

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 18th day of September 2018, the Amarillo City Council met at 1:00 p.m. for a regular meeting held in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON	MAYOR
ELAINE HAYS	COUNCILMEMBER NO. 1
FREDA POWELL	COUNCILMEMBER NO. 2
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	COUNCILMEMBER NO. 4

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

JARED MILLER	CITY MANAGER
MICHELLE BONNER	DEPUTY CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	CITY SECRETARY

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

The invocation was given by Davlyn Duesterhaus, BSA Staff Chaplain.

A proclamation was presented to Bishop James Martin Mims.

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

ITEM 1:

- A. Review agenda times for regular meeting and attachments:
There were no items presented.
- B. Policy Governance Leadership Discussions with Bob Schroeder:
- C. Reports and updates from City Councilmembers serving on outside boards:
Beautification and Public Arts Advisory Board:
Councilmember Sauer stated the first mural was unveiled at the Rick Husband International Airport yesterday.
Buy the Way Campaign:
Councilmember Hays spoke on the unveiling of "Lovin' Local Day," to be announced today for October 13, 2018; and
- D. Consider future Agenda items and request reports from City Manager.
Councilmember Sauer spoke on the gateways of our City and whose responsibility it was. There were no further items presented.

CONSENT ACTION ITEMS

ITEM 2: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell, seconded by Councilmember Smith.

- A. MINUTES:
Approval of the City Council minutes for the meetings held on September 11, 2018.
- B. ORDINANCE NO. 7752:
(Contact: Kelley Shaw, Development Customer Service Coordinator)
This is the second and final reading of an ordinance assessing against each parcel of the property in the Heritage Hills Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be

approved on an annual basis. The Heritage Hills PID Advisory Board met August 30, 2018 to review the proposed FY 2018/19 budget and service plan. The Heritage Hills PID budget projects total maintenance and operation expenses for FY 2018/19 to be \$63,755. The Board recommends maintaining property owner assessment rates of \$0.08 per square foot. This will result in assessments totaling \$160,784. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Heritage Hills PID. Attached is the Heritage Hills Public Improvement District Fiscal Year 2018/19 budget, service plan, and associated ordinance and exhibit.

C. **ORDINANCE NO. 7753:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is the second and final reading of an ordinance assessing against each parcel of property in the Town Square Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Town Square PID Advisory Board met August 30, 2018 to review the proposed FY 2018/19 budget and service plan. The Town Square PID budget projects total maintenance and operation expenses for FY 2018/19 to be \$83,043. The Board recommends property owner assessment rates remain at \$0.1111 per square foot. This will result in assessments totaling \$166,164. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Town Square PID. Attached is the Town Square Public Improvement District Fiscal Year 2018/19 budget, service plan, and associated ordinance and exhibit.

D. **ORDINANCE NO. 7754:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is the second and final reading of an ordinance assessing against each parcel of property in the Point West Public Improvement District (PID), which is allocated based on the percentage of total square footage owned within the PID, must be approved on an annual basis. The City Council has yet to establish a new Point West PID Advisory Board as there have been no nominations from the Developer or property owners coming forth to show interest in serving. The Developer of Point West Business Park is currently communicating with Point West PID property owners to recruit nominations and has communicated with Development Services staff that there will be the appropriate number of property owners submitting their Board interest forms by the end of September in order to be appointed by City Council at the appropriate time.

Development Services staff has contacted property owners within the PID regarding the proposed budget and service plan and have received no negative comments. The Developer has stated that last year's assessment rate is adequate and that no assessment increase is necessary for the 2018/19 budget and service plan. The Point West PID budget projects total maintenance and operation expenses for FY 2018/19 to be \$26,068. As mentioned above, the current assessment level remains adequate for all expenses and operating reserve and totals \$52,000.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Point West PID. Attached is the Point West Public Improvement District Fiscal Year 2018/19 budget, service plan, and associated ordinance and exhibit.

E. **ORDINANCE NO. 7755:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is the second and final reading of an ordinance assessing against each parcel of property in the Vineyards Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Vineyards PID Advisory Board met July 25, 2018 to review the proposed FY 2018/19 budget and service plan. The Vineyards PID budget projects total maintenance and operation expenses for FY 2018/19 to be \$3,738. The Board recommends keeping property owner assessment rates at \$50 per lot. This will result in assessments totaling \$7,950. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Vineyards PID. Attached is the Vineyards Public Improvement District Fiscal Year 2018/19 budget, service plan, and associated ordinance and exhibit.

F. **ORDINANCE NO. 7756:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is the second and final reading of an ordinance assessing against each parcel of property in the Quail Creek Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Quail Creek PID Advisory Board met August 29, 2018 to review the proposed FY 2018/19 budget and service plan. The Quail Creek PID budget projects total maintenance and operation expenses for FY 2018/19 to be \$7,047. The Board recommends keeping property owner assessment rates at \$350 per lot. This will result in assessments totaling \$10,150. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Quail Creek PID. Attached is the Quail Creek Public Improvement District Fiscal Year 2018/19 budget, service plan, and associated ordinance and exhibit.

G. **ORDINANCE NO. 7757:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is the second and final reading of an ordinance assessing against each parcel of property in the Tutbury Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Tutbury PID Advisory Board met September 4, 2018 to review the proposed FY 2018/19 budget and service plan. The Tutbury PID budget projects total maintenance and operation expenses for FY 2018/19 to be \$9,494. The Board recommends keeping property owner assessment rates at \$679 per lot. This will result in assessments totaling \$16,296. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Tutbury PID. Attached are the Tutbury Public Improvement District Fiscal Year 2018/19 budget, service plan, and associated ordinance and exhibit.

H. **ORDINANCE NO. 7758:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is the second and final reading of an ordinance assessing against each parcel of property in the Colonies Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be

approved on an annual basis. The Colonies PID Advisory Board met September 4, 2018 to review the proposed FY 2018/19 budget and service plan. The Colonies PID budget projects total maintenance, operation and debt service expenses for FY 2018/19 to be \$832,168. The Board recommended unanimously to maintaining the property owner assessment rates at \$0.10 per square foot. This will result in assessments totaling \$911,889. This decision was made in order to continue to cover all operating costs as well as an additional \$205,884 annual debt service payment resulting from a \$3 million bond issuance to reimburse the developer for improvement costs.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Colonies PID. Attached is the Colonies Public Improvement District Fiscal Year 2018/19 budget, service plan, and associated ordinance and exhibit.

I. **ORDINANCE NO. 7759:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is the second and final reading of an ordinance assessing against each parcel of property in the Greenways Public Improvement District (PID), determined by the placement of the lot within the neighborhood, must be approved on an annual basis. The Greenways PID Advisory Board met August 27, 2018 to review the proposed FY 2018/19 budget and service plan. The Greenways PID budget projects total maintenance, operation and debt service expenses for FY 2018/19 to be \$618,125. The Board recommends maintaining property owner assessment rates at \$720 for type A lots, \$600 for type B lots, \$864 for type D lots, and \$1,800 per acre for commercial property. This will result in assessments totaling \$643,362. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Greenways PID. Attached is the Greenways Public Improvement District Fiscal Year 2018/19 budget, service plan, and associated ordinance and exhibit.

J. **ORDINANCE NO. 7760:**

(Contact: Cris Valverde, Planning & Development Services Assistant Director)

This is the second and final reading of an ordinance rezoning a 3.82 acre tract of unplatted land out in Section 43, Block 9, BS&F Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to General Retail District (GR). (Vicinity: Outlook Drive and Research Street.)

K. **APPROVAL -- LIQUID OXYGEN AND STORAGE SYSTEM ANNUAL CONTRACT RENEWAL AGREEMENT:**

(Contact: Jonathan Gresham, Interim Director of Utilities)

Westair Gas & Equipment, LP -- \$119,457.00

This item is the annual contract for liquid oxygen, industrial grade for production of Ozone used for drinking water treatment. This is an effective disinfectant to ensure clean water is supplied to City of Amarillo customers. City leases the maintenance and storage of a 9,000 gallon tank used to store liquid oxygen.

L. **CONSIDER – CHANGE ORDER NO. 3 – SEWER MAIN RELOCATION HOLLYWOOD ROAD FROM BELL STREET TO COULTER STREET:**

(Contact: Kyle Schniederjan, Capital Projects & Development Engineering)

Original Contract:	\$	4,504,294.00
Previous Change Orders:	\$	111,898.00
Current Change Order:	\$	164,940.00

Revised Contract Total: \$ 4,781,132.00

This item is for work which includes excavation, removal of existing pipe, and compaction of existing sanitary sewer main trench near Hollywood Road and Coulter Street. The original design calls for this existing sewer main to be abandoned in place and a new sewer line installed outside of the proposed new Loop 335. It was determined that the existing trench is failing and is not compacted to a level that will allow the construction of Loop 335 over the top. Change Order No. 3 is required to re-compact an existing utility trench within the area TxDOT is expanding Loop 335. Since the trench needs to be excavated prior to re-compaction, it is more economical to remove the existing pipe instead of abandoning it in place, as originally planned.

M. CONSIDER – AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES

(Contact: Kyle Schniederjan, Capital Projects & Development Engineering)

Brandt Engineers Group -- \$19,425.00

The Agreement for Professional Services, associated with RFQ 03-16 and approved by City Council on February 23, 2016, is to provide Design, Bidding, Construction, Closeout, and Resident Project Representative (RPR) Phase services for the relocation of water and sewer utilities in the vicinity of the I-27/Loop 335 highway construction project. It was determined that the pre-existing trench is failing and a change order with the construction contractor is being proposed. The additional professional services are to manage the change order work.

Original Contract:	\$	411,820.00
Previous Amendments:	\$	259,460.00
Current Amendment:	\$	19,425.00
Revised Contract Total:	\$	690,705.00

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.

NON-CONSENT ITEMS

ITEM 3A: Mayor Nelson presented the second and final reading of an ordinance adopting the City of Amarillo budget for the 2018/2019 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year. This item was presented by Stephanie Coggins, Assistant to the City Manager. Councilmember Powell motioned to adopt Ordinance No. 7761. Adopting the budget for the fiscal year October 1, 2018, through September 30, 2019, for the City of Amarillo. It was seconded by Councilmember Hays and the following captioned ordinance passed on second and final reading:

ORDINANCE NO. 7761

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2018, THROUGH SEPTEMBER 30, 2019, FOR THE CITY OF AMARILLO; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET; AMENDING VARIOUS TERMS AND PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO ADD, MODIFY, INCREASE, OR DELETE VARIOUS FEES AND RATES; CHAPTER 8-5, ARTICLE IV, CONCERNING CERTAIN ENVIRONMENTAL HEALTH FEES; CHAPTERS 12-1 AND 12-4 CONCERNING PARK AND RECREATION FEES; CHAPTERS 18-2, 18-3, AND 18-4, CONCERNING VARIOUS WATER AND SEWER RATES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; 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 3B: Mayor Nelson presented the second and final reading 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 2018 tax year. This ordinance establishes an ad valorem tax rate of \$0.32698 per \$100.00 property valuation for City maintenance and operations expenses and \$0.04140 per \$100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of \$0.36838 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 1.80 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$0.00. This item was presented by Laura Storrs, Finance Director. Councilmember Powell moved that the property tax rate be increased by the adoption of a tax rate of \$0.36838, which is effectively a 1.80% increase in the tax rate. The motion was seconded by Councilmember Sauer and the following captioned ordinance passed on second and final reading:

ORDINANCE NO. 7762

AN ORDINANCE OF THE CITY COUNCIL 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 2018; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES.

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 3C: Motion was made by Councilmember Powell to ratify the Budget and Tax Rate, as adopted for Fiscal Year 2018-2019, recognizing such budget will require more revenue from property taxes than did the budget adopted last year, seconded by Councilmember Hays.

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.

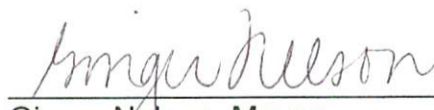
ITEM 3D: Mr. McWilliams advised at 2:34 p.m. that the City Council would convene in Executive Session per Texas Government Code (1) Section 551.071 – Consult with Attorney about pending or contemplated litigation or settlement of same. Consult with the attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter: (a) Potter County, Cause # 107298-B-CV, Smith et al. v. Nelson, et. al.

Mr. McWilliams announced that the Executive Session was adjourned at 2:59 p.m. and recessed the Regular Meeting.

ATTEST:



 Frances Hibbs, City Secretary



 Ginger Nelson, Mayor