

(STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 23rd day of February 2021, 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	MAYOR
ELAINE HAYS	COUNCILMEMBER NO. 1
FREDA POWELL	COUNCILMEMBER NO. 2
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	MAYOR PRO TEM/COUNCILMEMBER NO. 4

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

JARED MILLER	CITY MANAGER
KEVIN STARBUCK	DEPUTY CITY MANAGER
FLOYD HARTMAN	ASSISTANT CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Greg Dowell, Central 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:

**ANNOUNCEMENT:** Mr. Miller introduced the new Assistant Director of Community Development, Stephanie Rodarte-Suto.

**PUBLIC ADDRESS:** There were no comments.

**ITEM 1:**

- A. Review agenda items for regular meeting and attachments;
- B. Coronavirus Update;
- C. Discuss Animal Management & Welfare Proposed Breeder's Ordinance;
- D. Discuss Tri-State Master Plan;
- E. Canadian River Municipal Water Authority (CRMWA) Update; and
- F. Request future agenda items and reports from City Manager.

**ITEM 2: CONSENT ACTION ITEMS:**

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 Sauer:

- A. **MINUTES:**  
Approval of the City Council minutes for the regular meeting held on February 9, 2021.
- B. **CONSIDERATION OF ORDINANCE NO. 7910:**  
(Contact: Laura Storrs, Assistant City Manager)  
This item is the second and final reading of an ordinance to amend the City of Amarillo 2019/2020 Budget.
- C. **CONSIDERATION OF ORDINANCE NO. 7911:**  
(Contact: Donny Hooper, Assistant Director of Public Works)  
This is the second and final reading of an ordinance amending Chapter 8-3 to provide for a civil nuisance for certain unlawful dumping, creating a civil penalty for certain unlawful dumping, and providing for civil cost recovery for illegal dumping.

D. **CONSIDER APPROVAL – PURCHASE OF VARIOUS VEHICLES AND EQUIPMENT:**

(Contact: Jason Jupe, Fleet Services Assistant Superintendent)

Caldwell Country Ford	\$1,295,831.00
Sam Packs Five Star Ford	\$773,714.00
Caldwell Country Chevrolet	\$599,765.00
Grapevine Dodge Chrysler Jeep	<u>\$231,827.00</u>
Total Bid for Vehicles	\$2,901,137.00

This item is a purchase of various Police, Administrative, Passenger Van, ½ Ton Pick-ups, ¾ and 1 ton light trucks with service bodies, aerial man lift and dump beds.

E. **CONSIDER PURCHASE – FERTILIZER CONTRACT:**

(Contact: Michael Kashuba, Director of Parks and Recreation)

Award to low responsive bidders as follows:

SKRT.INC DBA Pro Chem	\$29,656.20
Line(s) Item - 1,10,11,12	
Harrell's LLC	\$69,935.20
Line(s) Item – 2,3,6,7	
BWI Dallas/Fort Worth	<u>\$32,963.70</u>
Line(s) Item – 4,5,8,9	
Total Award	\$132,555.10

This item approves the annual purchase of various fertilizers that are used throughout the year at Ross Rogers and Comanche Trail Golf Complexes as well as the Park Maintenance Division.

F. **CONSIDER APPROVAL -- PROFESSIONAL SERVICES AGREEMENT ADDITIONAL DESIGN SERVICES FOR LIFT STATION 32:**

(Contact: Kyle Schniederjan, Director of CP&DE)

Kimley-Horn and Associates, Inc. -- \$90,700.00

This item is to consider approval of the professional agreement which includes services in the scope of work to provide: 1) final design phase services, and 2) bid phase services.

G. **CONSIDER APPROVAL -- PROFESSIONAL SERVICES AGREEMENT DESIGN AND CONSTRUCTION PHASE SERVICES OF NORTHEAST INTERCEPTOR:**

(Contact: Kyle Schniederjan, Director of CP&DE)

Kimley-Horn and Associates -- \$5,248,300.00

This item is to consider approval of a professional engineering services agreement for the planning, design, procurement, and construction services phases of the northeast wastewater interceptor line. This line is essential for future City growth and economic development including the future expansion of Centerport. The primary purpose of the line will be to serve or provide relief in underserved areas of the east side of the City and provide long term stability in service to existing and future customers of the highly regulated wastewater collection system as identified in multiple studies and evaluations.

H. **CONSIDER APPROVAL -- POLICE VEHICLE EQUIPMENT AND INSTALLATION SERVICES TO UPFIT POLICE VEHICLES:**

(Contact: Martin Birkenfeld, Chief of Police)

Defender Supply, LLC -- \$256,538.35

This item purchases the equipment and installation for 22 Ford Police Interceptor Utility Vehicles.

I. **CONSIDER APPROVAL – PURCHASE OF DECORATIVE STREET LIGHTS FOR DOWNTOWN:**

(Contact: Trent Davis, Purchasing Agent)

Techline, Inc. -- \$99,409.00

This item is to consider the award of decorative street lights for Downtown. These lights are for West Texas A&M University (Red Wine Color).

- J. **CONSIDERATION ACCEPTANCE – RLSS-LOCAL PUBLIC HEALTH SERVICES GRANT:**  
 (Contact: Casie Stoughton, Public Health Director)  
 Grant Amount: \$223,488 over two years  
 Grantor: Texas Department of State Health Services  
 This item accepts the award from the Texas Department of State Health Services from September 1, 2021 thru August 31, 2023 to continue funding for the Infectious Disease Surveillance in the Public Health Department.
- K. **CONSIDER ACCEPTANCE – HANSEN'S GRANT:**  
 (Contact: Casie Stoughton, Public Health Director)  
 Grant Amount: \$18,500.00  
 Grantor: Texas Department of State Health Services  
 This item accepts the award from the Texas Department of State Health Services from April 1, 2021 thru March 31, 2022 to continue funding to prevent and control the transmission of Hansen's Disease.
- L. **CONSIDER AWARD – CONTRACT FOR RANDALL COUNTY TO ASSESS AND COLLECT CITY OF AMARILLO TAXES:**  
 (Contact: Laura Storrs, Assistant City Manager)  
 Randall County – Annual fee based on prior year costs  
 This contract is for assessment and collection of City of Amarillo taxes and will remain in effect indefinitely. Either party has the right to terminate the contract with proper notice.
- M. **CONSIDER AWARD – CONTRACT FOR RANDALL COUNTY TO ASSESS AND COLLECT PUBLIC IMPROVEMENT DISTRICT (PID) TAXES:**  
 (Contact: Laura Storrs, Assistant City Manager)  
 Randall County – Annual fee based on prior year costs  
 This contract is for assessment and collection of PID taxes and will remain in effect indefinitely. Either party has the right to terminate the contract with proper notice.

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 authorizing the City of Amarillo to submit project 4088002 Regional Real Time Crime Center to the Office of the Governor through the FY2022 Project Safe Neighborhood grant program. The project application is in the amount of \$105,000 for equipment. This item was presented by Jared Miller, City Manager, Kevin Starbuck, Deputy City Manager and Lt. Shane Chadwick, APD. Motion was made by Councilmember Powell, seconded by Councilmember Sauer to approve the captioned resolution below:

RESOLUTION NO. 02-23-21-1

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AUTHORIZING THE SUBMISSION OF THE 2020/21 GRANT APPLICATION FOR THE PROJECT SAFE NEIGHBORHOODS PROGRAM (PROJECT 4088002) AND DESIGNATING THE DEPUTY CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED OFFICIAL; PROVIDING OTHER CLAUSES 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 3B:** Mayor Nelson presented a resolution considering a resolution by the City of Amarillo, Texas ("City") approving the surcharge related to Docket No. 49831 submitted by Southwestern Public Service Company on about December 18, 2020; authorizing participation in a coalition of similarly situated cities known as the Alliance of Xcel Municipalities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; authorizing the retention of special counsel. This item was presented by Jared Miller, City Manager, Ronnie Walker,

SPS/Xcel, Bryan McWilliams, City Attorney. Motion was made by Councilmember Powell, seconded by Councilmember Smith to approve the captioned resolution below:

RESOLUTION NO. 02-23-21-2

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS ("CITY") APPROVING THE SURCHARGE RELATED TO DOCKET NO. 49831 SUBMITTED BY SOUTHWESTERN PUBLIC SERVICE COMPANY ON ABOUT DECEMBER 18, 2020; AUTHORIZING PARTICIPATION IN A COALITION OF SIMILARLY SITUATED CITIES KNOWN AS THE ALLIANCE OF XCEL MUNICIPALITIES; AUTHORIZING PARTICIPATION IN RELATED RATE PROCEEDINGS; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

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 a resolution to consider a resolution by the City of Amarillo, Texas ("City") suspending the effective date of Southwestern Public Service Company's proposed increase in rates as allowed by statute; declaring temporary rates; authorizing the City's continued participation with other cities in the alliance of Xcel Municipalities ("AXM") to direct the activities of lawyers and consultants. This item was presented by Bryan McWilliams, City Attorney. Motion was made by Councilmember Powell, seconded by Councilmember Smith to approve the captioned resolution below:

RESOLUTION NO. 02-23-21-3

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS ("CITY") SUSPENDING SOUTHWESTERN PUBLIC SERVICE COMPANY'S PROPOSED EFFECTIVE DATE IN CONNECTION WITH ITS STATEMENT OF INTENT SUBMITTED ON ABOUT FEBRUARY 8, 2021; APPROVING TEMPORARY RATES; AUTHORIZING THE CITY'S CONTINUED PARTICIPATION WITH OTHER CITIES IN THE ALLIANCE OF XCEL MUNICIPALITIES ("AXM") TO DIRECT THE ACTIVITIES OF LAWYERS AND CONSULTANTS AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; REQUIRING PROOF OF NOTICE; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING 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 3D:** Mayor Nelson presented an item receiving and accepting the City of Amarillo Comprehensive Annual Financial Report (CAFR) for the year ending September 30, 2020. This item was presented by Jared Miller, City Manager, Laura Storrs, Finance Director, and Janie Arnold, CMMS. Motion was made by Councilmember Powell, seconded by Councilmember Hays to accept the September 30, 2020 CAFR as presented.

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 introduced Kevin Carter, AEDC. Mr. Carter presented a contract authorizing AEDC to execute the contract and all necessary documents for the sale of approximately 2.00 acre of land located at Farmers Avenue and South Georgia Street in Amarillo to Xcel Energy to expand their substation. The sale price is for \$40,000.00 plus closing costs and related expenses. The appraised price was \$19,724 per acre and was conducted by SMS Appraisal. This item was presented by Kevin Carter, AEDC. Motion was made by Councilmember Powell, seconded by Councilmember Sauer to approve the AEDC contact.

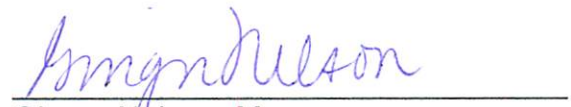
Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

**ITEM 4:** Mr. McWilliams advised at 3:06 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) Sale of real property located in the Central Business District of the City of Amarillo. 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 the same: (a) Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect: (1) Project # 19-10-01 (Corporate Headquarters); (2) Project # 20-08-01 (Manufacturing); (3) Project # 21-01-03 (Utilities); (4) Project # 21-02-01 (Research & Development Facility) 3) Section 551.074 - Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee, in accordance with the Texas Open Meetings Act. (a) Discussion of City Manager, Jared Miller's performance evaluation; and (b) Discussion of Municipal Court Judge, Laura Hamilton's performance evaluation.

Mr. McWilliams announced that the Executive Session was adjourned at 6:36 p.m. and recessed the Regular Meeting.

ATTEST:

  
 Frances Hibbs, City Secretary

  
 Ginger Nelson, Mayor