Amarillo City Council
Regular Meeting

CITY OF AMARILLO
OPEN SPACES ★ ENDLESS OPPORTUNITIES

April 25, 2023
1:00 PM
City Hall - Council Chamber
601 S. Buchanan Street, 3rd Floor
Amarillo, Texas 79101

MINUTES

1. Call to Order

On April 25, 2023 the Amarillo City Council met at 01:00 PM for a regular meeting held in Council Chamber, located on the third floor of City Hall at 601 South Buchanann Street, with the following members present:

Mayor Ginger Nelson
Councilmember Cole Stanley
Councilmember Freda Powell
Councilmember Eddy Sauer
Councilmember Howard Smith

Absent were . Also in attendance were the following administrative officials:
City Manager Jared Miller
Assistant City Manager Andrew Freeman
Assistant City Manager Rich Gagnon
Assistant City Manager Floyd Hartman
Assistant City Manager Laura Storrs
City Secretary Stephanie Coggins
City Attorney Bryan McWilliams
Assistant to the City Manager Jon Barnes
Assistant to the City Manager Carter Estes

Mayor Nelson called the meeting to order at 1:00 p.m.

2. Invocation

Mary Nell Hunt, with Pray the City, provided an invocation.

3. Proclamations

Mayor Nelson read the proclamation honoring "Billy Glen Parkey Day".

Councilmember Smith read the proclamation honoring "Child Abuse Awareness Month" and it was accepted by CASA.

Councilmember Sauer read the proclamation honoring "Alcohol Awareness Month" and it was accepted by David Elizalde and LaViza Matthews, with Andrea's Project.

Mayor Nelson read the proclamation honoring Municipal Clerks Week, and it was accepted by Stephanie Coggins, City Secretary.

4. Public Address

Public Address (For items on the agenda for City Council consideration) The public will be permitted to offer public comment on agenda items. Public Address signup times are available from Sunday at 8:00 a.m. until Tuesday at 12:45 p.m. at https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form or by calling the City Secretary's office at (806) 378-3014.

Candy Shipman, of Amarillo, spoke against agenda item no. 5.B. Blair Schaffer, of Amarillo, spoke on agenda item no. 5.B. Claudette Smith, of Amarillo, spoke on agenda item no. 5.B. Mike Ford, of Amarillo, spoke against agenda item no. 5.B. James Schenck,, of Amarillo, spoke on public address and agenda item no. 5.B. Kelsey Richardson, of Amarillo, spoke against agenda item no. 5.B. LInda Watkins, of Amarillo, spoke against agenda item no. 5.B. Mike Fisher signed up to speak but did not attend the meeting to do so.

5. **City Council will discuss or receive reports on the following current matters or projects:**

5.A Review agenda items for regular meeting and attachments;

5.B Discussion of conduct by a City Councilmember as a potential violation of City of Amarillo Governance and Ends Policies, including City Council Member Responsibilities and City Council Member Code of Conduct.

ACTION:	Motion to table item 5.B until the next regular City Council meeting by Cole Stanley; second by Howard Smith; Motion failed with a 2:3 vote
AYES:	Cole Stanley, Howard Smith
NOES:	Ginger Nelson, Freda Powell, Eddy Sauer
ABSTAIN:	None

At 1:46 p.m. Mayor Nelson recessed the meeting (on item 5.B).
At 2:22 p.m. Mayor Nelson reconvened the meeting (on item 5.B).
At 2:45 p.m. Councilmember Stanley left the meeting (during item 5.B).

5.C Discuss results of City initiatives for 2023 Earth Day

At 2:55 p.m. Councilmember Stanley rejoined the meeting (during item 5.C).

5.D Discuss City Plan Update

5.E Discuss Building Safety's International Code Update Project

5.F Update on Automated Metering Infrastructure Project

5.G Updates from Councilmembers serving on outside boards and commissions

5.G.i. Beautification and Public Arts Advisory Board (held April 11, 2023)

5.G.ii. Amarillo Metropolitan Planning Organization Policy Committee (held April 20, 2023)

5.H. Request future agenda items and reports from City Manager.

At 3:33 p.m., Mayor Nelson recessed the meeting (after item 5.H).
At 4:00 p.m. Mayor Nelson reconvened the meeting (with item 6).

6. **Consent Items** It is recommended that the following items be approved and that the City Manager be authorized to execute all documents necessary for each transaction. The following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Councilmember, in which event the item shall be considered in its normal sequence after the items not requiring separate discussion have been acted upon by a single motion.

Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration.

ACTION:	Motion to approve the consent agenda as presented (item 6) by Freda Powell; second by Eddy Sauer; Motion passed with a 5:0 vote
AYES:	Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard Smith
NOES:	None
ABSTAIN:	None

6.A. CONSIDER APPROVAL – MINUTES

This item considers approval of the City Council minutes for the regular meeting held on April 11, 2023. (Contact: Stephanie Coggins, City Secretary)

6.B. CONSIDERATION OF ORDINANCE NO. 8056
This item is the second and final reading of an ordinance amending the Amarillo Municipal Code, Chapter 10-3, Article IV, Section 10-3-44 to clarify the definition of a public place. This revision will modify the open alcoholic beverage container prohibition in the Central Business District by updating the definition of a Public Place. (Contact: Anthony Spanel, Director of Environmental Health)

6.C. CONSIDER APPROVAL - AVIATION CLEAR ZONE EASEMENT
This item considers approval of an Aviation Clear Zone Easement, being 4,300 feet above mean sea level above the plat of Sage Circle Unit No. 1, a suburban subdivision of the City of Amarillo, being an unplanted tract of land situated in Section 2, Block 2, A.B.&M. Survey, Potter County, Texas. (VICINITY: Sage Circle and FM 683; APPLICANT/S: Daniel Sheard) (Contact: Brady Kendrick, Senior Planner)

6.D. CONSIDER APPROVAL - AVIATION CLEAR ZONE EASEMENT
This item considers approval of an Aviation Clear Zone Easement, being 4,300 feet above mean sea level above the plat of Granados Addition Unit No. 2, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 119, Block 2, A.B.&M. Survey, Randall County, Texas. (VICINITY: Grand Street and Farmers Avenue; APPLICANT/S: Magnolia Event Center, LLC) (Contact: Brady Kendrick, Senior Planner)

6.E. CONSIDER PURCHASE - TRUCK WITH SEWER/STORM PIPE CAMERA INSPECTION SYSTEM
Award to: Rush Truck Center - $344,729.00 (Buy Board #601-19)
This item considers the purchase of a 19,500gvw Truck with Sewer/Storm Pipe Camera Inspection System to be used by Waste Water Collection division for daily operations. It is a scheduled replacement of Unit 7202 which as reached the end of its usable life cycle. (Contact: Donny Hooper, Director of Public Works)

6.F. CONSIDER PURCHASE - LADDER STYLE FIRE TRUCK
Award to: Lone Star Emergency Group - $1,317,334.00 (Sourcewell #113021-RGV)
This item considers the purchase of a new ladder style fire truck which will be an addition to the Fire Fleet for Fire Station 14. (Contact: Donny Hooper, Director of Public Works)

6.G. CONSIDER APPROVAL - SUPPLY AGREEMENT FOR LIQUID CHLORINE TO CHLORINATE/DISINFECT AMARILLO THOMPSON POOL
Award to: Brenntag Southwest - $65,000.00
This item considers approval to renew the annual supply agreement to purchase liquid chlorine used to chlorinate and disinfect Amarillo Thompson Pool. This will be the final renewal available. (Contact: Michael Kashuba, Director of Parks and Recreation)

6.H. CONSIDER AWARD - CITY OF AMARILLO LANDFILL CELL 10 PHASE 3 CONSTRUCTION
Award to: Hammett Excavation, Inc., - $4,182,433.10
This item considers the award of a construction contract for the City of Amarillo Landfill Cell 10 Phase 3 construction project. (Contact: Donny Hooper, Director of Public Works)

6.I. CONSIDER AWARD - AGREEMENT FOR ARCHITECTURAL, ENGINEERING

AND CIVIL SERVICES FOR TRANSFORMATION PARK CABIN COMMUNITY
Award to: Sims + Architects - $320,000.00
This item considers awarding a new contract to Sims + Architects to perform all Architectural, Engineering and Civil designs needed for a Cabin Community located at 5th Avenue and Parker Street in Amarillo, Texas. This item will be funded through a combination of American Rescue Plan Act federal funds and local funds. (Contact: Jerry Danforth, Director of Facilities)

6.J. CONSIDER APPROVAL - CHANGE ORDER NO. 2 FOR 34TH AVENUE PUMP STATION SWITCHGEAR REPLACEMENT
Award to: Brown Construction Services

Original Award	$ 2,165,000.00
Previous Change Order	65,750.00
Current Change Order No.	2 123,550.93
Total Revised Award	$ 2,354,300.93

This item considers approval of Change Order No. 2 to the construction contract for the 34th Avenue Pump Station Switchgear Replacement Project in order to add additional services for Pump No. 6. (Contact: Kyle Schniederjan, Director of Capital Projects Development and Engineering, Marco Lopez, Senior Projects Coordinator)

6.K. CONSIDER PURCHASE - POLICE PATROL VEHICLES
Award to: Caldwell Country Ford DBA Rockdale Country Ford - $1,089,460.00 (BuyBoard # 601-19)
This item considers the purchase of 21 police patrol vehicles for replacements and approved additions to the existing police patrol fleet. Current fleet vehicles scheduled to be replaced have reached the end of their expected life cycle with age and mileage limits for safe use as patrol vehicles. (Contact: Donny Hooper, Director of Public Works)

6.L. CONSIDER AWARD - EMERGENCY BUILDING REPAIRS
Award to: Carpet Tech - $629,442.48
This item considers the award for emergency building repairs due to water damage from flooding at the Globe News Center. (Contact: Sandy Elliott, Assistant Director of Human Resources)

6.M. CONSIDER AWARD - EMERGENCY WATER MITIGATION REPAIRS
Award to: ServiceMaster - $312,828.98
This item considers the award of an agreement for emergency water mitigation services due to water damage from flooding at the Globe News Center (Contact: Sandy Elliott, Assistant Director of Human Resources)

6.N. CONSIDER AWARD - TEMPORARY LABOR SERVICES
Award to:Hire Quest not to exceed $250,000.00
This item considers renewing the existing Temporary Labor Services contract for the Amarillo Civic Center Complex. (Contact: Bo Fowlkes, General Manager)

6.O. CONSIDER APPROVAL – SALE OF REAL PROPERTY LOCATED AT CENTERPORT BLVD AND BENCHMARK STREET
Buyer:BHD Development Land, LLC - $820,000.00 plus closing costs and related expenses
This item considers authorizing AEDC to execute a contract and all necessary documents for the sale of approximately 21 acres of land located at Centerport Boulevard and Benchmark Street. (Contact: Kevin Carter - Amarillo Economic Development Corporation)

6.P. CONSIDER AWARD - AUDIT SERVICES AGREEMENT
Award to: CMMS CPAs & Advisors PLLC - $325,485.00

This item considers the award of a one-year agreement to provide audit services for the City of Amarillo and various component units. (Contact: Matthew Poston, Director of Finance)

7. Non-Consent Items

7.A. CONSIDER APPROVAL - AMARILLO AREA PUBLIC HEALTH DISTRICT COOPERATIVE AGREEMENT UPDATE

This item considers approval of revisions and updates to the cooperative agreement for the Amarillo Area Public Health District (Contact: Casie Stoughton, Director of Public Health, Anthony Spanel, Director of Environmental Health)

ACTION:	Motion to approve item 7.A as presented by Freda Powell; second by Howard Smith; Motion passed with a 5:0 vote
AYES:	Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard Smith
NOES:	None
ABSTAIN:	None

7.B. CONSIDERATION OF ORDINANCE NO. 8057

This item is the first reading of an ordinance amending the Amarillo Municipal Code, Chapters 8-5, 2-6, and 4-9 to reflect the updated Amarillo Area Public Health District Cooperative Agreement. The revision will provide an overall update to reflect current state law and practices, as well as a clean up of definitions. (Contact: Anthony Spanel, Director of Environmental Health, Casie Stoughton, Director of Public Health)

ACTION:	Motion to adopt Ordinance No. 8057 as presented by Freda Powell; second by Eddy Sauer; Motion passed with a 5:0 vote
AYES:	Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard Smith
NOES:	None
ABSTAIN:	None

7.C. CONSIDERATION OF RESOLUTION NO. 04-25-23-1

This item considers a resolution approving the use of American Rescue Plan Act of 2021 (ARPA) funds which will amend the project plan for the second installment of ARPA funding. (Contact: Laura Storrs, Assistant City Manager and CFO)

ACTION:	Motion to approve Resolution No. 04-25-23-1 as presented by Freda Powell; second by Eddy Sauer; Motion passed with a 5:0 vote
AYES:	Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard Smith
NOES:	None
ABSTAIN:	None

7.D. CONSIDERATION OF RESOLUTION NO. 04-25-23-2

This item considers a resolution authorizing a pilot program for the Recognized Neighborhood Association Program related to special events. (Contact: Michael Kashuba, Director of Parks and Recreation)

ACTION:	Motion to adopt Resolution No. 04-25-23-2 as presented by Freda Powell; second by Eddy Sauer; Motion passed with a 5:0 vote
AYES:	Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard

Smith
NOES: None
ABSTAIN: None

7.E. DISCUSS AND CONSIDER THREE BOARD APPOINTMENTS TO THE SOUTH GATEWAY TAX INCREMENT REINVESTMENT ZONE NUMBER 3

This item is to consider the appointment of three members to the South Gateway Tax Increment Reinvestment Zone Number 3 Board of Directors. (Contact: Andrew Freeman, Assistant City Manager)

ACTION: Motion to appoint Eddy Sauer, Jimmy Lackey, and Matt Griffith to serve on the South Gateway TIRZ#3 board by Freda Powell; second by Eddy Sauer;
Motion passed with a 5:0 vote
AYES: Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard Smith
NOES: None
ABSTAIN: None

7.F. DISCUSS AND CONSIDER APPOINTING A CHAIR FOR THE SOUTH GATEWAY TAX INCREMENT REINVESTMENT ZONE NUMBER 3

This item is to consider appointing a chair to the South Gateway Tax Increment Reinvestment Zone Number 3 Board of Directors. (Contact: Andrew Freeman, Assistant City Manager)

ACTION: Motion to appoint Jimmy Lackey as the chair for the South Gateway TIRZ #3 by Freda Powell; second by Cole Stanley;
Motion passed with a 5:0 vote
AYES: Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard Smith
NOES: None
ABSTAIN: None

7.G. CONSIDER APPROVAL - LEASE AGREEMENT WITH TRANSFORMATION PARK

This item considers the approval of a lease agreement between the City of Amarillo and Transformation Park. (Contact: Jason Riddlespurger, Director of Community Development)

ACTION: Motion to approve the lease agreement between City of Amarillo and Transformation Park by Freda Powell; second by Howard Smith;
Motion passed with a 5:0 vote
AYES: Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard Smith
NOES: None
ABSTAIN: None

7.H. CONSIDER AWARD - RUBICON SMART CITY SOFTWARE SERVICES AGREEMENT

Award to: Rubicon Global, LLC - $200,576.00

This item considers the award of a three-year contract for Rubicon Smart City to be used in all Solid Waste residential dumpster collection vehicles. This software will provide dumpster service verification, comprehensive routing, real-time and historical reporting, reporting of issues encountered by equipment operators, and pre and post-trip inspections, among other features. (Contact: Donny Hooper, Director of Public Works)

ACTION: Motion to award a three-year contract to Rubicon Global, LLC in the amount of $200,576.00 by Freda Powell; second by Howard Smith;

Motion passed with a 5:0 vote

AYES: Ginger Nelson, Cole Stanley, Freda Powell, Eddy Sauer, Howard Smith

NOES: None

ABSTAIN: None

7.I. CONSIDER AWARD – CONSTRUCTION CONRACT FOR POLK STREET STREETSCAPE IMPROVEMENTS

Award to: Plains Builders, Inc.

Base bid	$4,495,000.00
Alternate bid #2	15,000.00
Alternate bid #3	60,000.00
Total Award	$4,570,000.00

This item considers the award of a best value bid for Polk Street Streetscape Improvement project construction services. (Contact: Kyle Schniederjan, Director of Capital Projects Development and Engineering)

8. Executive Session The City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:

Mr. McWilliams advised at 5:04 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 vicinity of E. Amarillo Boulevard and N. Mirror Street; and ii.) Property located in the Central Business District.

8.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 vicinity of E. Amarillo Boulevard and N. Mirror Street.
ii. Property located in the Central Business District.

9. Adjourn

Mr. McWilliams announced that Executive Session was adjourned at 5:22 p.m. and recessed the Regular Meeting.

ATTEST:

Stephanie Coggins

Stephanie Coggins, City Secretary

Ginger Nelson

Ginger Nelson, Mayor