

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 11th of January 2022 the Amarillo City Council met at 1:00 p.m. for a regular meeting held in Council Chamber, located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

GINGER NELSON	MAYOR
COLE STANLEY	COUNCILMEMBER NO. 1
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	COUNCILMEMBER NO. 4

Absent was Mayor Pro Tem/Councilmember No. 2 Freda Powell. Also in attendance were the following administrative officials:

JARED MILLER	CITY MANAGER
ANDREW FREEMAN	ASSISTANT CITY MANAGER
FLOYD HARTMAN	ASSISTANT CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
JENIFER RAMIREZ	ASSISTANT TO THE CITY MANAGER
KATHRYN MASSEY	ASSISTANT TO THE MAYOR
STEPHANIE COGGINS	CITY SECRETARY
JONNI GLICK	ASSISTANT CITY SECRETARY

A quorum was established by Mayor Nelson and Councilmembers Stanley, Sauer and Smith. Mayor Nelson called the meeting to order, welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Bob Attaway of Hillside Christian Church. Mayor Pro Tem Powell led the Pledge of Allegiance.

Jason Harrison with the Chamber of Commerce presented an award to City Council for the City's partnership in the "Supporting Small Business Initiative".

PUBLIC ADDRESS:

James Schenck, of Amarillo, spoke on agenda item 2A. There were no further comments.

ITEM 1 – CITY COUNCIL DISCUSSED OR RECEIVED REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:

- A. Review agenda items for regular meeting and attachments;
- B. Updates from Councilmembers serving on outside boards and commissions:
 - a. Beautification and Public Arts Advisory Board
- C. Quarterly Budget Update
- D. Quarterly Sales Tax Update
- F. Discuss replacement of Athletic Field Lighting; and
- G. 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. Item No. 2-H was discussed at the request of Councilmember Stanley and ultimately remained on the consent agenda. Items No. 2-F and 2-G were removed at the request of Mayor Nelson. A motion was made to approve the consent agenda, except for Items No. 2-F and 2-G, and replacing the minutes with the revised version provided on the dais by Councilmember Smith, seconded by Councilmember Sauer.

- A. **CONSIDER APPROVAL - MINUTES:**

(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on December 14, 2021.

B. CONSIDERATION OF ORDINANCE NO. 7942

(Contact: Brady Kendrick, Planner II)

This item is a second and final reading of an ordinance to consider rezoning a 30.89-acre tract of unplatted land, in Section 65, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential 3 District. (Vicinity: Westin Dr. and Legacy Pkwy.)

C. CONSIDERATION OF ORDINANCE NO. 7943

(Contact: Victoria Medley, Animal Management and Welfare Director)

This item is a second and final reading of an ordinance to consider amendments to the Amarillo Municipal Code, Chapter 8-2, Articles I and II, Sec. 8-2-4, 8-2-12, 8-2-55, 8-2-57

D. CONSIDERATION OF ORDINANCE NO. 7945

(Contact: Kevin Carter, President and CEO, Amarillo Economic Development Corporation)

This item is a second and final reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 15 for commercial and industrial tax abatement. The zone is approximately 77 acres in the vicinity of Centerport Boulevard and Folsom Road.

E. CONSIDERATION OF RESOLUTION NO. 01-11-22-1

(Contact: Donny Hooper, Director of Public Works)

This item considers approval of a resolution for the Advance Funding Agreement for Highway Safety Improvement Program (Off System) with the Texas Department of Transportation (TxDOT). This agreement will provide for \$182,622 in federal funding for the construction of related traffic signal improvements.

H. CONSIDER AWARD - SUPPLY AGREEMENT FOR FIREFIGHTING GARMENTS

(Contact: Brandon Mason, Deputy Fire Chief)

Award to: Daco Fire Equipment - \$318,240.00

This item is to consider award of a supply agreement for 100 sets of coats, pants, hoods, and gloves with a 7-year warranty, 30 suspenders, 40 helmets, and 10 pairs of boots.

I. CONSIDER APPROVAL - REMOVAL AND INSTALLATION OF VERTICAL TURBINE PUMP AT OSAGE WATER TREATMENT PLANT

(Contact: Jonathan Gresham, Director of Utilities)

Award to: Kinger GPI - \$69,969.00

This item considers approval of the removal, evaluation, and rehabilitation of #1 Pump at the High Service Pump Station. This repair will allow the Osage Water Treatment Plant to efficiently and systematically move water around the transmission system to assets where demand has been identified around the city.

J. CONSIDER APPROVAL - COMMUNICATION SYSTEM MUTUAL AID AGREEMENT

(Contact: Chip Orton, Emergency Management Coordinator)

This item considers approval of a Communication System Agreement with the United States Department of Energy (DOE) for Pantex usage of the City's radio system.

K. CONSIDER AWARD - PAPER GOODS SUPPLY AGREEMENT

(Contact: Trent Davis, Purchasing Agent)

Award to: Empire Paper -	\$ 1,008.60
Wagner Supply -	\$103,936.00
Mavich -	\$ 5,844.00
Total Award	\$110,788.60

This item considers approval for the award of an annual paper goods supply agreement.

L. CONSIDER APPROVAL - BEARING ASSEMBLIES FOR HOLLYWOOD ROAD WATER RECLAMATION PLANT PUMP STATION

(Contact: Jonathan Gresham, Director of Utilities)

Award to: Evoqua Water Technologies - \$132,681.82

This item considers approval to purchase two sets of bearing assemblies to replace existing equipment at Hollywood Road Water Reclamation Plant.

M. CONSIDERATION OF RESOLUTION 01-11-22-2

(Contact: Sam Baucom, Deputy Fire Chief)

This item considers a resolution that will authorize the City Manager to take action on a letter of authorization for the Amarillo Fire Department (AFD) to upgrade from a Texas Department of State Health Services (DSHS) First Responder Only (FRO) license to a Provider license, which would allow the AFD to transport patients when necessary.

N. CONSIDER AWARD - CONTRACT FOR THE ARCHITECTURE AND ENGINEERING OF THE NEW AMARILLO CITY TRANSIT MULTIMODAL TERMINAL (6TH AVENUE AND BOWIE ST AMARILLO, TEXAS 79106)

(Contact: Jerry Danforth, Facilities Director)

Award to: Sims + Architects - \$480,000.00

This item considers awarding a contract for all architecture and engineering services for the design of the new Amarillo City Transit Multimodal Terminal located at 6th Avenue and Bowie St in Amarillo, Texas 79106.

O. CONSIDER ACCEPTANCE OF STD/HIV - DIS GRANT

Grant amount: \$213,611.00

Grantor: Texas Department of State Health Services

This item accepts the award from the Texas Department of State Health Services from January 1, 2022, thru December 31, 2022, to fund for the Infectious Disease Surveillance in the Public Health Department.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3 - NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson introduced the first reading of Ordinance No. 7946. Police Chief Martin Birkenfeld presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7946 re-adopting and continuing Chapter 10-3, Article VI, Sections 10-3-

71 through 10-3-75, inclusive of the Amarillo Municipal Code, without change; providing for a nocturnal curfew (starting at Midnight) for persons under the age of 17 by Councilmember Sauer, seconded by Councilmember Stanley.

ORDINANCE NO. 7946

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO: RE-ADOPTING AND CONTINUING CHAPTER 10-3, ARTICLE VI, SECTIONS 10-3-71 THROUGH 10-3-75, INCLUSIVE OF THE AMARILLO MUNICIPAL CODE, WITHOUT CHANGE; PROVIDING FOR A NOCTURNAL CURFEW (STARTING AT MIDNIGHT) FOR PERSONS UNDER 17 YEARS OF AGE; DEFINING OFFENSES; PROVIDING DEFENSES; PROVIDING FOR PENALTIES; PROVIDING A CUMULATIVE REMEDY CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3B: Mayor Nelson introduced the first reading of Ordinance No. 7947. Chief Birkenfeld presented the item. A motion was made to approve Ordinance No. 7947 to amend the Amarillo Municipal Code, Chapter 8-4, Article I, Sections 8-4-2 and 8-4-3 to enable authorized code enforcement officers to assist with moving or impounding vehicles by Councilmember Stanley, seconded by Councilmember Sauer.

ORDINANCE NO. 7947

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-4, ARTICLE I, SECTIONS 8-4-2 AND 8-4-3 TO ENABLE AUTHORIZED CODE ENFORCEMENT OFFICERS TO ASSIST WITH MOVING OR IMPOUNDING VEHICLES; PROVIDING FOR: SEVERABILITY, CONTINUATION OF PRIOR LAW, REPEALER, AND EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3C: Mayor Nelson introduced the first reading of Ordinance No. 7948. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7947 for the vacation of a 7,544 square foot portion of Public Right-Of-Way (alley) located adjacent to Lots 2 through 4, Block 33, Lawrence Park Unit No. 23 and Lot 6, Block 24, Lawrence Park Unit No. 89, in Section 227, Block 2, A.B.&M. Survey, Potter County, Texas in the vicinity of S.W. 26th Ave. and Britain Dr. by Councilmember Smith, seconded by Councilmember Sauer.

ORDINANCE NO. 7948

7948AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR PUBLIC RIGHT-OF-WAY (ALLEY) IN THE VICINITY OF SOUTHWEST 26th AVENUE AND BRITAIN DRIVE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT A PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3D: Mayor Nelson introduced an item to consider the dedication of 4,201 square foot tract of land for public right-of-way. Mr. Kendrick presented the item. A motion was

made to accept the dedication of a 4,201 square foot tract of land for Public Right-Of-Way (alley) purposes being in Lot 4, Block 33, Lawrence Park Unit No. 23, an addition to the City of Amarillo, in Section 227, Block 2, A.B.&M. Survey, Potter County, Texas; authorizing the city manager to sign the necessary documents contingent upon approval of a second and final reading of Ordinance No. 7948 by Councilmember Sauer, seconded by Councilmember Smith.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3E: Mayor Nelson introduced the first reading of Ordinance No. 7949. Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7949 approving the vacation of a 20-foot-wide Public Right-Of-Way (alley) lying in Block 13, Sunrise Addition Unit No. 3, in Section 123, Block 2, A.B.&M. Survey, Potter County, Texas in the vicinity of Eastern St. and I-40 by Councilmember Stanley, seconded by Councilmember Sauer.

ORDINANCE NO. 7949

AN ORDINANCE TO THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR A SEGMENT OF STREET RIGHT-OF-WAY IN THE VICINITY OF EASTERN STREET AND INTERSTATE 40, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED STREET RIGHT-OF-WAY SAVE AND EXCEPT A TEMPORARY PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3F: Mayor Nelson introduced the first reading of Ordinance No. 7950. Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7950 to rezone a 20.00-acre tract of unplatted land, in Section 53, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District and Heavy Commercial District to Heavy Commercial District in the vicinity of Pullman Rd. and Interstate 40 by Councilmember Smith, seconded by Councilmember Sauer.

ORDINANCE NO. 7950

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 PULLMAN ROAD AND INTERSTATE HIGHWAY 40, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3G: Mayor Nelson introduced the first reading of Ordinance No. 7951. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7951 to rezone a 2.89-acre portion of Lot 2, Block 3, Amended South Side Acres Unit No. 12, an addition and a suburban subdivision to the City of Amarillo, in Section 230, 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 Multiple-Family District 1 in the vicinity of Pullman Road and Interstate 40. by Councilmember Sauer, seconded by Councilmember Stanley.

ORDINANCE NO. 7951

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 RAY STREET AND SOUTHWEST 58TH AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Due to an error in the motion made, Dr. Sauer amended his motion to approve Ordinance No. 7951 to rezone a 2.89-acre portion of Lot 2, Block 3, Amended South Side Acres Unit No. 12, an addition and a suburban subdivision to the City of Amarillo, in Section 230, 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 Multiple-Family District 1 in the vicinity of 58th Street and Ray Street. Councilmember Stanley seconded the amended motion.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3H: Mayor Nelson introduced an item for the award of a contract for Martin Road Lake construction improvements. Kyle Schniederjan, Director of Capital Projects & Development Engineering, presented the item. A motion was made to award the contract for phases three and four of the Martin Road Lake Improvements Project to MH Civil Constructors, Inc. for a base bid of \$10,877,000; an alternate bid no. 1 of \$1,000; and an alternate bid no. 2 of \$10,000; for a total contract price of \$10,888,000 by Councilmember Stanley, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3I: Mayor Nelson introduced an item to consider a Location Incentive Agreement between Amarillo Economic Development Corporation (AEDC) and Mateen Bar USA. Kevin Carter, President and CEO of AEDC, presented the item. A motion was made to approve a Location Incentive Agreement between Amarillo Economic Development Corporation and Mateen Bar USA for the construction of a new 800,000 square foot manufacturing facility on 77 acres in the Centerport Business Park – under which the AEDC will provide Mateen Bar USA \$1,920,000 for the creation of up to 160 full-time employees to be paid out over 10 years based on a 10-year performance term and convey 77.1 acres of land to Mateen Bar USA at a value of \$3,084,000 by Councilmember Sauer, seconded by Councilmember Stanley.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3J: Mayor Nelson introduced an item to consider a Tax Abatement between the City of Amarillo, Amarillo Economic Development Corporation (AEDC), and Mateen Bar USA. Kevin Carter, President and CEO of AEDC, presented the item. A motion was made to approve a Tax Abatement Agreement between the City of Amarillo, Amarillo Economic Development Corporation, and Mateen Bar USA for the construction of a new 800,000 square foot manufacturing facility on 77 acres in the Centerport Business Park – providing for an abatement on future taxes on the construction and equipment costs at 100% abatement for 10 years on \$72,000,000 estimated cost of improvements in four phases and \$8,000,000 in new equipment by Councilmember Smith, seconded by Councilmember Sauer.


Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

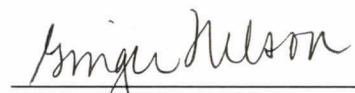
ITEM 4: Mr. McWilliams advised at 4:44 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Sec. 551.071 - Discussion on a

matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter IX of the Texas Open Meetings Act: (a) Poker rooms; 2) Sec. 551.072 - Discussion regarding the purchase, exchange, lease or value of real property. (a) Purchase/Sale of real property located in the Northeast quadrant of the City of Amarillo; and 3) Sec. 551.087 - 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: (a) Project # 21-02-04 (Manufacturing), (b) Project # 21-07-02 (Workforce Education), (c) Project # 21-10-03 (Manufacturing), (d) Project # 21-11-01 (Transportation), (e) Project # 21-12-01 (Manufacturing), (f) Project # 21-12-02 (Manufacturing); and (g) Economic development incentive request in the vicinity of East Interstate 40 and Airport Boulevard.

Mr. McWilliams announced that Executive Session was adjourned at 6:42 p.m. and recessed the Regular Meeting.

ATTEST:


Stephanie Coggins, City Secretary


Ginger Nelson, Mayor