

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th of February 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
JON BARNES	ASSISTANT TO THE CITY MANAGER

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 1:02 p.m. welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Davlyn Duesterhaus.

Rosemary Robinson was recognized for 50 continuous years of service with the City. A letter of appreciation was read by Mr. Miller; a proclamation was read by Mayor Pro Tem Powell; and Martin Birkenfeld, Police Chief, made a statement.

PUBLIC ADDRESS

Michael Fisher, of Amarillo, spoke against Agenda Item No. 3G. James Schenck, of Amarillo, spoke on Public Address and Agenda Item No. 2O and against Agenda Item No. 3F. Jeffrey McGunegle spoke on Agenda Item No. 2N. There were no further comments.

The City's Finance department was recognized for achieving the Government Finance Officer's Association "Certificate of Excellence in Financial Reporting".

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
 - i. Pedestrian and Bicycle Safety Advisory Committee
 - ii. Convention and Visitors Bureau; 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. A motion was made approve the consent agenda as presented 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 January 31, 2023.

B. CONSIDER ACCEPTANCE – HANSEN'S GRANT:

(Contact: Casie Stoughton, Director of Public Health)

Grantor: Texas Department of State Health Services

Grant Amount: \$18,500.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023 thru August 31, 2024 to continue funding to prevent and control the transmission of Hansen's Disease.

C. CONSIDER ACCEPTANCE – PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT:

(Contact: Casie Stoughton, Director of Public Health)

Grantor: Texas Department of State Health Services

Grant Amount: \$256,077.00

This item considers acceptance of an award from the Texas Department of State Health Services from July 1, 2023 thru June 30, 2024 to continue funding to provide all hazards planning and Strategic National Stockpile coordination for Potter and Randall Counties.

D. CONSIDER ACCEPTANCE – COMMUNITY AND CLINICAL HEALTH BRIDGE GRANT:

(Contact: Casie Stoughton, Director of Public Health)

Grantor: Texas Department of State Health Services

Grant Amount: \$250,000.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023 thru August 31, 2024 to provide obesity and related chronic disease prevention programming.

E. CONSIDER ACCEPTANCE – TUBERCULOSIS STATE GRANT:

(Contact: Casie Stoughton, Director of Public Health)

Grantor: Texas Department of State Health Services

Grant Amount: \$75,103.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023 thru August 31, 2024 to continue funding to prevent and control the transmission of active and latent tuberculosis.

F. CONSIDER ACCEPTANCE – PUBLIC HEALTH INFRASTRUCTURE GRANT:

(Contact: Casie Stoughton, Director of Public Health)

Grantor: Texas Department of State Health Services

Grant Amount: \$1,300,589.00

This item considers acceptance of an award from the Texas Department of State Health Services from execution thru December 31, 2027 to make strategic investments in public health infrastructure created during the COVID-19 pandemic. These investments are aimed at hiring, retaining, supporting and training the public health workforce and strengthening the public health infrastructure and systems related to foundational capabilities in alignment with the Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems (Funding Opportunity Number CDC RFA OE22-2203) from the Centers for Disease Control and Prevention (CDC).

G. CONSIDER ACCEPTANCE – IMMUNIZATION GRANT:

(Contact: Casie Stoughton, Director of Public Health)
Grantor: Texas Department of State Health Services
Grant Amount: \$261,049.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023 thru August 31, 2024 to continue funding to prevent and control the transmission of vaccine-preventable diseases in children and adults, with emphasis on accelerating strategic interventions to improve their vaccine coverage levels.

H. CONSIDER ACCEPTANCE – HIV PREVENTION GRANT:

(Contact: Casie Stoughton, Director of Public Health)
Grantor: Texas Department of State Health Services
Grant Amount: \$248,125.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023, thru August 31, 2024 to continue funding HIV Prevention.

I. CONSIDER APPROVAL – APPOINTMENT OF MEMBER TO TUTBURY PUBLIC IMPROVEMENT DISTRICT ADVISORY BOARD:

(Contact: Justin Oppel, Development Customer Service Coordinator)

This item considers the appointment of Cathy L. Bailey to serve on the Tutbury Public Improvement District Advisory Board to immediately fill an unexpired term ending December 31, 2024.

J. CONSIDER APPROVAL – AGREEMENT BETWEEN THE CITY OF AMARILLO AND JY RANCH, LLLP TO PROVIDE WATER TAPS PER THE WATER RIGHTS DEED AND THE FIRST AMENDMENT TO THE WATER RIGHTS DEED:

(Contact: Floyd Hartman, Assistant City Manager)

This item considers the approval of an agreement to provide water taps and water service in the Potter County Wellfield as previously agreed to for three locations on the ranch property. This agreement also includes additional piping to provide for future infrastructure maintenance or replacement. Under this agreement, the total cost to the City shall not exceed \$103,603.48.

K. CONSIDERATION OF RESOLUTION NO. 02-14-23-1:

(Contact: Donny Hooper, Director of Public Works)

This item considers a resolution authorizing an Advance Funding Agreement (AFA) for Highway Safety Improvement Program with the Texas Department of Transportation (TxDOT) for transportation improvements estimated to cost \$592,940.00. The AFA will allocate costs of the improvements based on federal funding of \$497,526.00 and local participation from the city of \$95,414.00 and any costs over the estimated bid.

L. CONSIDER APPROVAL – PARTIAL ASSIGNMENT AND ASSUMPTION OF CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT FOR THE PRODUCER OWNED BEEF PROJECT:

(Contact: Andrew Freeman, Assistant City Manager)

This item considers approval of an agreement to assign the requirements of the approved June 2022 Chapter 380 agreement to Prairie View West, LLC, as well as to clarify the upcoming reorganization of the Prairie View entities into one new entity.

M. CONSIDER APPROVAL – LANDSCAPE MAINTENANCE CONTRACT RENEWAL AND CHANGE ORDERS NO. 1 AND NO. 2:

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

Award to:

Lot 1: Regional Parks – Incircle Management Inc.	\$1,219,053.00
Lot 2: School Parks – Incircle Management Inc.	\$ 720,908.10
Lot 3: Community Parks – Incircle Management Inc.	\$ 170,250.30
Lot 4: Undeveloped – Reeder Landscape	\$ 96,863.20
Change Order #1 – Incircle Management Inc.	\$ 27,130.95
Change Order #2 – Incircle Management Inc.	\$ 89,082.51
Total Award:	\$2,323,288.06

This item considers approval of a landscape maintenance contract renewal with Change Order No. 1 and Change Order No. 2 to provide turnkey landscape maintenance of all shrubs, turf, groundcover, annuals, perennials, and mulch within the limits of the property classifications (Regional Parks, School Parks, Community Parks, Undeveloped Park areas) listed above using experienced personnel using only sound horticultural and landscape practices.

N. CONSIDER AWARD – CIVIC CENTER COMPLEX AUDITORIUM DRAPERY REPLACEMENT:

(Contact: Bo Fowlkes, Civic Center Complex General Manager)

Award to: Rose Brand Wipers, Inc. - \$70,190.00

This item considers awarding a contract for the full replacement of the black stage drapery located in the Auditorium.

O. CONSIDER AWARD – CONSTRUCTION IMPROVEMENTS TO THE SANTA FE DEPOT PAVILION:

(Contact: Jerry Danforth, Facilities Director)

Award to: Panhandle Steel Buildings, Inc. - \$786,426.00

This item considers the award of a construction contract for site preparation, site security, and construction improvements to the Santa Fe Depot Pavilion located at 401 S. Grant in Amarillo Texas.

P. CONSIDER AWARD – EAST PARK PLAYGROUND REPLACEMENT:

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

Award to: Exerplay Inc. - \$148,665.00 (Buyboard # 679-22)

This item considers award of a contract to replace playground equipment within the existing East Park in Amarillo, Texas.

Q. CONSIDER AWARD – WEST HILLS PLAYGROUND REPLACEMENT:

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

Award to: Exerplay Inc. - \$146,385.25 (Buyboard # 592-19)

This item considers award of a contract to replace playground equipment within the existing West Hills Park in Amarillo, Texas.

R. CONSIDER AWARD – PRE-COATED B-4 AGGREGATE SUPPLY CONTRACT:

(Contact: Donny Hooper, Director of Public Works)

Award to: J. Lee Milligan Inc. - \$782,700.00

This item is to consider the award of a contract for the purchase of up to 7,500 cubic yards of Pre-coated B-4 Aggregate to be used by the Street Division during the summer for sealcoating of paved streets.

S. **CONSIDER AWARD – LIQUID FERROUS CHLORIDE ANNUAL SUPPLY AGREEMENT:**

(Contact: John Collins, Director of Utilities)
Award to: OFS – Not to exceed \$194,909.49

This item considers a contract to purchase Liquid Ferrous Chloride to help control odor in sewer mains.

T. **CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENT:**

(Contact: Brady Kendrick, Planner II)

This item considers approval of an Aviation Clear Zone Easement, being 4,700 feet above mean sea level above the plat of Holiday South Unit No. 15, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 177, Block 2, A.B.&M. Survey, Randall County, Texas. (VICINITY: Valencia Dr. and Burlington Rd.; APPLICANT/S: Quigley Builders, LLC)

U. **CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENT:**

(Contact: Brady Kendrick, Planner II)

This item considers approval of an Aviation Clear Zone Easement, being 4,750 feet above mean sea level above the plat of Usherwood Acres Unit No. 2, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 181, Block 2, A.B.&M. Survey, Randall County, Texas. (VICINITY: F.M. Highway 1541 and Sundown Lane; APPLICANT/S: Eric White and Cristine White)

V. **CONSIDER ACCEPTANCE – EASEMENT AGREEMENT BETWEEN THE CITY OF AMARILLO AND AMARILLO JUNIOR COLLEGE:**

(Contact: Brady Kendrick, Planner II)

This item considers the acceptance of an Easement Agreement for Access and Parking between the City of Amarillo and Amarillo Junior College, being a 0.94 acre tract of land out of a portion of Lot 1 and 4, Block 127, Lot 1 and 4, Block 144, plus portions of vacated right-of-way, in the Amended, Corrected, & Revised map of Mrs. M.D. Oliver Eakle's Addition, an addition to the City of Amarillo, in Section 171, Block 2, A.B.&M. Survey, Potter County, Texas. (GRANTOR: City of Amarillo; GRANTEE: Amarillo Junior College)

W. **CONSIDERATION OF RESOLUTION NO. 02-14-23-2:**

(Contact: Martin Birkenfeld, Chief of Police)

This item considers a resolution authorizing the application for and administration of a Rifle-Resistant Body Armor Grant Program award from the Office of The Governor, Criminal Justice Division.

X. **CONSIDER AWARD – MASTER SERVICES AGREEMENT FOR VOICE AND INTERNET SERVICES:**

(Contact: Missy Tucker, Information Technology Director)
Award to: Optimum/Suddenlink – Not to exceed \$475,000.00

This item considers the award of a three-year master services agreement for voice and internet services across 35 city locations.

Y. **CONSIDER APPROVAL – FINAL CHANGE ORDER NO. #4 TO THE SRE BUILDING MODIFICATIONS CONSTRUCTION PROJECT AT RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT:**

(Contact: Michael Conner, Director of Aviation)

Award to: Panhandle Steel Buildings, Inc.

Original Award:	\$ 911,687.00
Previous change orders:	\$ 66,047.43
Current change order #4:	\$ 174,962.63

Liquidated dmgs:	\$ (14,000.00)
Total Award:	\$1,138,697.06

This item considers a final Change Order No. 4 to the SRE Building Modifications construction contract to include silicone roofing system costs, required gas line rerouting, and required miscellaneous electrical work. All these elements were necessary to complete the project, as well as liquidated damages resulting from a 14-day overage from the contract period.

Z. CONSIDER APPROVAL – FINAL CHANGE ORDER NO. #2 TO THE AIRPORT TAXIWAY P4 AND J RECONSTRUCTION PROJECT AT THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT:

(Contact: Michael Conner, Director of Aviation)

Award to:IHC-Scott –	Original Award:	\$8,743,955.32
	Previous change order:	\$ 103,507.03
	Change Order No. 2:	\$ (46,368.57)
	Total Award:	\$8,801,903.78

This item considers the second and final change order to make final rectifying quantity adjustments to the construction contract for the Taxiway P4 and J Reconstruction project.

AA. CONSIDER APPROVAL – CHANGE ORDER NO. 1 TO THE AUTOMATED METERING INFRASTRUCTURE CONSTRUCTION CONTRACT:

(Contact: Floyd Hartman, Assistant City Manager)

Award to: Thirkettle Corporation dba Utiliuse

Original Award:	\$22,528,581.00
Change Order No. 1	\$ 1,281,242.00
Total Award:	\$23,809,823.00

This item is to consider approval of Change Order No. 1 adjusting quantities on meters, boxes, curb stop, and other adjustments.

BB. CONSIDERATION OF RESOLUTION NO. 02-14-23-3:

(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution supporting proposed 2023 legislation for Texas Municipal Retirement System ("TMRS") Cost of Living Adjustment ("COLA") bill.

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 3A: Mayor Nelson introduced an ordinance ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303 of the Texas Government Code (ACT), providing tax incentives, designating a liaison for communication with interested parties, and nominating Producer Owned Beef, LLC to the Office of the Governor Economic Development & Tourism (EDT) through the Economic Development Bank (Bank) as a triple jumbo enterprise project (Project). Mr. Freeman presented the item. Mayor Nelson opened a public hearing. Speaking for the item were none; speaking against the item was Mr. McGunugle; speaking on the item were none. Mayor Nelson closed the public hearing. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Smith.

ORDINANCE NO. 8042
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
AMARILLO, TEXAS: ORDAINING THE CITY'S
PARTICIPATION IN THE TEXAS ENTERPRISE ZONE

PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303 OF THE TEXAS GOVERNMENT CODE (ACT), PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING PRODUCER OWNED BEEF, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK) AS A TRIPLE JUMBO ENTERPRISE PROJECT (PROJECT).

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 3B: Mayor Nelson introduced an ordinance designating certain areas of the City as Reinvestment Zone No. 22 for commercial and industrial tax abatement, a zone of approximately 400.00 acres, east of Folsom Road. Kevin Carter, Amarillo Economic Development Corporation, presented the item. Mayor Nelson opened a public hearing. There were no speakers. Mayor Nelson closed the public hearing. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Smith.

ORDINANCE NO. 8043

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS
CITY COUNCIL: DESIGNATING CERTAIN AREAS AS
REINVESTMENT ZONE NO. 22 FOR COMMERCIAL /
INDUSTRIAL TAX ABATEMENT, CITY OF AMARILLO,
TEXAS, PURSUANT TO TEXAS TAX CODE, CHAPTER
312, SUBCHAPTERS A & B, ESTABLISHING THE
BOUNDARIES THEREOF AND OTHER MATTERS
RELATING THERETO; PROVIDING A SEVERANCE
CLAUSE; 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 rezoning Lot 1, Block 11, Glen Arden Addition Unit No. 12, an addition to the City of Amarillo, in Section 30, 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 General Retail District in the vicinity of Coulter St. and Arden. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no speakers. Mayor Nelson closed the public hearing. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Stanley.

ORDINANCE NO. 8044

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 ARDEN ROAD AND COULTER STREET,
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 3D: Mayor Nelson introduced an ordinance rezoning a 49.18-acre tract of unplatted land, in Section 31, 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 General Retail District in the vicinity of Coulter St. and Hollywood Rd (Loop 335). Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. Speaking for the item were none; speaking against the item was Mr. McGunugle; speaking on the item were none. Mayor Nelson closed the public hearing. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 8045

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 LOOP 335 (HOLLYWOOD ROAD) AND COULTER STREET, 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 3E: Mayor Nelson introduced an ordinance adopting the budget amendments pertaining to the fiscal year 2021-2022 budget. Ms. Storrs presented the item. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Smith.

ORDINANCE NO. 8046

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET AMENDMENTS PERTAINING TO THE FISCAL YEAR 2021-2022 BUDGET; 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 an ordinance amending the municipal code of the City of Amarillo, adding Chapter 10-5, concerning the authorization of the City Marshal's Office to enforce certain health and safety, code enforcement, and building safety regulations; and amending various portions of the applicable code. Mr. Freeman presented the item. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 8047

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, ADDING CHAPTER 10-5, CONCERNING THE AUTHORIZATION OF THE CITY MARSHAL'S OFFICE TO ENFORCE CERTAIN HEALTH AND SAFETY, CODE ENFORCEMENT, AND BUILDING SAFETY REGULATIONS; AMENDING VARIOUS PORTIONS OF APPLICABLE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR 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 an ordinance revising Chapter 8-5, Article IV, Section 8-5-18 of the Amarillo Municipal Code; such revision will provide an exemption to a mandatory Certified Food Manager requirement set forth in the 2021 Texas Food Establishment Rules and the 2017 Food and Drug Administration Food Code. Mr. Spanel presented the item. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Stanley.

ORDINANCE NO. 8048

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-5, ARTICLE IV, SECTION 8-5-18, TO ESTABLISH CRITERIA FOR WHAT TYPES OF PERMITTED FOOD ESTABLISHMENTS COULD BE EXEMPT FROM THE MANDATORY MANAGER CERTIFICATION REQUIREMENTS; PROVIDING FOR SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, PENALTY, PUBLICATION, AND 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 3H: Mayor Nelson introduced a resolution providing support for an Affordable Housing Tax Credit Application to the Texas Department of Housing and Community Affairs, Housing Tax Credit Program by SCF Amarillo 23, LP, a private entity, Westwind of Amarillo, a development, for affordable housing located at 2505 South Grand Street. Cody Balzen, Economic Development Specialist, presented the item. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Smith.

RESOLUTION NO. 02-14-23-4

A RESOLUTION OF THE CITY OF AMARILLO CITY COUNCIL SUPPORTING A HOUSING TAX CREDIT APPLICATION FOR WESTWIND OF AMARILLO DEVELOPMENT; COMMITTING TO A DEVELOPMENT INCENTIVE; AUTHORIZING CITY MANAGER AND/OR HIS DESIGNEE TO SIGN DOCUMENTATION; PROVIDING FOR SEVERABILITY 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 3I: Mayor Nelson introduced a resolution providing support for an Affordable Housing Tax Credit Application to the Texas Department of Housing and Community Affairs, Housing Tax Credit Program by KCG Lomond Lofts, LP, a private entity, Lomond Lofts, a development, for affordable housing located at 2901 South Osage Street. Mr. Balzen presented the item. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Stanley.

RESOLUTION NO. 02-14-23-5

A RESOLUTION OF THE CITY OF AMARILLO CITY COUNCIL SUPPORTING A HOUSING TAX CREDIT APPLICATION FOR THE LOMOND LOFTS DEVELOPMENT; COMMITTING TO A DEVELOPMENT INCENTIVE; AUTHORIZING CITY MANAGER AND/OR HIS DESIGNEE TO SIGN DOCUMENTATION; PROVIDING FOR SEVERABILITY 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 3J: Mayor Nelson introduced a resolution making a nomination to fill a vacancy on the Board of Directors of the Randall County Appraisal District. Ms. Coggins presented the item. A motion was made to adopt the below captioned resolution and nominate Jinger White by Mayor Pro Tem Powell, seconded by Councilmember Smith.

RESOLUTION NO. 02-14-23-6
A RESOLUTION TO MAKE A NOMINATION TO FILL A
VACANCY ON THE BOARD OF DIRECTORS OF THE
RANDALL COUNTY APPRAISAL DISTRICT.

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 a resolution ordering the regular municipal election of the City of Amarillo, Texas to be conducted on May 6, 2023 in the City of Amarillo, Texas. Ms. Coggins presented the item. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

RESOLUTION NO. 02-14-23-7
A RESOLUTION OF THE AMARILLO CITY COUNCIL:
ORDERING THE REGULAR MUNICIPAL ELECTION OF
THE CITY OF AMARILLO, TEXAS TO BE CONDUCTED ON
MAY 6, 2023 IN THE CITY OF AMARILLO, TEXAS; AS A
JOINT ELECTION WITH ONE OR MORE OTHER ENTITIES;
DESIGNATING POLLING PLACES AND VOTE CENTERS;
DESIGNATING JUNE 24, 2023 AS THE RUN-OFF
ELECTION DATE; AND PROVIDING FOR THE CONDUCT
OF SUCH ELECTION, EARLY VOTING, PAYMENT OF
ELECTION EXPENSES, PROVIDING FOR OTHER
ADMINISTRATIVE CLAUSES.

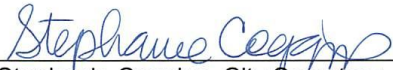
Voting AYE were Mayor Nelson, Mayor Pro Tem Powell, and Councilmembers Sauer, Smith and Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

ITEM 4 – EXECUTIVE SESSION:

Mr. McWilliams advised at 2:53 p.m. that the City Council would convene in Executive Session per Texas Government Code: A) Section 551.074 – Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee: i) Discussion of Municipal Court Judge Laura Hamilton's performance evaluation; and B) Section 551.072 – 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: i) 22-09-03 (Manufacturing); ii) 22-12-02 (Warehousing & Distribution); and iii) 23-01-01 (Warehousing & Distribution).

Mr. McWilliams announced that Executive Session was adjourned at 4:24 p.m. and recessed the Regular Meeting.

ATTEST:


Stephanie Coggins, City Secretary


Ginger Nelson, Mayor