STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th day of March 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
LESLIE SCHMIDT	ASSISTANT 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 1:00 p.m. welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Pastor Wheatley Bell with Carter Chapel CME Church.

The City's Office of Engagement and Innovation was recognized for achieving multiple American Advertising Awards (ADDYs).

PUBLIC ADDRESS

Jeffrey McGunegle spoke against all item on the agenda. James Schenck, of Amarillo, spoke on Public Address and Agenda Items No. 2N and 2Q. There were no further comments.

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. Parks and Recreation Board;
C. Update on Building Safety Department;
D. Discuss Five-Year Community Improvement Plan; and
E. 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 February 21, 2023.

B. **CONSIDERATION OF ORDINANCE NO. 8049**:
(Contact: Jimmy Johnson, Assistant Police Chief)

This item is the second and final reading to consider an ordinance converting two sergeant positions to two officer positions at the Amarillo Police Department.

C. **CONSIDER ACCEPTANCE – INFECTIOUS DISEASE SURVEILLANCE (IDCU/SUR) GRANT**:
(Contact: Casie Stougton, Director of Public Health)
Grantor: Texas Department of State Health Services
Grant Amount: $169,208.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023 thru August 31, 2025 to continue funding for Infectious Disease Surveillance in the Public Health Department.

D. **CONSIDER ACCEPTANCE – RLSS-LOCAL PUBLIC HEALTH SERVICES GRANT**:
(Contact: Casie Stougton, Director of Public Health)
Grantor: Texas Department of State Health Services
Grant Amount: $223,488.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023 thru August 31, 2025 to continue funding for maternal child health programming.

E. **CONSIDER APPROVAL – CHANGE ORDER NO. 3 TO THE LANDSCAPE MAINTENANCE AGREEMENT FOR HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT:**
(Contact: Justin Oppel, Development Customer Service Coordinator)
Award to: Tri-State General Contractors

Original Award:	$595,313.00
Previous change orders:	$ 43,444.13
Change Order No. 3:	$ 11,699.40
Total Award:	$650,456.53

This item considers approval of Change Order No. 3 to the landscape maintenance agreement for Heritage Hills Public Improvement District (PID) to add two additional meters and water taps. This item will be funded solely by revenues assessed from property owners in the Heritage Hills PID.

F. **CONSIDER APPROVAL – HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT PHASE III IMPROVEMENTS CONSTRUCTION CONTRACT**:
(Contact: Justin Oppel, Development Customer Service Coordinator)
Award to: Tri-State General Contractors - $1,184,380.00

This item is to consider the award of a construction contract related to Heritage Hills Public Improvement District (PID) Phase III improvements for the Heritage Hills subdivision. This item will be funded solely by revenues assessed from property owners in the Heritage Hills PID.

G. **CONSIDER PURCHASE – REAR LOADER REFUSE TRUCK**:
(Contact: Donny Hooper, Director of Public Works)
Award to: Houston Freightliner - $250,751.00 (HGAC Contract #HT06-20)

This item considers the purchase of a rear loader to be used by the Solid Waste Collection division in their daily operations. This purchase is a scheduled replacement of fleet Unit # 7811 that has reached the end of its useable life cycle.

H. **CONSIDER APPROVAL – ANNUAL SUPPLY AGREEMENT FOR POLICE UNIFORMS**:
(Contact: Martin Birkenfeld, Police Chief)
Award to: Jonah's Enterprises, Inc. - $236,892.43

This item considers approval of an annual supply agreement that will provide police uniforms for Amarillo Police Department and Airport Police Department sworn personnel.

I. **CONSIDER APPROVAL – ANNUAL SUPPLY AGREEMENT FOR LEATHER AND NYLON EQUIPMENT**:
(Contact: Martin Birkenfeld, Police Chief)

Award to: GT Distributor -	$59,976.00
Primary Arms -	$25,782.50
Jonah's Enterprises, Inc. -	$ 8,785.90
Dana Safety -	$ 2,887.00
Proforce Law Enforcement -	$ 1,290.60
Cops Products -	$ 1,059.80
Total Award:	$99,781.80

This item considers approval of an annual supply agreement that will provide duty belts, handcuff cases, magazine pouches, handgun holsters and other leather and nylon equipment for Amarillo Police Department and Airport Police Department sworn personnel.

J. **CONSIDER APPROVAL – TWO-YEAR RENEWAL OF VIDEO MANAGEMENT SOFTWARE LEASE AGREEMENT FOR AMARILLO REGIONAL CRIME CENTER**:
(Contact: Martin Birkenfeld, Police Chief)
Award to: ICU Technologies/FUSUS - $130,982.28

This item considers approval of a two-year renewal.

K. **CONSIDER AWARD – AGREEMENT FOR FIRE STATION ALERT SYSTEMS**:
(Contact: Missy Tucker, Director of Information Technology)
Award to: Motorola Solutions - $55,015.24

This item considers the award of an agreement to purchase Motorola radios for use in conjunction with alerting systems used by all 13 Amarillo Fire Department facilities.

L. **CONSIDER APPROVAL – WEBSITE SERVICES ANNUAL SUPPORT AND MAINTENANCE RENEWAL**:
(Contact: Missy Tucker, Director of Information Technology)
Award to: Granicus - $50,455.66

This item considers the approval of annual support and maintenance for Granicus GovAccess, which is a service used to provide information for both intranet and internet City webpages.

M. **CONSIDER PURCHASE – MOWING TRACTOR AND MOWING DECK**:
(Contact: Michael Conner, Director of Aviation)
Award to: Western Equipment - $110,578.93 (Buy Board #611-20)

This item considers the purchase of a John Deere tractor and flex wing rotary cutter to be used to support airside mowing operations in accordance with Federal Aviation Administration requirements.

N. **CONSIDER AWARD – CONTRACT FOR PLAYGROUND AREA #10 REPLACEMENT AT JOHN STIFF MEMORIAL PARK**:

(Contact: Michael Kashuba, Director of Parks and Recreation)
Award to: Child's Play, Inc. - $144,889.85 (Buy Board #679-22)

This item considers award of a contract for turn-key replacement of playground equipment within existing areas of John Stiff Memorial Park.

O. **CONSIDER AWARD – AGREEMENT FOR SLUDGE HAULING AND DISPOSAL SERVICES**:
(Contact: John Collins, Director of Utilities)
Award to: Republic Services – Not to exceed $300,000.00.

This item considers approval of a one-year contract to increase sludge hauling and disposal services for the Hollywood Road Water Reclamation Facility.

P. **CONSIDER AWARD – ANNUAL SUPPLY AGREEMENT FOR APPAREL**:
(Contact: Trae Kepley, Purchasing Agent)
Award to: The Great Armadillo Printing Co – Not to exceed $150,000.00

This item considers the award of a contract to purchase City of Amarillo apparel for various departments. The contract will have a one-year term, with four additional one-year options to renew.

Q. **CONSIDER APPROVAL – AGREEMENTS FOR PROFESSIONAL VETERINARY SERVICES**:
(Contact: Victoria Medley, Director of Animal Management and Welfare)

This item is to consider the approval of professional services agreements with the following DVMs: Dr. Leah Lee, Dr. Sarah Giebel, Dr. Ramy Jisha, Dr. Ryan Lee Miller and Dr. Geneva Heinkel. These services agreements are required to ensure that the city not only provides professional shelter Veterinarian services but can adequately staff the animal shelter in a consistent and professional manner.

R. **CONSIDER APPROVAL – INTERLOCAL AGREEMENT BETWEEN CITY OF AMARILLO AND CITY OF DALLAS**:
(Contact: Martin Birkenfeld, Police Chief)

This item considers approval of an Interlocal Agreement (ILA) between the City of Amarillo and the City of Dallas that will allow Amarillo Police Department (APD) to participate in the Internet Crimes Against Children (ICAC) grant project administered by the Dallas Police Department. This grant will provide APD with $10,000.00 to be used for training of investigators and purchase/maintenance of equipment used to investigate internet crimes against children.

S. **CONSIDERATION OF RESOLUTION NO. 03-14-23-1:**
(Contact: Max Dunlap, Director of Emergency Management)

This item considers a resolution authorizing the submission of an FY23 grant application to the Office of The Governor's Homeland Security Grant Division (HSGD) and designating the Assistant City Manager to act as the city's authorized official in all matters pertaining to the City's participation in the FY23 Homeland Security Grant Program. This submission requests $52,993.24 to fund the FY23 Regional Bomb Squad Enhancement Project.

T. **CONSIDERATION OF RESOLUTION NO. 03-14-23-2:**
(Contact: Max Dunlap, Director of Emergency Management)

This item considers a resolution authorizing the submission of an FY23 grant application to the Office of The Governor's Homeland Security Grant Division (HSGD) and designating the Assistant City Manager to act as the city's authorized official in all matters pertaining to the City's participation in the FY23

Homeland Security Grant Program. This submission requests $112,000.00 to fund the Amarillo Regional Crime Center Project.

U. **CONSIDERATION OF RESOLUTION NO. 03-14-23-3:**
(Contact: Max Dunlap, Director of Emergency Management)

This item considers a resolution authorizing the submission of an FY23 grant application to the Office of The Governor's Homeland Security Grant Division (HSGD) and designating the Assistant City Manager to act as the city's authorized official in all matters pertaining to the City's participation in the FY23 Homeland Security Grant Program. This submission requests $26,118.32 to fund the Amarillo Community Emergency Response Team (CERT) Trailer 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 3 – NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson introduced a public hearing and first reading to consider an ordinance rezoning a 5.26-acre tract of unplatted land in Section 11, Block 9, B.S.&F. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 1 in the vicinity of W. Amarillo Blvd. and Western St. Brady Kendrick, Senior Planner, 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 ordinance by Mayor Pro Tem Powell, seconded by Councilmember Smith.

ORDINANCE NO. 8050
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 AMARILLO BOULEVARD AND WESTERN STREET, POTTER 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 3B: Mayor Nelson introduced a public hearing and first reading to consider an ordinance rezoning a 3.93-acre portion of Tract 3, Riverroad Gardens, a subdivision out of Section 161, Block 2, A.B.&M. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Light Commercial District to Light Commercial District in the vicinity of River Rd. and Cherry Ave. Mr. Kendrick 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 ordinance by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 8051
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 RIVER ROAD AND CHERRY AVENUE, POTTER 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 a public hearing to consider a resolution adopting an Allocation Plan for an American Rescue Plan Act of 2021 Home Investment Partnership Program Supplemental Allocation and amending the FY2021 Annual Action Plan to include said Allocation Plan. Stefanie Rodarte-Suto, Assistant Director of Community Development, 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.

RESOLUTION NO. 03-14-23-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: CONDUCTING A PUBLIC HEARING AND ADOPTING AN ALLOCATION PLAN FOR AN AMERICAN RESCUE PLAN ACT OF 2021 HOME INVESTMENT PARTNERSHIP PROGRAM SUPPLEMENTAL ALLOCATION, AND AMENDING THE FY2021 ANNUAL ACTION PLAN TO INCLUDE SAID ALLOCATION PLAN; DESIGNATING THE ASSISTANT CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN SAID PLAN; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SAVINGS CLAUSE.

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 the first reading to consider an ordinance amending the Municipal Code of the City of Amarillo, Chapter 2-6, Article XII, providing for qualifications and duties related to the Community Development Advisory Committee. Ms. Rodarte-Suto presented the item. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Stanley.

ORDINANCE NO. 8052

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 2-6, ARTICLE XII, PROVIDING FOR QUALIFICATIONS AND DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; 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 item to consider a Location Incentive Agreement between Amarillo Economic Development Corporation and Plant-AS-DNPS-003-2. Kevin Carter, with Amarillo Economic Development Corporation, presented the item. A motion was made to approve a Location Incentive Agreement between Amarillo Economic Development Corporation and Plant-AS-DNPS-003-2 under which AEDC will provide Plant-AS-DNPS-003-2 $3,750,000 paid out over five years, for the creation of up to 750 jobs, and AEDC will convey 400 acres in the vicinity of Folsom Road and 24th Street, valued at $4,800,000 to Plant-AS-DNPS-003-2 by Mayor Pro Tem Powell. Mayor Pro Tem amended her motion to approve the $3,750,000 to be paid out over 10 years. The amended motion was 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 3F: Mayor Nelson introduced an item to consider a Tax Abatement Agreement between the City of Amarillo and the Amarillo Economic Development Corporation (AEDC) and SW 003 Distribution Logistics, LLC. Mr. Carter presented the item. A motion was made to approve a Tax Abatement Agreement between the City of Amarillo and Amarillo Economic Development Corporation and SW 003 Distribution Logistics, LLC under which SW 003 Distribution Logistics, LLC will receive a stair-step abatement over a ten-year period, with 100% abatement in year one, decreasing 10% each following year, on real business personal property 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:

Ms. Schmidt advised at 3:24 p.m. that the City Council would convene in Executive Session per Texas Government Code: A) Section 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: i) 22-12-02 (Warehousing & Distribution); ii) 23-01-01 (Warehousing & Distribution); and iii) 23-02-02 (Warehousing & Distribution); and B) 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) Purchase or sale of real property located in the Northeast quadrant of the City of Amarillo.

Mr. McWilliams announced that Executive Session was adjourned at 4:26 p.m. and recessed the Regular Meeting.

ATTEST:

Stephanie Coggins

Stephanie Coggins, City Secretary

Ginger Nelson

Ginger Nelson, Mayor