

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 12th day of May 2020, the Amarillo City Council met at 1:00 p.m. for a regular session meeting held via 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 Gene Shelburne, Anna Street Church of Christ.

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

PUBLIC ADDRESS

Mayor Nelson read a comment sent in from Robin Malone regarding the Thompson Park pool construction project. Joseph Peterson stated he was in favor of the replacement pool in Thompson Park and giving it the support it deserves. Pastor Herman Moore inquired if it was safe for children to be in a pool with COVID. Pastor James Tudman expressed his support for the Thompson Park pool. He stated it would be a blessing for the north side. Julian Reese stated he also was in support of the project and it would be beneficial to the community. Rosie Powell offered words of encouragement and thanked the Health Department and City Council for keeping everyone informed. There were no further comments.

ITEM 1:

- A. Review agenda items for regular meeting and attachments;
- B. Coronavirus Update; and
- C. 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 consent agenda as presented, seconded by Councilmember Smith:

A. **MINUTES:**

Approval of the City Council minutes for the special meeting held on April 24, 2020 and the regular meetings held on April 28, 2020 and May 5, 2020, respectively.

B. **CONSIDERATION OF ORDINANCE NO. 7849:**

(Contact: Cris Valverde, Assistant Director of Planning and Development Services)
This is the second and final reading and public hearing to consider an ordinance rezoning of a 2.00 acre tract of unplatted land and a portion of Lot 1, Block 1, Ojeda's Little Acre Addition Unit No. 1, in Section 173, 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.

C. CONSIDER AWARD – UTILITY BILLING DOOR TAG CONTACT:

(Contact: Jennifer Gonzalez, Utility Billing Manager)

Henderson Enterprise- Amount not to exceed \$126,000.00 for a three-year period with two one-year options to renew.

This contract is for door tag hanging services for a three-year period with two one-year options to renew.

D. CONSIDER APPROVAL – INDUSTRIAL MOWERS:

(Contact: Glenn Lavender, Fleet Services Superintendent)

Professional Turf Products -- \$182,659.50

This item is the scheduled replacement of equipment that has reached or exceeded life expectancy. This equipment will be used by Parks Maintenance for their daily operational requirements.

E. CONSIDER AWARD – LEASE OF CHIPSPREADER AND TWO 25-TON PNEUMATIC ROLLERS:

(Contact: Chris Mitchell, Street Superintendent)

Bee Equipment Sales, Ltd. (Chipsreader) -- \$35,835.00

Associated Supply Company, Inc. -- \$21,711.54

Total Award Amount: \$57,546.54

This item is the lease of a chipsreader and two 25-ton pneumatic rollers for three months during the summer for sealcoating of paved streets.

F. CONSIDER AWARD – RELOCATION OF SANITARY SEWER MAIN IN BELL STREET SOUTH OF I-40:

(Contact: Matthew Thomas, City Engineer)

This item is to consider an award of a construction contract to relocate approximately 470 linear feet of sanitary sewer main in Bell Street just south of I-40 frontage road. The relocation includes the installation of a new sewer main with manholes and abandonment of the existing main. This relocation is to provide a long-term solution to the current, temporary operation brought about when the contractor for TxDOT struck the City's main during their Bell Street bridge repair project. TxDOT will reimburse the City 100% of the construction costs of this project per an agreement between the City and TxDOT.

G. CONSIDERATION AND APPROVAL OF AN ADDENDUM TO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO (CITY) AND CANYON INDEPENDENT SCHOOL DISTRICT (SCHOOL):

(Contact: Floyd Hartman, Assistant City Manager Development Services)

This item is to facilitate the timely installation of public improvements related to the future high school site located near the intersection of Arden Road and the new Loop 335 and transfer ownership of certain public improvements upon completion.

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 first reading and final reading of an ordinance to discussion and consideration of all matters incident and related to the issuance and sale of "City of Amarillo, Texas, General Obligation Bonds, Series 2020," including the adoption of an ordinance authorizing the issuance of such bonds. The proceeds will be used to fund the final Proposition 2 projects to address public safety as approved by voters at the November 2016 bond election. This item was presented by Laura Storrs, Finance Director and Steven Adams with Specialized Public Finance, Inc. Councilmember Hays stated she believed it was prudent to move forward on this item. Councilmember Hays asked if this was the last debt issuance for Proposition 2 projects. Ms. Storrs stated this is the final issuance related to the 2016 bond election. Mayor Nelson stated this effects homeowners \$1.10/year. Motion was made that the following captioned ordinance be passed on first and final reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7850

AN ORDINANCE AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2020," SPECIFYING THE TERMS AND FEATURES OF SAID BONDS; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID

BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT PERTAINING THERETO; 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 the first reading and final reading of an ordinance to discussion and consideration of all matters incident and related to the issuance and sale of "City of Amarillo, Texas, General Obligation Refunding Bonds, Series 2020," including the adoption of an ordinance authorizing the issuance of such bonds and providing for the redemption of the obligations being refunded. This item was presented by Laura Storrs, Finance Director and Steven Adams with Specialized Public Finance, Inc. Councilmember Hays inquired if the bonds were being netted against each other. Mr. Adams stated these savings are not netted. Ms. Storrs stated these bonds are refunded with outside funds paying for these bonds, PIDs, golf courses, TIRZ and water & sewer revenue. Councilmember Hays requested the savings being netted out. Ms. Storrs stated they would provide additional information. Motion was made that the following captioned ordinance be passed on first and final reading by Councilmember Powell. She stated this would be a savings of \$3,877,480, seconded by Councilmember Sauer:

ORDINANCE NO. 7851

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020"; SPECIFYING THE TERMS AND FEATURES OF SAID BONDS; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE REDEMPTION OF CERTAIN OUTSTANDING OBLIGATIONS OF THE CITY; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; 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 3C: Mayor Nelson presented the first reading and final reading of an ordinance to discussion and consideration of all matters incident and related to the issuance and sale of "City of Amarillo, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2020," including the adoption of an ordinance authorizing the issuance of such certificates of obligation. The proceeds will be used for costs incurred for acquiring, construction, improving and equipping a swimming pool at Thompson Park. This item was presented by Laura Storrs, Finance Director and Steven Adams with Specialized Public Finance, Inc. Mr. Adams stated these bonds would be amortized over 30 years. He stated the interest rates were very competitive. Councilmember Hays stated she would not be Motion was made that the following captioned ordinance be passed on first and final reading by Councilmember Powell authorizing Certificates of Obligation, seconded by Councilmember Sauer:

ORDINANCE NO. 7852

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED PLEDGE OF THE CITY'S WATERWORKS AND SEWER SYSTEM; SPECIFYING THE TERMS AND CONDITIONS OF SUCH CERTIFICATES OF OBLIGATION; RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES OF OBLIGATION, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 3D: Mayor Nelson presented the first reading and final reading of an ordinance to discussion and consideration of all matters incident and related to the issuance and sale of "City of Amarillo, Texas, Tax Notes, Series 2020," including the adoption of an ordinance authorizing the issuance of such tax notes. The proceeds will be used to reimburse the City for the purchase of property at 503-509 South Johnson Street. This item was presented by Laura Storrs, Finance Director and Steven Adams with Specialized Public Finance, Inc. Mr. Adams stated these tax notes are for only seven years. They received five bids and Citigroup Global Markets, Inc. was the winning bidder. Councilmember Hays inquired if this would repay our reserves for property previously purchased. Mr. Adams stated tax notes are repaid in seven years. Ms. Storrs stated this was reimbursement for property purchased on January 28, 2020. On March 24, 2020, City Council approved a reimbursement resolution. She further stated these funds may help with the general fund shortages. Councilmember Hays stated the tax notes are moved more quickly, and our risk now is that if we needed the cash, interest rates could be higher or there may not be any buyers. Mr. Adams stated last month they could not sell bond issuances. He stated bonds are not all the way back for all municipalities. Councilmember Hays stated the amount per \$100,000 was more per year because of the short time period. Councilmember Hays inquired if we could get 15-year paper or something less. Mr. Adams stated we could only do this as Certificates of Obligation. Mr. Adams stated they could start over but he was concerned about the bidders. Councilmember Sauer stated the interest rate was below the inflation rate. Mr. Adams stated he believed that was correct. Councilmember Hays inquired what 15-year paper might look like. Mr. Adams replied it would look like the 1.37 of the GO Refunding. Mr. Adams estimated it would drop from \$5.00 a year to approximately \$2.50. Ms. Storrs stated this bond could be refinanced sometime in the future. Motion was made that the following captioned ordinance be passed on first and final reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7853

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, TAX NOTES, SERIES 2020"; SPECIFYING THE TERMS AND FEATURES OF SAID NOTES; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID NOTES; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT, AND DELIVERY OF SAID NOTES, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 3E: Mayor Nelson presented the first reading and final reading of an ordinance to discussion and consideration of all matters incident and related to the issuance and sale of "City of Amarillo, Texas, Waterworks and Sewer System Revenue Refunding Bonds, New Series 2020A," including the adoption of an ordinance authorizing the issuance of such bonds and providing for the redemption of the obligations being refunded. This item was presented by Laura Storrs, Finance Director and Steven Adams with Specialized Public Finance, Inc. Mr. Adams stated this bond received ten bids with Robert W. Baird, Co., Inc. being the highest bidder. This is Robert W. Baird Co. Inc.'s third bid win. He stated the savings is approximately \$135,000 a year. He recommends Council approve the \$9,775,000 Waterworks and Sewer System Revenue Refunding Bonds New Series 2020A to Robert W. Baird & Co., Inc. Motion was made that the following captioned ordinance be passed on first and final reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7854

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING BONDS, NEW SERIES 2020A"; PRESCRIBING THE FORMS, TERMS, AND PROVISIONS OF SAID BONDS; PLEDGING THE NET REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN

ESCROW AGREEMENT; AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; PROVIDING FOR THE REDEMPTION OF THE REFUNDED BONDS; 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 3F: Mayor Nelson presented the first reading of an ordinance to consider an ordinance rezoning Lot 18, Block 2, Town Square Unit No. 6, in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Planned Development 373A and Agricultural District to Planned Development 373D for Mixed Use Development. (Vicinity: Town Square Boulevard and Soncy Road) This item was presented by Cris Valverde, Assistant Director of Planning and Development Services. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Hays:

ORDINANCE NO. 7855

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 TOWN SQUARE BOULEVARD AND SONCY ROAD, RANDALL COUNTY, TEXAS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR 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 3G: Mayor Nelson presented the second and final reading of a new franchise ordinance for Atmos Energy Company to continue using public rights-of-way to provide retail gas service in the city. This item was presented by Marcus Norris, Deputy City Attorney. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7836

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS, GRANTING TO ATMOS ENERGY CORPORATION (A TEXAS AND VIRGINIA CORPORATION, WITH ITS PRINCIPAL OFFICE IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS) THE FRANCHISE AND RIGHTS TO CONDUCT IN SUCH CITY THE BUSINESS OF ACQUIRING, MAINTAINING, CONSTRUCTING, LAYING, REPAIRING, REMOVING, REPLACING, INSTALLING, OPERATING, AND DISPOSING OF A GAS SYSTEM FOR THE SALE, TRANSPORTATION, AND DISTRIBUTION OF NATURAL GAS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY AND TO THE RESIDENTS AND BUSINESSES LOCATED THEREIN FOR LIGHT, HEAT, POWER, AND ANY OTHER PURPOSES AND THE RIGHT TO USE THE PRESENT AND FUTURE STREETS, ROADS, HIGHWAYS, ALLEYS, PUBLIC WAYS, AND REAL PROPERTY IN SUCH CITY AND OWNED OR CONTROLLED BY SUCH CITY FOR SUCH PURPOSES; PRESCRIBING THE TERMS AND CONDITIONS TO WHICH SUCH FRANCHISE AND RIGHTS ARE SUBJECT; AND PRESCRIBING THE TERM OF SUCH FRANCHISE AND RIGHTS.

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 3H: Mayor Nelson presented a resolution allowing for the renewal of the Mayor's Fourth Amended Declaration of Disaster for the City of Amarillo, Texas and continues the local state of disaster pursuant to Section 418.108(b) of the Texas Government Code. This item was presented by Jared Miller, City Attorney. Motion was made by Councilmember Powell to approve the resolution below, seconded by Councilmember Sauer:

RESOLUTION NO. 05-12-20-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO CONFIRMING AND CONTINUING THE MAYOR'S FOURTH 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.

ITEM 4: Mr. McWilliams advised at 4:08 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) 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 lease of property located in the Northeast Quadrant of the Central Business District.

Mr. McWilliams announced that the Executive Session was adjourned at 5:17 p.m. and recessed.

ATTEST:



Frances Hibbs, City Secretary



Ginger Nelson, Mayor