

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 31st day of March 2020, the Amarillo City Council met at 1:00 p.m. for a regular meeting held via video conference and in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

MAYOR
COUNCILMEMBER NO. 1
MAYOR PRO TEM/COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
COUNCILMEMBER NO. 4

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

JARED MILLER
MICHELLE BONNER
BRYAN MCWILLIAMS
STEPHANIE COGGINS
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
ASSISTANT TO THE CITY MANAGER
CITY SECRETARY

The invocation was given by Marcus Norris. Mayor Nelson led 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:

PUBLIC ADDRESS

There were no comments.

ITEM 1:

- A. Review agenda items for regular meeting and attachments;
- B. Amarillo Economic Development Corporation Update;
- C. Traffic Advisory Board Update on Installation of a Pedestrian Light at Rails to Trails on Georgia Street;
- D. Coronavirus Update; and

Item taken out of order:

ITEM 3C: Mayor Nelson presented a resolution confirming and continuing the Mayor's Declaration of Disaster which was declared on March 30, 2020. This item was presented by Bryan McWilliams, City Attorney. Councilmember Hays clarified this resolution was for a two week time period through April 14. Motion was made that the following captioned resolution be passed by Councilmember Smith, seconded by Councilmember Sauer:

RESOLUTION 03-31-20-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO CONFIRMING AND CONTINUING THE MAYOR'S FIRST AMENDED DECLARATION OF DISASTER; PROVIDING A REPEALER CLAUSE; PROVIDING FOR 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.

- E. Request future agenda items and 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 regular meeting held on March 24, 2020.

- B. **CONSIDERATION OF ORDINANCE NO. 7842:**
 (Contact: Martin Birkenfeld, Assistant Police Chief)
 This is the second and final reading of an ordinance creating a civil violation for a responsible person to allow, suffer, permit, or host a gathering involving underage drinking at a premise under such person's ownership or control.
- C. **CONSIDERATION OF ORDINANCE NO. 7843:**
 (Contact: Marcus Norris, Deputy City Attorney)
 This is the second and final reading of an ordinance expanding and further clarifying the duties of the Office of Civil Administrative Hearings in relation to civil penalties for violations of City ordinance.
- D. **CONSIDERATION OF ORDINANCE NO. 7844:**
 (Contact: Cris Valverde, Assistant Director of Planning and Development Services)
 This item is the second and final reading to consider an ordinance rezoning a 1.00 acre tract of unplatted land in Section 43, Block 9, B.S.&F. Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Office District 2. (Vicinity: Coulter Street and Evans Drive.)
- E. **CONSIDERATION OF ORDINANCE NO. 7845:**
 (Contact: Cris Valverde, Assistant Director of Planning and Development Services)
 This item is the second and final reading to consider an ordinance rezoning a 6.47 acre tract of unplatted land in Section 64, Block 9, B.S.& F. Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 to Moderate Density District. (Vicinity: Nancy Ellen Street and Ellen Hope Street.)
- F. **CONSIDERATION OF ORDINANCE NO. 7846:**
 (Contact: Cris Valverde, Assistant Director of Planning and Development Services)
 This item is the second and final reading to consider an ordinance rezoning a 4.45 acre tract of unplatted land in Section 183, Block 2, A.B.&M. 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: Farmers Avenue and Gemini Trail.)
- G. **CONSIDER AWARD – SOFTWARE MAINTENANCE:**
 (Contact: Rich Gagnon, IT Director)
 Open Text – \$95,376.62
 This purchase renews annual vendor-provided support and maintenance for Open Text eDOCS software which is utilized by all City departments for document management and retention.
- H. **CONSIDER AWARD – MULTI-FACTOR AUTHENTICATION FOR REMOTE ACCESS AND CRITICAL APPLICATIONS:**
 (Contact: Rich Gagnon, IT Director)
 Lakeshore IT Solutions -- \$86,505.95
 IT is rapidly expanding remote access to critical applications in response to Covid-19. Additionally, cyber attack on remote access has increased an estimated 800% and is heavily targeting governmental organizations. Multi-factor authentication (MFA) is essential to securing remote access and preventing breach through stolen credentials. This purchase was on the IT roadmap for fall of 2020 but had to be expedited and implemented before remote access is enabled. Enabling remote access at scale without MFA would introduce extreme risk of cyber breach.

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 a resolution allowing for the postponement the City bond election set for May 2, 2020 pursuant to Governor Greg Abbott issued a proclamation on March 18, 2020 and Election Advisory No. 2020-12 authorizing political subdivisions that would otherwise hold elections on May 2, 2020 to move their general or special elections to November 3, 2020 due to public health and safety concerns related to the novel coronavirus (COVID-19) outbreak. This item was presented by Bryan McWilliams, City Attorney. Motion was made that the following captioned resolution be passed by Councilmember Powell, seconded by Councilmember Sauer:

RESOLUTION 03-31-20-1

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS POSTPONING THE BOND ELECTION CALLED FOR MAY 2, 2020, UNTIL NOVEMBER 3, 2020; ESTABLISHING PROCEDURES FOR THE POSTPONED ELECTION; AND PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS 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 3B: Mayor Nelson presented an item considering the approval of a Location Incentive Agreement (LIA) between Amarillo Economic Development Corporation and Golden Spread Electric Cooperative for the creation of new jobs in Amarillo. The Location Incentive Agreement (LIA) provides incentives that are performance based for the creation of up to 15 new jobs over a five-year period. The agreement prescribes a total grant of up to \$300,000.00 dependent upon specific performance achievements detailed in the agreement. The agreement requires Golden Spread to create the jobs and payroll first and then receive the incentive payments upon the achievement of annual performance metrics. This item was presented by Kevin Carter, Director, Amarillo Economic Development Corporation. Motion was made that this item be approved by Councilmember Powell, seconded by Councilmember Smith.

Voting AYE were Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; Mayor Nelson recused herself from this vote, the motion carried by a 4:0:1 vote of the Council.

ITEM 4: Mr. McWilliams advised at 3:34 p.m. that the City Council would convene in Executive Session per Texas Government Code:) Section 551.071 – Consult with Attorney about pending or contemplated litigation or settlement of same or 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) Fisher v. City of Amarillo. 2) Section 551.072 – Discuss the purchase, exchange, lease, sale, or value of real property and public discussion of such would not be in the best interests of the City's bargaining position: (a) Discuss property located within the Tax Increment Reinvestment Zone #1 Boundary.

Mr. McWilliams announced that the Executive Session was adjourned at 4:27 p.m. and recessed the Regular Meeting.

ATTEST:


 Frances Hibbs, City Secretary


 Ginger Nelson, Mayor