting NO were Councilmember Sauer, Powell and Hays; the motion was denied by a 2:3 vote of the Council.

ITEM 3: Mayor Nelson presented the first reading of an ordinance rezoning of 1.536 acre of a tract of land situated in Section 10, Block 9, BS&F Survey, Abstract No. 136, City of Amarillo, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development 55 with amendments B, C, G and Y (PD-55BCGY) and PD-55TY to General Retail (GR). (Vicinity: West Amarillo Boulevard and Plum Creek Drive.) This item was presented by AJ Fawver, Planning and Zoning Director. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following captioned ordinance be passed:

ORDINANCE NO. 7702

AN ORDINANCE OF THE CITY COUNCIL 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 WEST AMARILLO BOULEVARD AND PLUM CREEK DRIVE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mayor Nelson presented the first reading of an ordinance updating and amending the Amarillo City Ordinance Chapter 8-5 – Public Health. The updates and amendments are designed to 1) eliminate conflicts and redundancies by fully adopting the Texas Food Establishment Rules (TFER); 2) Reduce the regulatory burden; 3) update the permitting and inspection process for Mobile Food Units; 4) update Food Establishment closure policy and enforcement remedies; 5) improve transparency and communication with the public regarding Food Establishment inspection reporting. This

item was presented by Shaun May, Environment Health Director. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7703

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AMENDING THE AMARILLO MUNICIPAL CODE CHAPTER 8-5, ARTICLES I, II AND IV; ADOPTING ADDITIONAL STATE LAWS REGARDING PUBLIC HEALTH; AMENDING THE HEALTH AUTHORITY'S DUTIES; MODIFYING THE ENVIRONMENTAL HEALTH FEE SCHEDULE AND FOOD ESTABLISHMENT SCORING SYSTEM; PROVIDING A VARIANCE PROCEDURE FOR A FOOD ESTABLISHMENT PERMIT; ADDING MOBILE FOOD UNIT AND CHARITABLE FEEDING REGULATIONS; STATING ENFORCEMENT PROVISIONS AND PENALTIES; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLIC AND EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

Mayor Nelson left at this time.

ITEM 5: Mayor Pro Tem Sauer presented a resolution to consider the approving a Resolution with Region VIII Education Service Center Pittsburg, Texas. The resolution will create a cooperative purchasing agreement with Region VIII. This item was presented by Trent Davis, Purchasing Agent. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned resolution be passed:

RESOLUTION NO. 12-12-17-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS ("CITY") AUTHORIZING THE PARTICIPATION IN THE INTERLOCAL PURCHASING SYSTEM (TIPS) COOPERATIVE PROGRAM WITH THE TEXAS EDUCATION CENTER, REGION VIII, AND PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.


ITEM 6: Mayor Pro Tem Sauer presented an item to approve a lease for a scraper at the landfill. This is a scheduled replacement of Unit 7327, a 2011 Cat Landfill Scraper. The equipment has reached or exceeded usable life approved in the 2017-2018 replacement budget. Funding for this award is available in the approved FY 2017-2018 Fleet Services Equipment Fund. There will also be an addendum option to purchase the equipment. Motion was made by Councilmember Smith to approve this lease, seconded by Councilmember Hays.

Voting AYE were Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 7: Mayor Pro Tem Sauer stated a board appointment was needed for the Community Development Advisory Committee. Motion was made by Councilmember Smith to appoint Marquisia Nelson to the Community Development Advisory Committee, seconded by Councilmember Powell.

Voting AYE were Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ATTEST:


Frances Hibbs, City Secretary


Ginger Nelson, Mayor