

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 28th day of June 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
STEPHANIE COGGINS	CITY SECRETARY
JONNI GLICK	ASSISTANT CITY SECRETARY
CARTER ESTES	ASSISTANT TO THE CITY MANAGER

A quorum was established by Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley. Mayor Nelson called the meeting to order at 1:09 p.m., welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Joan Gaines with Covenant Presbyterian Church. Mayor Nelson led the Pledge of Allegiance. Mayor Nelson announced Mr. Miller's five-year anniversary with the City of Amarillo and thanked him for his years of service.

PUBLIC ADDRESS

Jonas Fuller, of Amarillo, spoke against Agenda Item No. 2Q. Michael Ford, of Amarillo, spoke against public address and the numbering of ordinances on the agenda. Kenneth Flores, of Amarillo, spoke for Agenda Item No. 2E.

Mr. Miller made an announcement to introduce Walter "Buzz" Pishkur as the new Interim Director of Water and Sewer Utilities.

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. Pedestrian and Bicycle Safety Advisory Committee
 - b. Beautification and Public Arts Advisory Board

ITEM 3 – NON-CONSENT ITEMS

ITEM 3A: Mayor Nelson introduced an item to consider the award of a contract for fiber broadband internet service for use in the Amarillo Connected Broadband Project. Rich Gagnon, Managing Director and CIO, presented the item. A motion was made to approve the award of a contract for fiber broadband internet service for use in the Amarillo Connected Broadband Project to AT&T in the amount of \$2,000,000.00 by Councilmember Powell, seconded by Councilmember Smith.

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

Mayor Nelson called a recess of the meeting at 2:01 p.m. Mayor Nelson resumed the meeting at 3:06 p.m.

ITEM 1 – CITY COUNCIL WILL DISCUSS OR RECEIVE REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:

- c. Environmental Task Force
- d. Convention and Visitors Bureau;
- C. Update on Bloomberg Harvard Innovation Track; and
- D. Request future agenda items and reports from City Manager.

ITEM 2 – CONSENT AGENDA

Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. A motion was made to approve the consent agenda, except for Agenda Item No. 2Q, by Councilmember Powell, seconded by Councilmember Smith.

- A. **CONSIDER APPROVAL – MINUTES:**
(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on June 14, 2022.

- B. **CONSIDER APPROVAL – MINUTES:**
(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the special meeting held on June 17, 2022.

- C. **CONSIDERATION OF ORDINANCE NO. 7986:**
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Tract 52 and a portion of Tract 53, Whitaker's Subdivision, in Section 92, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Industrial District and Agricultural District to Light Industrial District with Specific Use Permit 202 (I-1/S-202) for an Asphalt or Concrete Batching Plant. (Vicinity: Triangle Dr. and Lakeside Dr.; Applicant/s: Brad Stuteville for Vankor Properties LLC.)

- D. **CONSIDERATION OF ORDINANCE NO. 7987:**
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Lot 6, Block 3, Canode-Com. Park Unit No. 7, an addition to the City of Amarillo, in Section 42, 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 and Heavy Commercial District to Heavy Commercial District. (Vicinity: Interstate 40 and Coulter St.; Applicants: Bryan Elrod for Britten and Withrow LP)

- E. **CONSIDERATION OF ORDINANCE NO. 7988:**
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Lots 13 and 14, Bock 22, Belmont Park Annex, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of

all bounding streets, alleys, and public ways, to change from General Retail District to Manufactured Home District. (Vicinity: Mirror St. and N.E. 16th Ave.; Applicant/s: Diana Soto)

F. CONSIDERATION OF ORDINANCE NO. 7989:
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Lot 4, Block 1, Medical Institute Subdivision Unit No. 5, an addition to the City of Amarillo, in Section 25, Block 9, B.S.&F. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Office District 2 to Planned Development District 398 for reduction of minimum parking requirements related to multi-family development. (Vicinity: SW 9th Ave. and Wallace Blvd.; Applicant/s: Louis Homen for LHMK LLC)

G. CONSIDER ACCEPTANCE – COMMUNITY MENTAL HEALTH GRANT:
(Contact: Casie Stoughton, Public Health Director)
Grantor: Texas Health and Human Services Commission (HHSC)
Grant Amount: \$149,070.00

This item considers acceptance of the award from HHSC from September 1, 2022 through August 31, 2023 to renew the Community Mental Health Grant CMHG grant supporting the Local Outreach to Suicide Survivors (LOSS) Team.

H. CONSIDER AWARD – CONSTRUCTION CONTRACT FOR CONCRETE WORK AT FIRE STATIONS #2 AND #13:
(Contact: Jerry Danforth, Facilities Director)
Award to: Tri-State General Contracting Group, Inc. - \$255,058.44

This item considers the award of a construction contract for the concrete driveway replacement at Fire Station #2 and partial driveway repair and replacement at Fire Station #13.

I. CONSIDER AWARD – CONTRACT FOR INSURANCE COVERAGE POLICIES:
(Contact: Mitchell Normand, HR Director)
Award to: USI Southwest - \$3,082,512.00

This item considers the award of an insurance contract for the following lines of coverage: Business Travel Accident, Inland Marine (Rare Books), Professional Liability (Medical Malpractice), Cyber Liability, Public Official Liability, Law Enforcement Liability, Property, Boiler & Machinery, and AFD Fire Fleet – Auto PD.

J. CONSIDER AWARD – RENEWAL OF CLAIMS ADMINISTRATION CONTRACT FOR THIRD-PARTY ADMINISTRATIVE SERVICES:
(Contact: Mitchell Normand, HR Director)
Award to: Claims Administrative Services - \$150,000.00

This item considers the award of a contract to provide claims adjustment services for workers' compensation, auto physical, auto liability, and property damage claims.

K. CONSIDER PURCHASE – REFUSE SIDELOADERS, 6-YD DUMP TRUCKS, 12-YD DUMP TRUCKS, SERVICE BODY TRUCKS, WINCH TRUCKS AND ROLL-OFF TRUCKS:
(Contact: Donny Hooper, Public Works Director)

Award to: Roberts Truck Center -	\$1,645,470.00
Bruckner's Truck Sales -	\$ 606,575.16
Randall Reed Prestige Ford -	<u>\$ 269,360.00</u>
Total Award:	\$2,521,405.16

This item considers the purchase of scheduled replacements and additions of multiple vehicles to be used by Solid Waste Collection, Street, Water Distribution, and Wastewater Collection departments in their daily operations. The units being replaced have reached or exceeded their useful life.

L. CONSIDER AWARD – MOTOR FUEL ANNUAL CONTRACT:

(Contact: Donny Hooper, Public Works Director)

Award to: Saratoga Rack Marketing LLC as follows:

Gasoline: OPIS price average less \$0.056/gallon

Diesel: OPIS price average less \$0.045/gallon

This item considers the award of an annual contract to provide unleaded and diesel fuel to the City of Amarillo. This is a one-year contract with two one-year options to renew. Pricing for the contract is based off of Oil Price Information Service (OPIS) daily rack average for Amarillo Area.

M. CONSIDER AWARD – WATER METER BOX WITH ADAPTER RING SUPPLY AGREEMENT:

(Contact: Trent Davis, Purchasing Agent)

Award to: Core & Main - \$68,750.00

This item considers the purchase of water meter boxes with adapter rings to replenish warehouse stock that will be used by the Water and Sewer Utilities department.

N. CONSIDER AWARD –TRAFFIC LIGHT POLES AND ACCESSORIES:

(Contact: Trent Davis, Purchasing Agent)

Award to: Tiger Electric Supply - \$85,220.00

This item considers the purchase of traffic light poles and accessories to replenish warehouse stock that will be used by the Traffic department.

O. CONSIDER AWARD – GATE/TAPPING VALVE SUPPLY AGREEMENT:

(Contact: Trent Davis, Purchasing Agent)

Award to: Premier Waterworks - \$81,323.00

This item considers the purchase of gate and tapping valves to replenish warehouse stock that will be used by the Water and Sewer Utilities department.

P. CONSIDER AWARD – PROJECT MANAGEMENT SOFTWARE ANNUAL SUBSCRIPTION:

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

Award to: E-Builder, Inc. - \$87,604.30

This item considers the award of a one-year contract for the E-Builder Project Management Software that is used by the Capital Projects & Development Engineering department to manage construction projects.

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

ITEM 2Q: Mayor Nelson introduced an item to consider the award of a construction contract for trench and surface repairs above a 48-inch water transfer line along Bolton Street. Kyle Schniederjan, Director of Capital Projects and Development Engineering, presented the item. A motion was made to approve the item as presented by Councilmember Powell, seconded by Councilmember Smith.

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

ITEM 3 – NON-CONSENT ITEMS:

ITEM 3B: Mayor Nelson introduced an ordinance vacating a 2,492 square foot portion of a public right-of-way (alley) located adjacent to Lots 4 through 6 and a portion of Lot 3, Block 16, Morningside Subdivision, an addition to the City of Amarillo, in Section 156, Block 2, A.B.&M. Survey, Potter County, Texas. (Vicinity: Amarillo Blvd. and Mirror St.; Applicant/s: Andrew Mitchell for Jamal Enterprises, LP). 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 that the following captioned ordinance be passed by Councilmember Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 7990

AN 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 AMARILLO BOULEVARD AND MIRROR STREET, 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 Powell, Sauer, Smith, and Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

ITEM 3C: Mayor Nelson introduced an ordinance rezoning Lot 26J, Block 25, Coulter Acres Unit No. 8, the remaining portions of Lots 26 and 27, Block 2, Coulter Acres Unit No. 1, a portion of Lot 27C and all of 27D, Block 2, Coulter Acres Unit No. 5, all in Section 38, 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 1 (R-1) to Office District 2 (O-2). (Vicinity: SW 77th Ave. and Coulter St.; Applicant/s: Greg Farber on behalf of The Reserve Offices LLC, Hayes Holdings & Investment Group LLC, and Redeemer Presbyterian). 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 that the following captioned ordinance be passed by Councilmember Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 7991

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 SOUTHWEST 77TH AVENUE AND COULTER STREET, RANDALL 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, and Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

ITEM 3D: Mayor Nelson introduced an ordinance that would grant West Texas Gas Utility the franchise and rights to use public rights-of-way to provide retail gas service in the city. Mr. McWilliams presented the item. J.J. King and Cody Cowling, with West Texas Gas Utility, answered questions. A motion was made that the following captioned ordinance be passed by Councilmember Powell, seconded by Councilmember Smith.

ORDINANCE NO. 7992

ORDINANCE OF THE CITY OF AMARILLO, TEXAS, GRANTING TO WEST TEXAS GAS UTILITY, LLC, (A TEXAS LIMITED LIABILITY COMPANY, WITH ITS PRINCIPAL OFFICE IN THE CITY OF MIDLAND, MIDLAND 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 and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

ITEM 3E: Mayor Nelson introduced a resolution setting a date, time, and place for a Public Hearing to consider the proposed annexation of certain property by the City of Amarillo, Texas and authorizing the City Manager to execute an Agreed Service Plan. (Vicinity: Soncy Rd. and SW 34th Ave.; Applicant/s: Daryl Furman for the Emeline Bush O'Brien/Sobieski Trust). Mr. Kendrick presented the item. A motion was made that the following captioned resolution be passed by Councilmember Powell, seconded by Councilmember Sauer.

RESOLUTION NO. 06-28-22-1

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF AMARILLO SETTING A DATE, TIME AND PLACE FOR PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF AMARILLO, TEXAS; AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICES OF SUCH PUBLIC HEARING; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREED SERVICE PLAN.

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

Mr. McWilliams advised at 4:22 p.m. that the City Council would convene in Executive Session per Texas Government Code: A) 551.072 – Discussion regarding the purchase, exchange, lease, or value of real property: (i) Purchase of real property in the Eastern Texas panhandle.

Mr. McWilliams announced that Executive Session was adjourned at 5:18 p.m. and recessed the Regular Meeting.

ATTEST:


Stephanie Coggins, City Secretary


Ginger Nelson, Mayor