

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 10th of January 2023 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
RICH GAGNON	ASSISTANT CITY MANAGER
FLOYD HARTMAN	ASSISTANT CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	CITY SECRETARY

A quorum was established by Mayor Nelson, Mayor Pro Tem Powell and Councilmembers 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 Margie Gonzales, VIDA Church. Mayor Nelson led the Pledge of Allegiance.

**PUBLIC ADDRESS**

Noah Dawson, of Amarillo, spoke for Agenda Item No 3G. James Schenck, of Amarillo, spoke on Agenda Item No. 3G. Jeff McGunegle, of Amarillo, spoke against Agenda Item No. 3G. Barbara Burnett, of Amarillo, spoke against Agenda Item No. 3A. There were no further speakers.

Mr. Miller announced the promotion of Jackson Zaharia to the position of City Engineer.

**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. Discuss Solid Waste update;
- 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. A motion was made to approve the consent agenda except for Agenda Item No. 2G by Mayor Pro Tem 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 December 13, 2022.

**B. CONSIDERATION OF ORDINANCE NO. 8034:**  
(Contact: Anthony Spanel, Environmental Health Director)

This item is a second and final reading to consider an ordinance amending the Amarillo Municipal Code, Chapter 8-5, Article IV, Section 8-5-27, to revise which existing covered facilities must design, install, operate, and maintain a grease trap or grease interceptor.

**C. CONSIDERATION OF ORDINANCE NO. 8035:**  
(Contact: Michael Kashuba, Director of Parks and Recreation)

This item is a second and final reading to consider an ordinance amending the Amarillo Municipal Code, Chapter 12-1, Article I, Section 12-4-1(c) to create a room rental fee for the Gaming Center at Warford Activity Center.

**D. CONSIDERATION OF ORDINANCE NO. 8036:**  
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning the west 125 feet of the east half of Block 267, Holland's Addition, 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 to Planned Development District 403 for a new or used auto sales outdoor lot. (VICINITY: Wichita Ave. and Mirror St.; APPLICANT/S: Marcelino and Lucia Alvarado)

**E. CONSIDER APPROVAL – PERMANENT EASEMENT AND SURFACE DAMAGE AND RESTORATION AGREEMENT BY AND BETWEEN SALLY ANN STALNAKER AND BONNY STALNAKER ROTH AND THE CITY OF AMARILLO:**  
(Contact: Kyle Schniederjan, Capital Projects and Development Engineering Director)

This item considers the approval of a Permanent Easement and Surface Damage and Restoration Agreement by and between Sally Ann Stalnaker and Bonny Stalnaker Roth and the City of Amarillo for \$289,550.00 to facilitate the construction of a wastewater pipeline associated with the Northeast Interceptor project.

**F. CONSIDERATION OF RESOLUTION NO. 01-10-23-1:**  
(Contact: Donny Hooper, Public Works Director)

This item considers a resolution authorizing the submission of a FY 2023 Regional Solid Waste Grants Program Application to the Panhandle Regional Planning Commission (PRPC) and authorizing the City Manager to represent the City in all matters pertaining to this application.

**G. CONSIDER PURCHASE – PROPERTY LOCATED AT 1500 SW 6TH AVENUE TO FACILITATE CONSTRUCTION OF TRANSFORMATION PARK:**  
(Contact: Jason Riddlespurger, Director)  
Seller: Fields Cyrus M Jr - \$182,000.00 plus closing costs

This item considers the purchase of land located at 1500 SW 6th Avenue, a 0.15-acre tract of land out of the original town of Amarillo, Block 48, Lot 10, 11 & 12, Potter County, Texas and authorizes the City Manager to execute a contract and any other necessary documents.

**H. CONSIDER: AWARD – ANNUAL CONTRACT FOR AIRPORT WILDLIFE MITIGATION SERVICES:**  
(Contact: Michael W. Conner, Director of Aviation)  
Award to: Bug Tech - \$100,000.00

The item considers the award of a one-year contract for wildlife mitigation for the Rick Husband Amarillo International Airport. This mitigation is required by federal regulation, as a component of the Airport's Wildlife Hazard Management Plan.

**I. CONSIDER AWARD – WATERWORKS SUPPLY AGREEMENT:**

(Contact: Trae Kepley, Director of Purchasing)

Award to: Core & Main (Lines 3-15, 19, 21)	\$ 82,033.80
Ferguson Enterprises (Lines 1, 16-18, 20)	\$ 26,253.20
Premier Water Works (Line 2)	<u>\$ 1,750.00</u>
Total award:	\$110,037.00

This item considers the award of an annual contract for waterworks fittings to replenish warehouse stock for use by various departments.

**J. CONSIDER AWARD – PAPER GOODS SUPPLY AGREEMENT:**

(Contact: Trae Kepley, Director of Purchasing)

Award to: Wagner Supply	\$80,136.00
MSC Industrial Supply	<u>\$12,750.00</u>
Total Award	\$92,886.00

This item considers the award of an annual contract for various paper goods to replenish warehouse stock for use by various departments.

**K. CONSIDER AWARD – WIRELESS COMMUNICATIONS SERVICES CONTRACT:**

(Contact: Missy Tucker, Information Technology Director)

Award to: Innovative Financial Technologies LLC dba AW Broadband - Not to exceed \$500,000.00

This item considers award of a contract for wireless communications services utilized in various City locations. This contract will be for an initial term of one-year term, with four one-year options to renew.

**L. CONSIDER AWARD – ARCGIS (GEOGRAPHIC INFORMATION SYSTEM) SOFTWARE SUPPORT AND MAINTENANCE AGREEMENT:**

(Contact: Missy Tucker, Information Technology Director)

Award to: Environmental Systems Research Institute, Inc - \$53,867.84

This item considers the renewal of an annual support and maintenance agreement for the City's ArcGIS software program that is utilized by multiple departments for mapping of various types of infrastructure.

**M. CONSIDER AWARD - REPLACEMENT OF THE BIVINS MEMORIAL BUILDING CARPET LOCATED AT 1000 S POLK STREET IN AMARILLO, TEXAS:**

(Contact: Jerry Danforth, Facilities Director)

Award to: Ingrams Flooring - \$75,672.00

This item considers award of a contract to replace carpet at the Bivins Memorial Building located at 1000 S. Polk Street, including demolition, site preparation, security, and installation of new carpeting.

**N. CONSIDER AWARD – PLUMBING AND MECHANICAL SUPPLIES ANNUAL CONTRACT:**

(Contact: Trae Kepley, Director of Purchasing)

Award to: Morrison Supply Company – Not to exceed \$200,000.00 (Buy Board Contract #657-21)

This item considers the award of a contract for the purchase of plumbing and mechanical supplies to be used by various departments.

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

**ITEM 2G:** Mayor Nelson introduced an item to consider the purchase of property located at 1500 SW 6th Avenue to facilitate construction of Transformation Park. Jason Riddlespurger, Community Development Director, presented the item. A motion was made to approve Item 2G on the consent agenda as presented by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson, Mayor Pro Tem Powell, and Councilmembers 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 a public hearing and first reading of an ordinance rezoning a 5.35-acre tract of unplatted land to change from Agricultural District to Moderate Density District and a 3.35-acre tract of unplatted land to change from Agricultural District to General Retail District, all in Section 183, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways in the vicinity of Georgia St. and S.W. 58th Ave. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. Speaking for the item was Noah Dawson; speaking on the item were none; and speaking against the item were none. Mayor Nelson closed the public hearing. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Stanley.

**ORDINANCE NO. 8038**

**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 GEORGIA STREET AND SOUTHWEST FIFTY-EIGHTH AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Voting AYE were Mayor Nelson, Mayor Pro Tem Powell, and Councilmembers 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 authorizing the issuance of "CITY OF AMARILLO, TEXAS, DRAINAGE UTILITY SYSTEM REVENUE BONDS, SERIES 2023"; prescribing the forms, terms, and provisions of said bonds; pledging the net revenues of the City's Drainage Utility 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 the approval and distribution of an Official Statement pertaining thereto; and providing an effective date. Ms. Storrs and Steven Adams, Specialized Public Finance, presented the item. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Smith.

**ORDINANCE NO. 8039**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, DRAINAGE UTILITY SYSTEM REVENUE BONDS, SERIES 2023"; PRESCRIBING THE FORMS, TERMS, AND PROVISIONS OF SAID BONDS; PLEDGING THE NET REVENUES OF THE CITY'S DRAINAGE UTILITY 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 THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Mayor Pro Tem Powell, and Councilmembers 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 authorizing the issuance of "CITY OF AMARILLO, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, NEW SERIES 2023"; 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 the approval and distribution of an Official Statement pertaining thereto; and providing an effective date. Ms. Storrs and Mr. Adams, Specialized Public Finance, presented the item. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 8040

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, NEW SERIES 2023"; 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 THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND PROVIDING AN EFFECTIVE DATE.

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

**ITEM 3E:** Mayor Nelson introduced an ordinance authorizing the issuance of "CITY OF AMARILLO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2023"; 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. Ms. Storrs and Mr. Adams, Specialized Public Finance, presented the item. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 8041

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES

2023"; 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, Mayor Pro Tem Powell, and Councilmembers Sauer, Smith and Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

**ITEM 3F:** Mayor Nelson introduced a resolution designating certain areas as Neighborhood Empowerment Zones and adopting guidelines and criteria within Neighborhood Empowerment Zones, pursuant to Texas Local Government Code, Chapter 378, establishing the boundaries thereof and other matters relating thereto; providing a savings clause; providing a severance clause and an effective date. Cody Balzen, Economic Development Specialist, presented the item. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

**RESOLUTION NO. 01-10-23-2**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS ("CITY"): DESIGNATING CERTAIN AREAS AS NEIGHBORHOOD EMPOWERMENT ZONES AND ADOPTING GUIDELINES AND CRITERIA WITHIN NEIGHBORHOOD EMPOWERMENT ZONES, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CHAPTER 378, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE AND AN EFFECTIVE DATE.

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

**ITEM 3G:** Mayor Nelson introduced a resolution authorizing the display of artifacts and national symbols of Ukraine at City facilities. Mr. Smith presented the item. A motion was made to adopt the below captioned ordinance, and to direct staff to display such artifacts and national symbols of Ukraine on an average of one day per week, by Councilmember Smith, seconded by Councilmember Sauer.

**RESOLUTION NO. 01-10-23-3**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AUTHORIZING THE DISPLAY OF ARTIFACTS AND NATIONAL SYMBOLS OF UKRAINE AT CITY FACILITIES.

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

**ITEM 3H:** Mayor Nelson introduced an item to consider the award of a professional services agreement for the development of construction documents for the 9th Street

Trails Parking Lot project. Michael Kashuba, Director of Parks and Recreation, presented the item. A motion was made to award an agreement for professional services for the development of construction documents for the 9th Street Trails Parking Lot project to Geospatial Data, Inc. for \$56,600.00 by Mayor Pro Tem Powell, seconded by Councilmember Smith.

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

**ITEM 3I:** Mayor Nelson introduced an item to consider the award of a professional engineering services agreement for the added design and construction phase services for the replacement of the collapsing storm sewer in Terrace Drive and additional construction phase services for the reconstruction of the Western and Wallace/Hagy/Port corridors in Amarillo. Mr. Zaharia presented the item. A motion was made to award a professional services agreement for added design and construction phase services for the replacement of a collapsing storm sewer in Terrace Drive and additional construction phase services for the reconstruction of the Western and Wallace/Hagy/Port corridors in Amarillo to Kimley-Horn and Associates, Inc for an amount not to exceed \$604,900.00 by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

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

**ITEM 3J:** Mayor Nelson introduced an item to consider the award of a professional engineering services agreement for the added design and construction phase services for the replacement of the collapsing storm sewer in Terrace Drive and additional construction phase services for the reconstruction of the Western and Wallace/Hagy/Port corridors in Amarillo. Mr. Zaharia presented the item. A motion was made to approve a second change order to the construction contract for the Reconstruction of Western Street, Wallace Blvd, Hagy Blvd, and Port Lane project; to address additional construction items on Western Street, Wallace Blvd, Hagy Blvd, and Port Ln; and to construct storm sewer repairs in Terrace Drive, from Cougar Drive to Mays Avenue to J. Lee Milligan in the amount of \$2,094,161.21 by Mayor Pro Tem Powell, seconded by Councilmember Smith.

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

**ITEM 4 – EXECUTIVE SESSION:**

Mr. McWilliams advised at 2:52 p.m. that the City Council would convene in Executive Session per Texas Government Code: A) 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: i) Property located in the Northeast Quadrant of Amarillo; ii) Property located in the Southeast Quadrant of Amarillo; and iii) Property located in the Southwest Quadrant of Amarillo.

Mr. McWilliams announced that Executive Session was adjourned at 3:50 p.m. and recessed the Regular Meeting.

ATTEST:

  
Stephanie Coggins, City Secretary

  
Ginger Nelson, Mayor