Amarillo City Council
Regular Meeting

August 15, 2023
3:00 PM
City Hall - Council Chamber
601 S. Buchanan Street, 3rd Floor
Amarillo, Texas 79101

MINUTES

1. Call to Order

On August 15, 2023 the Amarillo City Council met at 3:00 PM 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:

Mayor Cole Stanley
Councilmember, Place 1 Josh Craft
Councilmember, Place 2 Don Tipps
Councilmember, Place 3 Tom Scherlen
Councilmember, Place 4 Les Simpson
Absent were none.

Also in attendance were the following administrative officials:
Jared Miller, City Manager
Andrew Freeman, Deputy City Manager
Rich Gagnon, Assistant City Manager
Floyd Hartman, Assistant City Manager
Laura Storrs, Assistant City Manager
Stephanie Coggins, City Secretary
Mick McKamie, Special Outside Counsel

Mayor Stanley established a quorum and called the meeting to order at 3:04 PM.

2. Invocation Charlie Keys, First Methodist Church - Amarillo Campus Pastor

Charlie Keys, Amarillo Campus Pastor of First Methodist Church, gave an invocation.

3. Pledge of Allegiance

Mayor Stanley led the Pledge of Allegiance.

4. The Texas Pledge

Mayor Stanley led the Texas Pledge.

5. Proclamations

5.A. "Panhandle PBS Day"

Councilmember Simpson read the proclamation; Julie Grimes, Executive Director of Panhandle PBS, accepted the proclamation.

6. Public Comment The public will be permitted to offer public comment on agenda items and items related to City business. Citizens interested in commenting may sign up online at https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form, by calling the City Secretary's office at (806) 378-3014, or in person in Room 303 of City Hall, 601 S. Buchanan. Citizens should signup at least 15 minutes prior to the scheduled meeting start time.

The following individuals signed up and spoke during public comment:

1. Edith DiTommaso, of Amarillo
2. Leslie Massey, of Amarillo
3. Dr. James Whit Walker MD, of Amarillo
4. Dr. Eddy Sauer, of Amarillo

5. Michelle Hoggatt, of Amarillo
6. John Barrett, of Amarillo
7. Todd Bell, not of Amarillo
8. Howard Smith, of Amarillo
9. Mandy Griffin, not of Amarillo
10. Elizabeth Griffin, not of Amarillo
11. John Boone, of Amarillo
12. Brian Weis MD, PhD, of Amarillo
13. Jeffrey McGunegle, of Amarillo
14. Jill Humphrey, of Amarillo
15. James Schenck, of Amarillo

Haele Auth signed up but did not present to speak.

After all registered individuals spoke, Mayor Stanley invited citizens who did not sign up to speak to address City Council, and the following individuals spoke:

The following individuals registered to share written comments with City Council but not speak at the meeting:

1. Jessica Glear, of Amarillo
2. Robin Downs, of Amarillo
3. Wendy Bertram, of Amarillo
4. Amber Guffey, of Amarillo
5. Holly Holder, of Amarillo
6. Margaret Morey, of Amarillo
7. Rebecca Lockwood, of Amarillo
8. Abby Salter, of Amarillo
9. Zach Lockwood, of Amarillo
10. Clifton Butt, of Amarillo
11. Jana Satterfield, of Amarillo
12. Mazon, of Amarillo
13. Jeremiah Cunningham
14. L.O. Git, of Amarillo
15. Kim Hooker, of Amarillo
16. Monty Downs, of Amarillo
17. Jeri Mihm, of Amarillo
18. Mary Holmlund, of Amarillo
19. Helen Thorsheim, of Amarillo
20. Kay Kennedy, of Amarillo
21. Kathy L Thomas, of Amarillo
22. John Jay OBrien, of Amarillo
23. Sonya Letson, not of Amarillo
24. Carrie, of Amarillo
25. Michelle Pena, of Amarillo
26. Kathryn Brooks, not of Amarillo
27. Chris Hudson, of Amarillo
28. Melinda Grady, of Amarillo
29. Bruce Fielder, of Amarillo
30. James Whitton, of Amarillo
31. Janice Blackerby, not of Amarillo
32. Allyson Arulananthan, of Amarillo
33. Eric Behrens, of Amarillo
34. David Horsley, of Amarillo
35. Paul Matney, of Amarillo
36. Charles Hartis, of Amarillo
37. Robyn Abbruscato, of Amarillo
38. William H Bordelon, of Amarillo
39. Nathan Smith, of Amarillo
40. Richard Fennell, of Amarillo
41. Elaine Maples, of Amarillo

7. **Discussion Items** City Council will discuss or receive reports on the following current matters or projects.

   7.A. Review agenda items for regular meeting and attachments

   7.B. Discuss Updates to International Code Council (ICC) Codes

   7.C. Request future agenda items and reports from City Manager

8. **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 Stanley introduced the item and asked if any items should be considered separately. Mayor Stanley stated that Item 8.O would be pulled from the agenda.

ACTION:	Motion to accept the consent agenda as stated all but item O by Tom Scherlen, second by Josh Craft; Motion passed with a 5:0 vote.
AYES:	Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps
NOES:	None
ABSTAIN:	None

8.A. CONSIDER APPROVAL – MINUTES
This item considers approval of the City Council minutes for the work session held on August 1, 2023. (Contact: Stephanie Coggins, City Secretary)

8.B. CONSIDER APPROVAL – MINUTES
This item considers approval of the City Council minutes for the regular meeting held on August 1, 2023. (Contact: Stephanie Coggins, City Secretary)

8.C. CONSIDER APPROVAL – MINUTES
This item considers approval of the City Council minutes for the Work Session held on August 9, 2023. (Contact: Stephanie Coggins, City Secretary)

8.D. CONSIDER APPROVAL – MINUTES
This item considers approval of the City Council minutes for the Work Session held on August 10, 2023. (Contact: Stephanie Coggins, City Secretary)

8.E. CONSIDERATION OF RESOLUTION NO. 08-15-23-1
This item considers a resolution authorizing an application for the 2023 Edward Byrne Memorial Justice Assistant Grant; authorizing an Interlocal Agreement to share grant funds with Potter County, and authorizing administrative adjustments to documents as needed. The grant will total $128,675.00, and the interlocal agreement allows the grant to be split 50% with the Potter County Sheriff's Office as per grant requirements. The City's share will be $64,337.50. (Contact: Martin Birkenfeld, Chief of Police)

8.F. CONSIDERATION OF RESOLUTION NO. 08-15-23-2
This item considers approval of a resolution that permits the City of Amarillo's participation in future tax abatements involving reinvestment zones and specifies the guidelines and criteria for that participation. (Contact: Andrew Freeman, Deputy City Manager)

8.G. CONSIDER ACCEPTANCE - PUBLIC UTILITY EASEMENT DEDICATIONS
This item considers the acceptance of the dedication of four Public Utility Easements (P.U.E) being a total of 0.70 acres of unplatted land, in Section 11, Block 9, BS&F Survey, Potter County, Texas. (VICINITY: NW 12th Ave. and Western St.; GRANTOR/S: David Weir, Tascosa Development Company, LLC, and Tascosa Golf Club, LLC) (Contact: Brady Kendrick, Senior Planner)

8.H. CONSIDER APPROVAL - AVIATION CLEAR ZONE EASEMENT
This item considers approval of an Aviation Clear Zone Easement being 5,250 feet above mean sea level above the plat Washington Industrial Tracts Addition Unit No. 18, an addition to the City of Amarillo, being a replat of a portion of Lot 6, Block 3, Washington Industrial Tracts Addition Unit No. 8, in Section 173, Block 2, AB&M Survey, Randall County, Texas. VICINITY: S Washington Street and SW 58th Avenue; APPLICANT/S: Hope to Opportunities Foundation (Contact: Cody Balzen, Principal Planner)

8.I. CONSIDER AWARD - ANNUAL SUPPLY CONTRACT FOR COS-50 SPECIALIZED PRODUCTS USED IN SEALING PAVED ALLEYS
Award to: Professional Coating Technologies, Inc. - Not to exceed $150,000.00
This item is to consider awarding an annual supply contract for the purchase of COS-50, a specialized product used by the Street Division to seal and maintain the City's paved alleys. This item is for an initial term of one year, with four one-year options to renew. (Contact: Alan Harder, Interim Director of Public Works)

8.J. CONSIDER AWARD - BID 7573 ASPHALTIC CEMENT (AC-5) ANNUAL SUPPLY CONTRACT
Award to: Ergon Asphalt and Emulsion, Inc. - Not to exceed $877,500.00
This item is to consider the award of a contract for the purchase of up to 270,000 gallons of AC-5 Asphaltic Cement, used by the Street Division during the summer, for sealcoating of paved residential streets. The sealcoating process is essential to extending the life of city streets. (Contact: Alan Harder, Interim Director of Public Works)

8.K. CONSIDER APPROVAL - RENEWAL OF ROCK SALT ANNUAL CONTRACT
Award to: Salt Pointe, LLC - Not to exceed $92,500.00
This item considers the second and final one-year renewal of a contract for the purchase of Rock Salt used by the Street Division for de-icing streets and intersections during Fall and Winter seasons. (Contact: Alan Harder, Interim Director of Public Works)

8.L. CONSIDER APPROVAL - RENEWAL OF FLEXIBLE AGGREGATE BASE ANNUAL CONTRACT
Award to: J. Lee Milligan, Inc. - Not to exceed $328,125.00
This item considers a one-year renewal of a contract for the purchase of Flexible Aggregate Base used by the Street division to repair streets and alleys throughout the city. (Contact: Alan Harder, Interim Director of Public Works)

8.M. CONSIDER APPROVAL - RENEWAL OF ASPHALTIC EMULSION CHFRS-2P ANNUAL CONTRACT
Award to: Ergon Asphalt and Emulsion, Inc. - Not to exceed $156,000.00
This item considers a one-year renewal of a contract for the purchase of Asphaltic Emulsion (CHFRS-2P) used by the Street division to seal cracks in paved streets throughout the city. This is the final renewal available for this contract. (Contact: Alan Harder, Interim Director of Public Works)

8.N. CONSIDER AWARD - AIRPORT ASSET MANAGEMENT SOFTWARE MAINTENANCE
Award to: The Arcanum Group, Inc. - $64,498.45 (DIR #DIR-CPO-4491)
This item considers the purchase of FY22/23 and FY23/24 software support for Rick Husband Amarillo International Airport's asset management software and its operating system document management/database middleware. (Contact: Michael Conner, Director of Aviation)

8.P. CONSIDER APPROVAL - CHANGE ORDER NO. 3 FOR IMPLEMENTATION SERVICES CONTRACT FOR ENTERPRISE RESOURCE PLANNING SOFTWARE
Award to: Cognizant Worldwide Limited (Collaborative Solutions, LLC)

Original Award:	$2,382,515.00
Previous Change Orders:	155,396.00

Change Order No. 3: 25,000.00
Total Revised Award (not to exceed): $2,562,911.00
This item considers the approval of Change No. 3 to the Implementation Services Contract for Enterprise Resource Planning Software in order to address additional testing needs discovered during the on-site testing sessions for the Human Capital Management (HCM) and Payroll phase of implementation. (Contact: Matthew Poston, Director of Finance)

8.O. CONSIDER AWARD - ADVERTISING ANNUAL CONTRACT
Award to: Amarillo Globe News and Morris Communications - $91,504.04
This item considers the award of a contract for advertising services to be utilized by various City departments. (Contact: Trae Kepley, Purchasing Agent)

Item pulled at request of Mayor Stanley

9. Non-Consent Items

9.A. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 8067
This item is a public hearing and first reading to consider an ordinance rezoning a 3.37 acre tract of unplatted land, in Section 58, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Heavy Commercial District. (VICINITY: Interstate 40 and Juett Attebury Rd.; APPLICANT/S: Drew Donosky for Attebury Farm, LLC and Buc-ee's Amarillo, LLC) (Contact: Brady Kendrick, Senior Planner)

Mayor Stanley introduced the item. Brady Kendrick, Senior Planner, presented the item. Mayor Stanley opened a public hearing. No one presented to speak. Mayor Stanley closed the public hearing.

ACTION:	Motion to approve Ordinance No. 8067 as listed in the agenda by Josh Craft, second by Tom Scherlen; Motion passed with a 5:0 vote.
AYES:	Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps
NOES:	None
ABSTAIN:	None

9.B. DISCUSS AND CONSIDER PROPOSED TAX RATE
This item is to discuss and consider the proposed tax rate for maintenance and operation and debt service for the proposed 2023/2024 City of Amarillo fiscal year budget. (Contact: Laura Storrs, Assistant City Manager and CFO)

Mayor Stanley introduced the item. Ms. Storrs presented the item.

ACTION:	Motion to move the approve the 2023 voter approval tax rate of $0.39867 by Don Tipps, second by Les Simpson; Motion passed with a 5:0 vote.
AYES:	Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps
NOES:	None
ABSTAIN:	None

9.C. CONSIDERATION OF RESOLUTION NO. 08-15-23-3
This item considers a resolution denying Southwestern Public Service Company's proposed rate increase request in connection with its Statement of Intent submitted on about February 8, 2023; requiring reimbursement of reasonable legal and consultant expense; finding that the meeting complies with the Open Meetings Act; and making other findings and provisions related to the subject. (Contact: Laura Storrs, Assistant City Manager and CFO)

Mayor Stanley introduced the item. Ms. Storrs presented the item. Ronnie Walker, with Xcel Energy, was in attendance.

ACTION: Motion to adopt Resolution No. 08-15-23-3 as presented by Josh Craft, second by Don Tipps;
Motion passed with a 5:0 vote.

AYES: Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps

NOES: None

ABSTAIN: None

9.D. CONSIDERATION OF RESOLUTION NO. 08-15-23-4

This item considers a resolution approving the proposed operating budget for the fiscal year 2023-2024 for the Amarillo Economic Development Corporation. (Contact: Kevin Carter, Amarillo Economic Development Corporation)

Mayor Stanley introduced the item. Kevin Carter, Amarillo Economic Development Corporation, was available for the item.

ACTION: Motion to push Resolution No. 08-15-23-4 to the September 19th council meeting by Les Simpson, second by Josh Craft;
Motion passed with a 5:0 vote.

AYES: Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps

NOES: None

ABSTAIN: None

9.E. CONSIDERATION OF RESOLUTION NO. 08-15-23-5

This item considers a resolution nominating Bell Textron, Inc. as a qualified business and enterprise project to the Texas Enterprise Zone program. (Contact: Andrew Freeman, Deputy City Manager)

Mayor Stanley introduced the item. Mr. Freeman presented the item.

ACTION: Motion to adopt Resolution No. 08-15-23-5 as presented on the agenda by Don Tipps, second by Les Simpson;
Motion passed with a 5:0 vote.

AYES: Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps

NOES: None

ABSTAIN: None

9.F. CONSIDERATION OF RESOLUTION NO. 08-15-23-6

This item considers a resolution nominating BSA Hospital, LLC as a qualified business and enterprise project to the Texas Enterprise Zone program. (Contact: Andrew Freeman, Deputy City Manager)

Mayor Stanley introduced the item. Mr. Freeman presented the item.

ACTION: Motion to adopt Resolution No. 08-15-23-6 by Les Simpson, second by Josh Craft;
Motion passed with a 5:0 vote.

AYES: Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps

NOES: None

ABSTAIN: None

9.G. CONSIDERATION OF RESOLUTION NO. 08-15-23-7

This item considers a resolution requesting the dissolution of the Amarillo First Responders' Excellence and Innovation Fund. (Contact: Laura Storrs, Assistant City Manager and CFO)

Mayor Stanley introduced the item. Ms. Storrs presented the item.

Council took no action on the item.

9.H. CONSIDER AWARD - SIDEWALK CONSTRUCTION SERVICES IN THE SAN JACINTO NEIGHBORHOOD PLAN BOUNDARY

Award to: Tate CO/Tate's Excavation - $50,000.00

This item considers award of a contract for sidewalk and driveway construction services including removal, repair and replacement in the public right-of-way in the San Jacinto Neighborhood Plan area as part of the neighborhood association's cost-share program. (Contact: Emily Koller, Director of Planning and Development Services)

Mayor Stanley introduced the item. Emily Koller, Director of Planning and Development Services, presented the item.

ACTION:	Motion to award a contract for Item No. 9H to Tate Co. or Tate Excavation in the amount of $50,000.00 by Don Tipps, second by Les Simpson; Motion passed with a 5:0 vote.
AYES:	Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps
NOES:	None
ABSTAIN:	None

9.I. CONSIDER APPROVAL - GRAZING LEASE AGREEMENT FOR 549.255 ACRES AT HOLLYWOOD ROAD WASTEWATER TREATMENT FACILITY

Lessee: Darren Hodgkins - $30,207.55

This item considers the award of a five-year lease agreement for 549.255 acres at the Hollywood Road Wastewater Treatment Facility to allow for grazing on the land. (Contact: John Collins, Director of Utilities)

Mayor Stanley introduced the item. Chris Ray, Resource Administrator, presented the item.

ACTION:	Motion to accept the bid of $30,207 for five years in the amount of $6,041 per year by Tom Scherlen, second by Les Simpson; Motion passed with a 4:0 vote.
AYES:	Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps
NOES:	None
ABSTAIN:	Josh Craft

9.J. CONSIDER AWARD - CONTRACT FOR NEW LED WALKING PATH, AREA SAFETY LIGHTING, AND LIGHTING CONTROL SYSTEMS FOR SAM HOUSTON PARK, SAN JACINTO PARK, AND MEDICAL CENTER PARK

Award to: Musco Sports Lighting, LLC - $1,216,931.00 (Buy Board #677-22)

This item considers the award of a contract for the demolition of old lighting systems and installation of new LED walking path, area safety lighting, and lighting control systems for Sam Houston Park, San Jacinto Park, and Medical Center Park. This project will be funded through a combination of American Rescue Plan Act (ARPA) funding and general construction funds. (Contact: Jerry Danforth, Director of Facilities)

Mayor Stanley introduced the item. Jerry Danforth, Director of Facilities and CIP, presented the item.

ACTION:	Motion to table 9.J until our next meeting by Les Simpson, second by Josh Craft; Motion passed with a 5:0 vote.
AYES:	Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson, Don Tipps
NOES:	None
ABSTAIN:	None

Councilmember Tipps left the regular meeting at 6:06 p.m.

9.K. CONSIDER APPROVAL - CHANGE ORDER NO. 3 FOR 34TH AVENUE PUMP STATION SWITCHGEAR REPLACEMENT

Award to: Brown Construction Services

Original Award	$ 2,165,000.00
Previous Change Orders	189,300.93
Current Change Order No. 3	48,607.95
Total Revised Award	$ 2,402,908.88

This item considers approval of Change Order No. 3 to the construction contract for the 34th Avenue Pump Station Switchgear Replacement Project in order to add repair services for Pump No. 6. (Contact: Kyle Schniederjan, Director of Capital Projects Development and Engineering)

Mayor Stanley introduced the item. Marco Lopez, Senior Project Coordinator, presented the item.

ACTION:	Motion to approve Change Order No. 3 for the 34th Avenue Pump Station Switchgear Replacement as presented in the agenda by Josh Craft, second by Les Simpson; Motion passed with a 4:0 vote.
AYES:	Josh Craft, Tom Scherlen, Cole Stanley, Les Simpson
NOES:	None
ABSTAIN:	None
ABSENT:	Don Tipps

10. Adjourn

Mayor Stanley adjourned the Regular Meeting at 6:12 PM.

ATTEST:

Stephanie Coggins

Stephanie Coggins, City Secretary

Cole Stanley

Cole Stanley, Mayor