

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 24th day of September 2019, the Amarillo City Council met at 1:00 p.m. for a regular meeting held in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

MAYOR
COUNCILMEMBER NO. 1
MAYOR PRO TEM/COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
COUNCILMEMBER NO. 4

Absent were none. Also in attendance were the following administrative officials:

JARED MILLER
MICHELLE BONNER
BRYAN MCWILLIAMS
STEPHANIE COGGINS
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
ASSISTANT TO THE CITY MANAGER
CITY SECRETARY

The invocation was given by Vanessa Chavez. Mayor Nelson established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

PUBLIC ADDRESS

James Schenck, 6216 Gainsborough Drive, stated he was misquoted last week. He suggested the 2020 election be held in November and not in May. He also inquired about details on Item 2K. There were no further comments.

ITEM 1:

- A. Review agenda times for regular meeting and attachments;
- B. Reports and updates from City Councilmembers serving on outside Boards:
Environmental Task Force;
Pedestrian and Bicycle Safety Advisory Committee;
- C. State of the City Update;
- D. Neighborhood Planning Committee Update;
- E. Utility Billing Update; and
- F. Request future agenda items and reports from City Manager.

CONSENT ACTION ITEMS:

ITEM 2: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell to approve Items B-R of the consent agenda as presented, seconded by Councilmember Sauer:

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

Motion was made by Councilmember Powell to approve Item 2A, the minutes of September 17, as corrected, seconded by Councilmember Hays.

- A. **MINUTES:**
Approval of the City Council minutes for the meeting held on September 17, 2019.

B. **CONSIDERATION OF ORDINANCE NO. 7813 TO LEVY AN ASSESSMENT ON PROPERTY WITHIN THE HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

An assessment against each parcel of property in the Heritage Hills Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Heritage Hills PID Advisory Board met August 14, 2019 to review the proposed FY 2019/20 budget and service plan. The Heritage Hills PID budget projects total maintenance and operation expenses for FY 2019/20 to be \$47,623. The Board recommends maintaining property owner assessment rates of \$0.08 per square foot. This will result in assessments totaling \$319,940. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Heritage Hills PID. Attached are the Heritage Hills Public Improvement District Fiscal Year 2019/20 budget, service plan, and associated ordinance and exhibit.

C. **CONSIDERATION OF ORDINANCE NO. 7814 TO LEVY AN ASSESSMENT ON PROPERTY WITHIN THE TOWN SQUARE PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

An assessment against each parcel of property in the Town Square Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Town Square PID Advisory Board met August 19, 2019 to review the proposed FY 2019/20 budget and service plan. The Town Square PID budget projects total maintenance and operation expenses for FY 2019/20 to be \$83,113. The Board recommends property owner assessment rates remain at \$0.1111 per square foot. This will result in assessments totaling \$166,164. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Town Square PID. Attached are the Town Square Public Improvement District Fiscal Year 2019/20 budget, service plan, and associated ordinance and exhibit.

D. **CONSIDERATION OF ORDINANCE NO. 7815 TO LEVY AN ASSESSMENT ON PROPERTY WITHIN THE POINT WEST PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

An assessment against each parcel of property in the Point West Public Improvement District (PID), which is allocated based on the percentage of total square footage owned within the PID, must be approved on an annual basis. The Point West PID Advisory Board met on May 21, 2019 to review the proposed FY 2019/20 budget and service plan. The Point West PID budget projects total maintenance and operation expenses for FY 2019/20 to be \$24,514. The Board believes that last year's assessment rate is adequate and recommends no assessment increase for the 2019/20 budget and service plan. As mentioned above, the current assessment level remains adequate for all expenses and operating reserve and totals \$52,000.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Point West PID. Attached are the Point West Public Improvement District Fiscal Year 2019/20 budget, service plan, and associated ordinance and exhibit.

E. **CONSIDERATION OF ORDINANCE NO. 7816 TO LEVY AN ASSESSMENT ON PROPERTY WITHIN THE VINEYARDS PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

An assessment against each parcel of property in the Vineyards Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Vineyards PID Advisory Board met August 6, 2019 to review the proposed FY 2019/20 budget and service plan. The Vineyards PID budget projects total maintenance and operation expenses for FY 2019/20 to be \$6,741. The Board recommends keeping property owner assessment rates at \$50 per lot. This will result in assessments totaling \$7,950. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Vineyards PID. Attached are the Vineyards Public Improvement District Fiscal Year 2019/20 budget, service plan, and associated ordinance and exhibit.

F. **CONSIDERATION OF ORDINANCE NO. 7817 TO LEVY AN ASSESSMENT ON PROPERTY WITHIN THE QUAIL CREEK PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

An assessment against each parcel of property in the Quail Creek Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Quail Creek PID Advisory Board met August 20, 2019 to review the proposed FY 2019/20 budget and service plan. The Quail Creek PID budget projects total maintenance and operation expenses for FY 2019/20 to be \$8,104. The Board recommends keeping property owner assessment rates at \$350 per lot. This will result in assessments totaling \$10,150. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Quail Creek PID. Attached are the Quail Creek Public Improvement District Fiscal Year 2019/20 budget, service plan, and associated ordinance and exhibit.

G. **CONSIDERATION OF ORDINANCE NO. 7818 TO LEVY AN ASSESSMENT ON PROPERTY WITHIN THE TUTBURY PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

An assessment against each parcel of property in the Tutbury Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Tutbury PID Advisory Board met July 9, 2019 to review the proposed FY 2019/20 budget and service plan. The Tutbury PID budget projects total maintenance and operation expenses for FY 2019/20 to be \$15,928. The Board recommends keeping property owner assessment rates at \$679 per lot. This will result in assessments totaling \$16,296. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Tutbury PID. Attached are the Tutbury Public Improvement District Fiscal Year 2019/20 budget, service plan, and associated ordinance and exhibit.

H. **CONSIDERATION OF ORDINANCE NO. 7819 TO LEVY AN ASSESSMENT ON PROPERTY WITHIN THE COLONIES PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

An assessment against each parcel of property in the Colonies Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Colonies PID Advisory Board met July 24, 2019 to review the proposed FY 2019/20 budget and service plan. The Colonies PID budget projects total maintenance, operation and debt service expenses for FY 2019/20 to be \$950,179. The Board recommended unanimously to maintaining the property owner assessment rates at \$0.10 per square foot. This will result in assessments totaling \$1,054,399. This decision was made in order to continue to cover all operating costs and debt service payments.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Colonies PID. Attached are the Colonies Public Improvement District Fiscal Year 2019/20 budget, service plan, and associated ordinance and exhibit.

I. **CONSIDERATION OF ORDINANCE NO. 7820 TO LEVY AN ASSESSMENT ON PROPERTY WITHIN THE GREENWAYS PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

An assessment against each parcel of property in the Greenways Public Improvement District (PID), determined by the placement of the lot within the neighborhood, must be approved on an annual basis. The Greenways PID Advisory Board met August 13, 2019 to review the proposed FY 2019/20 budget and service plan. The Greenways PID budget projects total maintenance, operation and debt service expenses for FY 2019/20 to be \$628,630. The Board recommends maintaining property owner assessment rates at \$720 for type A lots, \$600 for type B lots, \$864 for type D lots, and \$1,800 per acre for commercial property. This will result in assessments totaling \$643,344. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Greenways PID. Attached are the Greenways Public Improvement District Fiscal Year 2019/20 budget, service plan, and associated ordinance and exhibit.

J. **CONSIDER APPROVAL -- AGREEMENT FOR SERVICES WITH CENTER CITY OF AMARILLO, INC.:**

(Contact: Andrew Freeman, Planning and Development Services)

This item approves a one (1) year agreement with Center City of Amarillo, Inc. for continued services associated with the preservation, improvement and revitalization of the Central Business District of Amarillo. Two sources of funding are included in the agreement:

- The City will provide \$111,650 for administrative operations.
- The City will provide \$70,000 as matching funds for a Center City facade grant program up to \$20,000 to a business for exterior building improvements.
- The Tax Increment Reinvestment Zone #1 will provide \$150,000 for matching grants up to \$50,000 for streetscape improvements in the City's right of way.

- K. **CONSIDER AWARD – REPLACEMENT OR REPAIR OF UP TO 10 ROOF TOP UNITS ON BUILDING 602:**
 (Contact: Michael W. Conner – Director of Aviation)
 Awarded to Amarillo Pro Air -- \$116,500.00
 This item is the award of the base bid for the removal and replacement of ten (10) roof top units at Airport Building 602, leased to Bell Helicopter. Units have exceeded useful service life. Project includes the following:
1. Removal of ten (10) roof top units that achieved end of useful service life.
 2. Installation of ten (10) new roof top units.
 3. Start-up of all ten (10) units.
- L. **CONSIDER APPROVAL -- PROFESSIONAL SERVICES TASK ORDER #46 WITH RS&H, INC., FOR CONTINUATION OF THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT'S "TAKING FLIGHT" COMMUNITY OUTREACH PROGRAM AND ITS AIR SERVICE DEVELOPMENT PROGRAM:**
 (Contact: Michael W. Conner: Director of Aviation)
 This item includes implementation phases for the Airport's community outreach program areas and professional services for the Airport's air service development program. The cost of this Task Order is \$135,000.00.
- M. **APPROVAL OF LEASE EXTENSION BETWEEN THE CITY OF AMARILLO AND GTM MANUFACTURING, LLC FOR USE OF THE FORMER BEN E. KEITH DISTRIBUTION CENTER PROPERTY:**
 (Contact: Andrew Freeman, Director of Planning and Development Services)
 This item is for an extension of an expiring property lease between the City and GTM Manufacturing, LLC (GTM) for a portion of the former Ben E. Keith Distribution Center property at Interstate 40 and South Spruce Street. The extension would be through May 31, 2020.
- N. **CONSIDER SALE OF CITY OWNED PROPERTY – FORMER FIRE STATION NO. 8 LOCATED AT 601 SOUTH WESTERN STREET:**
 (Contact: Andrew Freeman, Director of Planning and Development Services)
 This item authorizes the City Manager to execute a contract and other necessary documents for the sale of former Fire Station No. 8 located at 601 South Western Street. The sales price for this property is \$160,000 minus closing costs.
- O. **CONSIDER AWARD – AT&T CLOUD BASED SOFTWARE:**
 (Contact: Rich Gagnon, IT Director)
 Awarded to: inContact SaaS -- \$352,188.00
 This item renews the AT&T contract for inContact's cloud-based call center software.
- P. **CONSIDER AWARD – DELL FINANCIAL SERVICES:**
 (Contact: Rich Gagnon, IT Director)
 Hardware Purchase -- \$349,941.00
 This item purchases a Dell Isilon A2000 storage array for added data protection and encryption.
- Q. **CONSIDER APPROVAL – HILLSIDE TERRACE ESTATES UNIT 28 PARTICIPATION AGREEMENT:**
 (Contact: Matthew Thomas, P.E., City Engineer)
 PEGA Development -- \$344,226.83
 This item is to consider approval of the Hillside Terrace Estates Unit 28 Participation Agreement. This participation agreement provides for the construction of a 1,500 LP 20-inch water main extension from the intersection of Arden Road and Ellen Hope Road to the west side of TxDot's Loop 335 right of way as part of the City's construction of the Arden Road arterial.

R. **CONSIDER APPROVAL -- AVIATION CLEAR ZONE EASEMENT:**

(Contact: Cris Valverde, Assistant Director of Planning and Development Services)

This item considers approval of an Aviation Clear Zone Easement, being 4,750 feet above mean sea level above the plat of Grand Avenue Estates Unit No. 5, a suburban subdivision to the City of Amarillo, being a replat of Lots 2 and 3, Block 3, Grand Avenue Estates Unit No. 1, in Section 143, Block 2, AB&M Survey, Randall County, Texas.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

NON-CONSENT ITEMS

ITEM 3A: Mayor Nelson presented the second and final reading of an ordinance considering an ordinance adopting the City of Amarillo budget for the 2019/2020 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year. This item was presented by Laura Storrs, Finance Director. Motion was made to adopt Ordinance No. 7811 on the second and final reading which adopts the budget for fiscal year October 1, 2019 through September 30, 2020 for the City of Amarillo by Councilmember Powell, seconded by Councilmember Smith.

ORDINANCE NO. 7811

AN ORDINANCE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: APPROVING TAX ROLL; SETTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF AMARILLO FOR THE TAX YEAR 2019; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES.

Voting AYE were Mayor Nelson, Councilmembers Powell, Sauer and Smith; voting NO was Councilmember Hays; the motion carried by a 4:1 vote of the Council.

ITEM 3B: Mayor Nelson presented the second and final reading of an ordinance considering approving the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2019 tax year. This ordinance establishes an ad valorem tax rate of \$0.34448 per \$100.00 property valuation for City maintenance and operations expenses and \$0.04403 per \$100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of \$0.38851 per \$100.00 property valuation. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 7.33 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$17.50. This item was presented by Laura Storrs, Finance Director. Motion was made by Councilmember Powell to adopt Ordinance No. 7812 on second and final reading which is the property tax rate to be increased by the adoption of a tax rate of \$0.38851, which is effectively 7.33 percent increase in the tax rate, seconded by Councilmember Sauer:

ORDINANCE NO. 7812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2019, THROUGH SEPTEMBER 30, 2020, FOR THE CITY OF AMARILLO; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET; AMENDING VARIOUS TERMS AND PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO ADD, MODIFY, INCREASE, OR DELETE VARIOUS FEES AND RATES; CHAPTERS 4-1, 4-6, AND 4-7 CONCERNING VARIOUS BUILDING SAFETY FEES; CHAPTER 8-3 CONCERNING PUBLIC WORKS FEES; CHAPTER CHAPTERS 12-1 AND 12-4 CONCERNING PARK AND RECREATION FEES; CHAPTERS 18-2, 18-3, AND 18-4, CONCERNING VARIOUS WATER AND SEWER RATES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Powell, Sauer and Smith; voting NO was Councilmember Hays; the motion carried by a 4:1 vote of the Council.

ITEM 3C: Motion was made by Councilmember Powell to ratify the Budget and Tax Rate, as adopted for Fiscal Year 2019-2020, recognizing such budget will require more revenue from property taxes than did the budget adopted last year, seconded by Councilmember Smith.

Voting AYE were Mayor Nelson, Councilmembers Powell, Sauer and Smith; voting NO was Councilmember Hays; the motion carried by a 4:1 vote of the Council.

ITEM 3D: Mayor Nelson presented the first reading of an ordinance considering an ordinance rezoning of a portion of Lot 2, Block 1, South Side Acres Unit No. 6 (also known as 4098 Business Park Drive) and a portion of Lot 3, Block 1, South Side Acres Unit No. 6 (also known as 4066 Business Park Drive) in Section 230, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 235B to Amended Planned Development District 235D for the addition of alcohol related land uses. (Vicinity: Western Street and Business Park Drive.) This item was presented by Cris Valverde, Assistant Director of Planning and Development Services. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer. Councilmember Hays mentioned the "Making Memories" slogan presented.

ORDINANCE NO. 7821

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 WESTERN STREET AND BUSINESS PARK DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3E: Mayor Nelson presented a resolution approving the 2019/2020 Budget for the Convention and Visitor Council (CVC) which is funded through a tax levied upon hotel occupancy. This item was presented by Michelle Bonner, Deputy City Manager and Kashion Smith, CVC. Motion was made by Councilmember Powell, seconded by Councilmember Sauer that the following captioned resolution be passed:

RESOLUTION NO. 09-24-19-1

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: APPROVING EXPENDITURE OF HOTEL OCCUPANCY TAX REVENUE BY THE AMARILLO CONVENTION AND VISITOR COUNCIL FOR THE FISCAL YEAR OCTOBER 1, 2019 TO SEPTEMBER 30, 2020.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3F: Mayor Nelson presented an item that considered the purchase of a new fire truck to be used for daily operational requirements and increased staffing at station #5. Funding for this item was approved by the voters in the November 2016 bond election (Proposition 2). This item was presented by Jared Miller, City Manager. Motion was made by Councilmember Powell, seconded by Councilmember Hays that this item be approved as presented.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3G: Mayor Nelson presented an item which awards a professional services agreement with Schrickel Rollins|PSC for the design of an aquatics facility to be located in Thompson Park. This item was presented by Michael Kashuba, Parks and Recreation Director. Motion was made by Councilmember Powell, seconded by Councilmember Sauer that this item be approved as presented.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, and Sauer; voting NO was Councilmember Smith; the motion carried by a 4:1 vote of the Council.

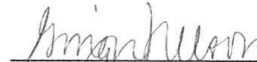
ITEM 3H: Mr. McWilliams advised at 2:55 p.m. that the City Council would convene in Executive Session per Texas Government Code (1) Section 551.087 – Deliberation regarding economic development negotiations; discussion of commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location or retention of a facility, or for incentives the City is willing to extend, or financial information submitted by same: a. Discuss property located in the NE quadrant of the Central Business District. (2) 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: a. Discuss property located in the NE quadrant of the Central Business District.

Mr. McWilliams announced that the Executive Session was adjourned at 4:47 p.m. and recessed the Regular Meeting.

ATTEST:



Frances Hibbs, City Secretary



Ginger Nelson, Mayor