

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 20th day of August 2019, 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 601 South Buchanan Street, with the following members present:

GINGER NELSON	MAYOR
ELAINE HAYS	COUNCILMEMBER NO. 1
FREDA POWELL	MAYOR PRO TEM/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

The invocation was given by Rainbow Gold (translated by Christar Heavenbills) and the National Anthem was sung by Ehmu LaHtoo.

Mr. Miller introduced new employee David Wilson, Assistant Director of Parks & Recreation and Anthony Spanel who prompted to the Environmental Health Director.

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;
- B. Discussion on one-year renewals of medical carrier and prescription benefit manager;
- C. Update on Tourism Public Improvement District;
- D. Update on Hotels and Occupancy;
- E. Update on State of the City;
- F. Transit Initiatives;
- G. Reports and updates from City Councilmembers serving on outside Boards: Beautification and Public Arts; Environmental Task Force; and
- H. Consider future Agenda items and request reports from City Manager.

**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 to approve the consent agenda as presented, seconded by Councilmember Hays:

- A. **MINUTES:**  
Approval of the City Council minutes for the meeting held on August 6, 2019.
- B. **CONSIDERATION OF ORDINANCE NO. 7798:**  
(Contact: Cris Valverde, Assistant Director of Planning and Development Services)  
This item is the second and final reading and public hearing of a proposed amendment to the 2010 Future Land Use and Character Map for land located in Section 107, Block 2, AB&M Survey, Potter and Randall County, Texas. (Vicinity: Southeast 34th Avenue and Whitaker Road.)

- C. **CONSIDERATION OF ORDINANCE NO. 7799:**  
 (Contact: Cris Valverde, Assistant Director of Planning and Development Services)  
 This item is the second and final reading and public hearing to consider an ordinance rezoning a 174.51 acre tract of unplatted land in Section 107, Block 2, AB&M Survey, Potter and Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Planned Development District for a commercial business park. (Vicinity: Southeast 34th Avenue and Whitaker Road.)
- D. **CONSIDERATION OF ORDINANCE NO. 7800:**  
 (Contact: Cris Valverde, Assistant Director of Planning and Development Services)  
 This item is the second and final reading and public hearing to consider an ordinance rezoning the west half of Lot 2 and the east 30 ft of Lot 3, Block 2, Daniels Subdivision Unit No. 1, in Section 9, Block 9, BS&F Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Multiple-Family District 1 to General Retail District. (Vicinity: Western Street and Wolflin Avenue.)
- E. **CONSIDERATION OF ORDINANCE NO. 7801:**  
 (Contact: Cris Valverde, Assistant Director of Planning and Development Services)  
 This item is the second and final reading and public hearing to consider an ordinance rezoning of a 9.30 acre tract of unplatted land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Residential District 3. (Vicinity: Helium Road and F.M. 2186.)
- F. **CONSIDERATION OF ORDINANCE NO. 7802:**  
 (Contact: Bryan McWilliams, City Attorney)  
 This is the second and final reading of an ordinance amending Chapters 16-3 and 16-5, to prohibit shared mobility services city-wide and motor assisted devices (scooters) on public sidewalks and right-of-ways in the central business district.
- G. **CONSIDER ACCEPTANCE – TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT – STEP COMPREHENSIVE GRANT:**  
 (Contact: Chief Ed Drain, Amarillo Police Department)  
 Grantor: Texas Department of Transportation  
 Grant Amount: \$145,907.00  
 Match Amount: \$36,626.37  
 Total Awarded: \$182,533.37  
 This item accepts the Fiscal Year 2020 Texas Traffic Safety Program Grant. The Texas Department of Transportation provides funding to the Amarillo Police Department to focus additional resources on patrol, enforcement of speeding violations, occupant protection (seatbelt and child safety seats) distracted driving and Driving While Intoxicated (DWI) offenses.
- H. **CONSIDER APPROVAL -- INTERLOCAL AGREEMENT – POTTER COUNTY, TEXAS:**  
 (Contact: Mitchell Normand, Director of Human Resources)  
 This item considers approval of an interlocal agreement with Potter County, Texas to extend the terms of the City's negotiated rates and plan benefits with Aetna and Northwest Texas Hospital.
- I. **CONSIDER APPROVAL -- CHANGE ORDER #4: ARDEN ROAD STORM SEWER AND PLAYA #7 EXCAVATION – PHASE I:**  
 (Contact: Matt Thomas, City Engineer)  
 Original Contract: \$2,418,171.41  
 Previous Change Orders: \$61,924.05  
 Change Order #4: \$ (2,997.90)  
 Total Revised Contract: \$2,477,097.56  
 This item is to approve Change Order #4 to the contract for the Arden Road Storm Sewer and Playa #7 Excavation – Phase I. This proposed change order is for additional pumping due to heavy rainfall in May and June 2019

including 2.5" on June 1, 2019 in the area which required pumping the site for 30 days total. This change also includes the removal of an alternate bid for concrete rip/rap in lieu of rock rip/rap.

- J. **CONSIDER AWARD – ADVERTISING ANNUAL CONTRACT TO AMARILLO GLOBE NEWS AND MORRIS COMMUNICATIONS:**  
(Contact: Trent Davis, Director of Purchasing)  
In the amount not to exceed \$100,043.24  
This is to award the advertising annual contract to Amarillo Globe News and Morris Communications for advertising requirements for various departments.
- K. **CONSIDER APPROVAL – FY2020 CONTRACT AMENDMENT FOR WOMEN, INFANTS, AND CHILDREN (WIC) NUTRITION PROGRAM SERVICES:**  
(Contact: Margaret Payton, WIC Director)  
This item is a contract amendment to provide an amount not to exceed \$1,570,546 of reimbursement from the State Department of Health and Human Services (HHSC) for WIC Nutrition Program services. The FY 2020 contract period is from October 1, 2019 through September 30, 2020.
- L. **CONSIDER APPROVAL – COMMUNICATIONS SYSTEM AGREEMENT WITH AMARILLO VETERANS AFFAIRS MEDICAL CENTER:**  
(Contact: Chip Orton, Director of Emergency Management)  
This agreement will authorize the Amarillo Veterans Affairs (VA) medical center to operate on the City of Amarillo radio communications system with applicable infrastructure support fees assessed per the agreement.
- M. **CONSIDER APPROVAL – AMENDMENT TO RS&H, INC. AIRPORT ENGINEERING CONTRACT:**  
(Contact: Michael W. Conner, Director of Aviation)  
This item includes three airport engineering task orders under the RS&H five-year engineering contract for the Rick Husband Amarillo International Airport. The task orders include a terminal boiler system repair assessment (task order no. 42 \$48,530.12), a fuel storage tank assessment and cleaning (task order 43 no. \$2,414.96), and an airline rate analysis and recommendations (task order no. 45 \$6,214.92).
- N. **CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENT:**  
(Contact: Cris Valerde, Assistant Director of Planning and Development Services)  
This item considers a Aviation Clear Zone Easement, being 3,750 feet above mean sea level above the plat of Centerport Addition Unit No. 8, an addition to the City of Amarillo, being an unplatted tract of land in Section 72, Block 2, AB&M Survey, Potter County, Texas.

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:** Laura Storrs, Finance Director, presented this item. She stated the budget challenges were the decreases in franchise fees for electricity and natural gas. SB 1152 also changed the telecommunication fees collected. Trends are also down on fines and forfeitures, and a decline in cultural and recreation which is mainly the decrease related to golf operations. She stated there is also an increase in health insurance costs. Revenues from growth in appraised values are offsetting some of this budget's challenges. She further stated there is no reduction to current service levels. Ms. Storrs stated that the City of Amarillo is considering a tax rate of \$0.38851 which is \$1.68 per month on a \$100,000 home in Amarillo. This new tax rate would finance 10 new firefighters, three new Animal Management & Welfare positions, increased street funding, and the continuation of Propositions 1 and 2 voter approved projects. She further presented the history of the frozen taxes and the portion of the tax rate lost. She announced the meeting times to adopt the tax rate as September 3 and September 10. There would be a second public hearing and then two readings to adopt the tax rate. Mayor Nelson opened a public hearing. There were no comments and the public hearing was closed. Motion was made

by Councilmember Powell to set the tax rate at 0.38851 for maintenance and operation, setting the public hearings for September 3 and September 10, 2019, and a record vote on the tax rate on September 17 with a second reading on September 24, 2019, which adopts the tax rate and ratifies the property tax increase reflected in an approved budget, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson, Councilmembers Powell, Sauer and Smith; voting NO were Councilmember Hays; the motion carried by a 4:1 vote of the Council.

**ITEM 3B:** Mayor Nelson presented the first reading of an ordinance to consider an ordinance amending the Amarillo Municipal Code, Chapter 4-1, Article I, Division 2, Sections 4-1-20 and 4-1-21 to revise the calculation of residential building and inspection permit fees setting the residential building permit fee to \$0.37 per square foot under roof. This item was presented by Izzy Rivera, Chief Building Official. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Smith.

**ORDINANCE NO. 7803**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 4-1, ARTICLE I, DIVISION 2, SECTIONS 4-1-20 AND 4-1-21 TO REVISE CALCULATION OF RESIDENTIAL BUILDING AND INSPECTION PERMIT FEES; PROVIDING FOR SEVERABILITY, REPEALER; 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.

**ITEM 3C:** Mayor Nelson presented the first reading of an ordinance to consider providing for participation in the Texas Municipal Retirement System for the employees of the Amarillo Economic Development Corporation. This item was presented by Michelle Bonner, Deputy City Manager. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer.

**ORDINANCE NO. 7804**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, PROVIDING FOR PARTICIPATION IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF AMARILLO, TEXAS, ON THE SAME BASIS UPON WHICH EMPLOYEES OF THE CITY ITSELF PARTICIPATE IN SAID SYSTEM, AND ESTABLISHING THE DATE ON WHICH THIS ORDINANCE WILL BECOME EFFECTIVE.**

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:** Mayor Nelson presented a resolution authorizing the Amarillo Police Department to use the Edward Byrne Memorial Justice Assistance Grant in the amount of \$51,004.50 which is the City's portion of the grant to purchase 37 Taser X2s. This item was presented by Chief Ed Drain, Amarillo Police Department. Motion was made by Councilmember Powell, seconded by Councilmember Hays that the following captioned resolution be passed:

**RESOLUTION NO. 08-20-19-1**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AUTHORIZING 2019 APPLICATION FOR EDWARD BYRNE JUSTICE ASSISTANCE GRANT; AUTHORIZE INTERLOCAL AGREEMENT TO SHARE GRANT FUNDS WITH POTTER COUNTY; AUTHORIZING ADMINISTRATIVE ADJUSTMENTS TO DOCUMENTS AS NEEDED; PROVIDING SAVINGS CLAUSE; PROVIDING SEVERABILITY CLAUSE 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.

ITEM 3E: Mayor Nelson presented a resolution approving the adoption of tax abatement guidelines and criteria per Texas law (Texas Tax Code, Chapter 312) in order to participate in tax abatement agreements for economic development. This item was presented by Andrew Freeman, Director of Planning and Development Services. Kevin Carter, President of Amarillo Economic Development Corporation, stated it was exciting to see all the entities have collaborated and work together which shows consistency. Motion was made by Councilmember Powell, seconded by Councilmember Hays that the following captioned resolution be passed:

RESOLUTION NO. 08-20-19-2

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS CITY COUNCIL:  
ADOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENT  
WITHIN REINVESTMENT ZONES FOR THE CITY OF AMARILLO;  
PROVIDE A SEVERANCE CLAUSE; 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 3F: Mayor Nelson presented a resolution approving the adoption of comprehensive guidelines and criteria for economic development incentives written to meet the goals of the community as contained in various adopted master plans, strategic plans, and other planning documents. This item was presented by Andrew Freeman, Director of Planning and Development Services. Motion was made by Councilmember Powell, seconded by Councilmember Smith that the following captioned resolution be passed:

RESOLUTION NO. 08-20-19-3


A RESOLUTION OF THE CITY OF AMARILLO, TEXAS CITY COUNCIL:  
ADOPTING COMPREHENSIVE GUIDELINES AND CRITERIA FOR  
ECONOMIC DEVELOPMENT INCENTIVES FOR THE CITY OF  
AMARILLO; PROVIDE A SEVERANCE CLAUSE; PROVIDING AN  
EFFECTIVE DATE.

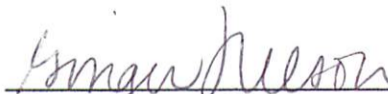
Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3G: Mr. McWilliams advised at 3:12 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Section 551.072 -- Deliberate the purchase or sale of real property in accordance with the Texas Open Meetings Act: (a) Discuss property located in the NE quadrant of the Central Business District; (b) Purchase of real property located in the Southwest extraterritorial jurisdiction of the City of Amarillo; and (c) Lease negotiations for the retail space at the downtown Parking Garage. 2) Section 551.087 – Deliberation regarding economic development negotiations; discussion of commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location or retention of a facility or for incentives the City is willing to extend, or financial information submitted by same: (a) Discuss property located in the NE quadrant of the Central Business District; (b) Project # 18-10-02 (Manufacturing); and (c) Project # 19-07-01 (Utilities).

Mr. McWilliams announced that the Executive Session was adjourned at 5:05 p.m. and recessed the Regular Meeting.

ATTEST:

  
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Frances Hibbs, City Secretary

  
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Ginger Nelson, Mayor