

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 22nd of March 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
FREDA POWELL	MAYOR PRO TEM / COUNCILMEMBER NO. 2
COLE STANLEY	COUNCILMEMBER NO. 1
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
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
STEPHANIE COGGINS	CITY SECRETARY

A quorum was established by Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley. Mayor Nelson called the meeting to order at 1:00 p.m., welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Carol Smith. Mayor Nelson led the Pledge of Allegiance. Councilmember Powell read a proclamation for "ALCOHOL AWARENESS MONTH" which was presented to David Elizalde, with Andrea's Project.

PUBLIC ADDRESS

There were no citizens registered to comment during public address.

ITEM 1 – CITY COUNCIL WILL DISCUSS OR RECEIVE 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;
 - b. Parks and Recreation Board; and
- C. 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. Councilmember Stanley requested Agenda Items No. 2-F, 2-G, 2-H and 2-I be removed for separate consideration. A motion was made to approve the consent agenda, except for Agenda Items No. 2-F, 2-G, 2-H, and 2-I, by Councilmember Powell, 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 March 8, 2022.

- B. **CONSIDERATION OF ORDINANCE NO. 7965**

(Contact: Kyle Schniederjan, Capital Projects & Development Engineering Director)

This item is a second and final reading to consider an ordinance approving and adopting the Five-Year Community Investment Program (CIP) for FY 2021/2022 through 2025/2026.

C. CONSIDERATION OF ORDINANCE NO. 7966

(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Lots 6 thru 8, Block 16, Morningside Subdivision, an addition to the City of Amarillo, in Section 156, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 (MF-1) to General Retail District (GR). (Vicinity: Amarillo Blvd. and Mirror St.; Applicants: Greg Mitchell for JAMAL Enterprises, LP)

D. CONSIDERATION OF ORDINANCE NO. 7967

(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning all of Lots 3 and 4 and the remaining portion of Lot 5, Block 16, Morningside Subdivision, an addition to the City of Amarillo, in Section 156, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Heavy Commercial District (HC) to General Retail District (GR). (Vicinity: Amarillo Blvd. and Mirror St.; Applicants: Greg Mitchell for JAMAL Enterprises, LP)

E. CONSIDER PURCHASE – REMOTE-CONTROL SLOPE MOWER

(Contact: Donny Hooper, Director of Public Works)

Award to: Kinloch Equipment & Supply, Inc. - \$65,332.00 (Buy Board #611-20)

This item considers the purchase of a remote-control slope mower for use by the drainage utility division.

J. CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT FOR HOLLYWOOD ROAD WATER RECLAMATION FACILITY DIGESTER MIXING AND SECONDARY BOILER IMPROVEMENTS

(Contact: Matthew Thomas, City Engineer)

Award to: KSA Engineers, Inc. - \$332,500.00

This item considers the award of a professional services agreement to increase the scope of work and bidding services for the digester mixing project for the Hollywood Road Water Reclamation Facility.

K. CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT DESIGN AND CONSTRUCTION PHASE SERVICES FOR PROPOSITION 1 BOND PROJECT: 34TH AVENUE WIDENING FROM SONCY ROAD TO HELIUM ROAD

(Contact: Matthew Thomas, City Engineer)

Award to: Halff and Associates. - \$1,174,940.00

This item considers the award of a professional engineering services agreement for the design and construction phase services related to the construction of 34th Avenue widening, including necessary utility adjustments and installations from Helium Road to Soncy Road. This agreement will be funded with Proposition 1 voter approved bond proceeds.

L. CONSIDER AWARD – DOCUMENT MANAGEMENT AND RETENTION SOFTWARE ANNUAL SUPPORT AND MAINTENANCE

(Contact: Rich Gagnon, Managing Director of Information Technology)

Award to: Open Text, Inc. - \$103,172.20

This item considers award of an annual renewal of vendor-provided support and maintenance for Open Text eDocs software which is utilized by all city departments for document management and retention.

M. **CONSIDER AWARD – PUBLIC SAFETY RECORDS MANAGEMENT SOFTWARE ANNUAL MAINTENANCE AGREEMENT**

(Contact: Martin Birkenfeld, Chief of Police)

Award to: Hexagon Safety and Infrastructure - \$121,292.16

This item considers award of an annual maintenance agreement for the Intergraph Records Management software used by Amarillo Police Department.

N. **CONSIDER AWARD – SUPPLY AGREEMENT FOR PURCHASE OF FIRE TRUCK PARTS**

(Contact: Brandon Mason, Deputy Fire Chief)

Award to: Lone Star Emergency Group – Not to exceed \$140,000.00

This item considers award of an annual supply agreement to purchase Ferrara original equipment manufacturer (OEM) parts to be used on multiple types of Ferrara apparatus repairs.

O. **CONSIDER AWARD –B-4 AGGREGATE ANNUAL SUPPLY CONTRACT FOR SUMMER SEALCOATING OPERATIONS**

(Contact: Donny Hooper, Director of Public Works)

Award to: J. Lee Milligan – Not to exceed \$681,075.00

This item considers the award of an annual contract for the purchase of up to 7,500 cubic yards of pre-coated B-4 Aggregate, used by the Street division during the summer for sealcoating of paved streets.

P. **CONSIDER AWARD – BRASS WATER FITTINGS SUPPLY AGREEMENT**

(Contact: Trent Davis, Purchasing Agent)

Award to: Core & Main LP - \$85,408.60

This item considers award of an annual agreement to supply brass water fittings to replenish warehouse stock for use by various departments.

Q. **CONSIDER APPROVAL – INTER-LOCAL AGREEMENT BETWEEN THE PANHANDLE REGIONAL ADVISORY COUNCIL AND THE CITY OF AMARILLO, TEXAS FOR THE AMBUS PROJECT**

(Contact: Sam Baucom, Deputy Fire Chief)

This item considers approval of an Inter-local Agreement between the Panhandle Regional Advisory Council and the City of Amarillo, Texas to provide an Ambulance Bus (AMBUS) on loan from the State of Texas for use by the Amarillo Fire Department.

R. **CONSIDERATION OF RESOLUTION NO. 03-22-22-1**

(Contact: Laura Storrs, Assistant City Manager)

This item considers approval of a resolution amending the budget of the Tax Increment Reinvestment Zone No. 1, City of Amarillo for the fiscal year October 1, 2021, to September 30, 2022.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

ITEMS 2F, 2G, 2H and 2I: Mayor Nelson introduced the items. Mr. Miller shared an overview of the items, and Jerry Danfoth, Director of Facilities, answered questions. A

motion was made to approve Item 2F on the consent agenda by Councilmember Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Smith; voting NO was Councilmember Stanley; absent were none; the motion passed by a 4-1 vote.

A motion was made to approve Item 2G on the consent agenda by Councilmember Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Smith; voting NO was Councilmember Stanley; absent were none; the motion passed by a 4-1 vote.

A motion was made to approve Item 2H on the consent agenda by Councilmember Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Smith; voting NO was Councilmember Stanley; absent were none; the motion passed by a 4-1 vote.

A motion was made to approve Item 2I on the consent agenda by Councilmember Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Smith; voting NO was Councilmember Stanley; absent were none; the motion passed by a 4-1 vote.

ITEM 3 – NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson introduced an item for a public hearing and first reading of Ordinance No. 7968. Emily Koller, Assistant Director of Planning, presented the item. Mayor Nelson opened a public hearing. Speaking FOR the item was Stormie Aguirre speaking AGAINST the item were none; and speaking on the item were none. The public hearing was closed. A motion was made to adopt Ordinance No. 7968 amending the Adopted Comprehensive Plan of the City of Amarillo, Texas by adding the Eastridge Neighborhood Plan as a component by Councilmember Powell, seconded by Councilmember Smith.

ORDINANCE NO. 7968

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS AMENDING THE ADOPTED COMPREHENSIVE PLAN OF THE CITY OF AMARILLO, TEXAS BY ADDING THE EASTRIDGE NEIGHBORHOOD PLAN AS A COMPONENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

ITEM 3B: Mayor Nelson introduced an item for a public hearing and first reading of Ordinance No. 7969. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no comments. The public hearing was closed. A motion was made to adopt Ordinance No. 7969 rezoning Lots 19 and 20, Block 3, Miller Heights Addition, an addition to the City of Amarillo, in Section 168, Block 2, A.B.&M. 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 in the vicinity of NW 9th Avenue and Hughes Street by Councilmember Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 7969

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 NORTHWEST NINTH AVENUE AND HUGHES STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

ITEM 3C: Mayor Nelson introduced an item for a public hearing and first reading of Ordinance No. 7970. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. Speaking FOR the item was Drew Donosky; speaking AGAINST the item were none; and speaking on the item were none. The public hearing was closed. A motion was made to adopt Ordinance No. 7970 rezoning a 20.36 acre tract of unplatted land in Section 58, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Heavy Commercial District and Agricultural District to Heavy Commercial District in the vicinity of Interstate 40 and Airport Blvd. by Councilmember Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 7970

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 INTERSTATE FORTY AND AIRPORT BOULEVARD, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

ITEM 3D: Mayor Nelson introduced an item for a public hearing and first reading of Ordinance No. 7971. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no comments. The public hearing was closed. A motion was made to adopt Ordinance No. 7971 vacating a 10-foot-wide Public Utility Easement lying in Lots 6 and 7, Block 8, North Highland Subdivision of the Tartar Addition, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas in the vicinity of Garfield St. and Amarillo Blvd by Councilmember Powell, seconded by Councilmember Stanley.

ORDINANCE NO. 7971

AN ORDINANCE TO THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR A PUBLIC UTILITY EASEMENT IN THE VICINITY OF GARFIELD STREET AND AMARILLO BOULEVARD, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO THE PROPERTY OWNER; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

At 1:59 p.m. Mayor Nelson asked Mayor Pro Tem Powell to lead the meeting and excused herself.

ITEM 3E: Mayor Pro Tem Powell introduced an item to consider acceptance of a dedication. Brady Kendrick, Planner II, presented the item. A motion was made to accept the dedication of a 15-foot Public Utility Easement in Block 8, North Highlands Subdivision of the Tatar Addition, an addition to the City of Amarillo, in Section 157, 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. 7971 by Councilmember Sauer, seconded by Councilmember Smith.

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

ITEM 3F: Mayor Pro Tem Powell introduced an item to consider Ordinance No. 7972. Ms. Storrs and Steven Adams, with Specialized Public Finance, presented the item. A motion was made to adopt Ordinance No. 7972 authorizing the issuance and sale of "CITY OF AMARILLO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022" for (i) acquiring, constructing, improving and installing lighting for park and recreational facilities and (ii) professional services rendered in connection therewith by Councilmember Sauer, seconded by Councilmember Smith.

ORDINANCE NO. 7972

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022"; 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 Pro Tem Powell and Councilmembers Sauer and Smith; voting NO was Councilmember Stanley; absent was Mayor Nelson; the motion passed by a 3-1 vote.

ITEM 3G: Mayor Pro Tem Powell introduced an item to consider award of landscape maintenance agreements. Michael Kashuba, Director of Parks and Recreation, presented the item. A motion was made to award landscape maintenance agreements totaling \$2,207,074.60 as follows: Lot 1 for regional parks to Incircle Management, Inc. for \$1,219,053; Lot 2 for school parks to Incircle Management, Inc. for \$720,908.10; Lot 3 for community parks to Incircle Management, Inc. for \$170,250.30; and Lot 4 for undeveloped park areas to Reeder Landscape for \$96,863.20 by Councilmember Sauer, seconded by Councilmember Smith.

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

ITEM 4 – EXECUTIVE SESSION:

Mr. McWilliams advised at 2:18 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Sec. 551.071 – Consultation with an attorney 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 the Texas Open Meetings Act: (a) Broadband security and negotiations; 2) Sec. 551.074 – Discuss the appointment, employment, evaluation, reassignment, duties, and

qualifications of a public officer or employee: (a) Discussion of Municipal Judge Laura Hamilton's performance evaluation; 3) Sec. 551.076 – Discussion regarding (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit; 4) 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) a. Economic development incentive request for a project within the East Gateway TIRZ #2 Boundary; and 5) Sec. 551.089 – Discussion regarding (1) security assessments or deployments relating to information resources technology; (2) network security information as described by Section 2059.055(b); or (3) the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

Mr. McWilliams announced that Executive Session was adjourned at 4:30 p.m. and recessed the Regular Meeting.

ATTEST:



Stephanie Coggins, City Secretary



Ginger Nelson, Mayor