



City Council Regular Meeting

March 14, 2023

1:00 PM

City Hall - Council Chamber
601 S. Buchanan Street, 3rd Floor

AGENDA

1. **Invocation NAME**
2. **Proclamations**
3. **Announcements**
 - 3.A. Office of Engagement and Innovation "American Advertising Awards" (ADDYs)
4. **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.
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. Request future agenda items and reports from City Manager.
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.
 - 6.A. **CONSIDER APPROVAL – MINUTES**

This item considers approval of the City Council minutes for the regular meeting held on February 21, 2023. (Contact: Stephanie Coggins, City Secretary)
 - 6.B. **CONSIDERATION OF ORDINANCE NO. 8049**

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.
(Contact:)

**6.C. CONSIDER ACCEPTANCE – INFECTIOUS DISEASE SURVEILLANCE
(IDCU/SUR) GRANT**

Grantor: Texas Department of State Health Services
Grant Amount: \$169,208.00

This item accepts the award from the Texas Department of State Health Services from September 1, 2023 through August 31, 2025, to continue funding for the Infectious Disease Surveillance in the Public Health Department. (Contact: Casie Stoughton, Director of Public Health)

**6.D. CONSIDER ACCEPTANCE – RLSS-LOCAL PUBLIC HEALTH SERVICES
GRANT**

Grantor: Texas Department of State Health Services
Grant Amount: \$223,488.00

This item accepts the award from the Texas Department of State Health Services from September 1, 2023 through August 31, 2025 to continue funding of Infectious Disease Surveillance in the Public Health Department. (Contact: Casie Stoughton, Director of Public Health)

7. Non-Consent Items

- 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:

Please note: The City Council may take up items out of the order shown on any Agenda. The City Council reserves the right to discuss all or part of any item in an executive session at any time during a meeting or work session, as necessary and allowed by state law. Votes or final decisions are made only in open Regular or Special meetings, not in either a work session or executive session.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 S. Buchanan Street) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations, or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3013 or the City TDD number at 378-4229.

Watch the meeting live: <http://amarillo.gov/city-hall/city-government/view-city-council-meetings>.

I certify that the above notice of meeting was posted on the electronic bulletin board in City Hall, 601 S. Buchanan, Amarillo, Texas, and the City website (www.amarillo.gov) on or before the DATE, at TIME. in accordance with the Open Meetings Laws of the State of Texas, Chapter 551, Texas Government Code.

\s\ Stephanie Coggins

Stephanie Coggins, City Secretary



Agenda Transmittal Memo

Date: March 14, 2023
Council Priority: Customer Service
Department: City Secretary
Contact Person: Stephanie Coggins, City Secretary

Agenda Caption: CONSIDER APPROVAL – MINUTES

This item considers approval of the City Council minutes for the regular meeting held on February 21, 2023.

Agenda Item Summary: This item considers approval of the City Council minutes for the regular meeting held on February 21, 2023.

Requested Action: Consider for approval as presented.

Funding Summary: N/A

Community Engagement Summary: N/A

Staff Recommendation: Approve as presented.

Attachments: 1. 2A Minutes 2022_02_21

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 21st day 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
HOWARD SMITH	COUNCILMEMBER NO. 4

Absent was Eddy Sauer, Councilmember No. 3. Also in attendance were the following administrative officials:

JARED MILLER	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 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 Reverend Herman Moore.

The City's Finance department was recognized for achieving the Government Finance Officer's Association "Award for Outstanding Achievement in Popular Annual Financial Reporting".

The Amarillo Public Library was recognized for achieving the Texas Municipal Library Directors Association "Achievement of Excellence Award".

PUBLIC ADDRESS

James Schenck, of Amarillo, spoke on Public Address and Agenda Items No. 2F and 2G. Jeffrey McGunegle spoke on Agenda Item No. 2E. 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. Girls who Game Presentation;

ITEM 3B: Mayor Nelson introduced an item to receive and accept the City of Amarillo Annual Comprehensive Financial Report for the year ended September 30, 2022. Ms. Storrs presented the item. A motion was made to approve the Annual Comprehensive Financial Report for the year ended September 30, 2022, as presented, by Mayor Pro Tem Powell, seconded by Mayor Nelson.

Voting AYE were Mayor Nelson, Mayor Pro Tem Powell, and Councilmembers Smith and Stanley; voting NO were none; absent was Councilmember Sauer; the motion passed by a 4-0 vote.

ITEM 1 – CITY COUNCIL WILL DISCUSS OR RECEIVE REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:

- C. Updates from Councilmembers serving on outside boards and commissions
 - ii. Neighborhood Plan Oversight Committee;
- E. Update on Community Development HOME-ARP Funding and Point-in-Time Count;

Mayor Nelson recessed the meeting at 2:55 p.m. At 3:11 p.m. Mayor Nelson resumed the meeting.

ITEM 1 – CITY COUNCIL WILL DISCUSS OR RECEIVE REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:

- D. Update on Athletic Field Lighting Project;
- F. Update on Facilities Projects; and
- G. 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 Smith.

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 14, 2023.

B. CONSIDERATION OF ORDINANCE NO. 8042:

(Contact: Andrew Freeman, Assistant City Manager)

This item is the second and final reading to consider 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).

C. CONSIDERATION OF ORDINANCE NO. 8043:

(Contact: Kevin Carter, Amarillo Economic Development Corporation)

This item is the second and final reading to consider an ordinance designating certain areas of the City as Reinvestment Zone No. 22 for commercial and industrial tax abatement. The zone is approximately 400.00 acres east of Folsom Road.

D. CONSIDERATION OF ORDINANCE NO. 8044:

(Contact: Brady Kendrick, Planner II)

This item is the second and final reading to consider 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. (VICINITY: Coulter St. and Arden Rd.; APPLICANT/S: Daryl Furman for The Alfred Group, LLC)

E. CONSIDERATION OF ORDINANCE NO. 8045:

(Contact: Brady Kendrick, Planner II)

This item is the second and final reading to consider 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. (VICINITY: Coulter St. and Hollywood Rd (Loop 335); APPLICANT/S: Daryl Furman for Attebury Elevators LLC, Happy Again LP, and Rockrose Development LLC)

F. **CONSIDERATION OF ORDINANCE NO. 8046:**
(Contact: Laura Storrs, Assistant City Manager)

This item is the second and final reading to consider an ordinance adopting the budget amendments pertaining to the fiscal year 2021-2022 budget.

G. **CONSIDERATION OF ORDINANCE NO. 8047:**
(Contact: Andrew Freeman, Assistant City Manager)

This item is the second and final reading of 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.

H. **CONSIDERATION OF ORDINANCE NO. 8048:**
(Contact: Anthony Spanel, Environmental Health Director)

This item is the second and final reading to consider an ordinance revising Chapter 8-5, Article IV, Section 8-5-18 of the Amarillo Municipal Code. This 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.

I. **CONSIDERATION OF RESOLUTION NO. 02-21-23-1:**
(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution suspending Southwestern Public Service Company's (SPS) proposed effective date in connection with its Statement of Intent submitted on about February 8, 2023. SPS Filed a Statement of Intent to increase its base revenues for its Texas retail service area by approximately \$148.5 million, which is an increase in base revenue of about 23%.

J. **CONSIDER APPROVAL – EMERGENCY RENTAL OF BELT PRESS AND OPERATOR:**
(Contact: John Collins, Director of Utilities)
Award to: WBI Inc. - \$239,700.00

This item considers an emergency rental agreement for belt press and digester improvements, including an operator, for 12 months to ensure continuous compliance with Texas Commission on Environmental Quality (TCEQ) guidelines at the Hollywood Road Wastewater Treatment Plant.

K. **CONSIDER AWARD – TOPPING OFF MOTOR FUEL ANNUAL CONTRACT:**
(Contact: Trae Kepley, Director of Purchasing)
Award to: Davidson Oil - \$925,745.32

This item considers an annual contract to provide topping off fuel service for various fuel tanks maintained in various City departments.

L. **CONSIDER APPROVAL – CHANGE ORDER NO. 2 TO THE ARDEN ROAD PAVING, DRAINAGE AND POTABLE WATER PROJECT:**
(Contact: Kyle Schniederjan, Capital Projects and Development Engineering Director)
Award to: Williams Ditching, LLC
Original award: \$5,085,174.39

Previous change orders: \$ 90,992.53
Current Change Order No. 2 \$ (265,951.38)
Total award: \$4,910,215.54

This item considers Change Order No. 2 to the Arden Road Paving, Drainage and Potable Water Project, including changes to the design and construction of the storm drain system and price adjustments for hot mix asphalt. This item is funded through Proposition 1 voter approved bond proceeds and drainage assessment revenues.

- M. **CONSIDER AWARD – NFPA 1971 COMPLIANT FIRE GARMENTS ANNUAL CONTRACT:**
(Contact: Brandon Mason, Deputy Fire Chief)
Award to: DACO Fire Equipment - \$439,880.00

This item considers an annual contract to provide NFPA-1971-compliant firefighting protective gear including coats, pants, helmets, hoods, gloves and boots.

- N. **CONSIDER AWARD – FIRE TRUCK OEM PARTS ANNUAL SUPPLY AGREEMENT:**
(Contact: Brandon Mason, Deputy Fire Chief)
Award to: Lone Star Emergency Group – Not to exceed \$190,000.00

This item considers an annual supply agreement to purchase OEM parts to be used by Amarillo Fire Department in multiple types of Ferrara apparatus repairs.

- O. **CONSIDER APPROVAL – PROPERTY LEASE BETWEEN THE CITY OF AMARILLO AND AVIS BUDGET CAR RENTAL, LLC:**
(Contact: Michael W. Conner, Director of Aviation)

This item considers a property lease between the City of Amarillo and Avis Budget Car Rental, LLC. for the lease of 47,173.26 sq. ft. of land, a two-story office/service building, covered parking canopies, and an auxiliary storage shed at the Airport. The agreement is for an initial five-year term with five additional one-year options to renew.

Voting AYE were Mayor Nelson, Mayor Pro Tem Powell, and Councilmembers Smith and Stanley; voting NO were none; absent was Councilmember Sauer; the motion passed by a 4-0 vote.

ITEM 3 – NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson introduced an ordinance converting two sergeant positions to two officer positions at the Amarillo Police Department by Mayor Pro Tem Powell, seconded by Councilmember Stanley.

ORDINANCE NO. 8049
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, CONVERTING TWO SERGEANT POSITIONS TO TWO OFFICER POSITIONS AT THE AMARILLO POLICE DEPARTMENT; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Mayor Pro Tem Powell, and Councilmembers Smith and Stanley; voting NO were none; absent was Councilmember Sauer; the motion passed by a 4-0 vote.

Mayor Nelson adjourned the Regular Meeting at 3:47 p.m.

ATTEST:

Stephanie Coggins, City Secretary

Ginger Nelson, Mayor

DRAFT



Agenda Transmittal Memo

Date: March 14, 2023
Council Priority: Public Safety
Department: Police Department
Contact Person:

Agenda Caption: CONSIDERATION OF ORDINANCE NO. 8049

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.

Agenda Item Summary: The ordinance supports the department strategy of reducing the number of sergeant positions by attrition and increasing the number of officer positions. The resulting changes will make the total authorized sergeants at 72 and officers at 201. Total police sworn positions will still be 376.

Requested Action: Approve the ordinance converting two (2) sergeant positions to two (2) officer positions.

Funding Summary: This adjustment will create a budget savings.

Community Engagement Summary: N/A

Staff Recommendation: Staff recommends approval of the ordinance, authorizing the Chief of Police to make the appropriate staffing adjustments.

Attachments: 1. Ordinance No. 8049

ORDINANCE NO. 8049

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, CONVERTING TWO SERGEANT POSITIONS TO TWO OFFICER POSITIONS AT THE AMARILLO POLICE DEPARTMENT; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Chief of Police recommends that two (2) sergeant positions be converted to two (2) police officer positions in support of the department's staffing strategy to reduce the number of sergeants and increase the number of police officers.

WHEREAS, the Amarillo City Council finds that the conversion of two sergeant positions to officer positions in these circumstances enhances the efficiency of operations of the Amarillo Police Department, promotes public safety, and is to the betterment of municipal service.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That in accordance with the annual personnel budget for the City, two (2) sergeant positions be converted to two (2) police officer positions thereby keeping the number of sworn positions at three hundred seventy-six (376).

SECTION 2. That all ordinances, resolutions, and appropriations for which provisions have heretofore been made are hereby expressly repealed to the extent of any conflict with the provisions of this ordinance.

SECTION 3. That this ordinance shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the 21st day of February, 2023; and PASSED on Second and Final Reading the 14th day of March, 2023.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

Bryan McWilliams, City Attorney



Agenda Transmittal Memo

Date: March 14, 2023
Council Priority: Civic Pride
Department: Public Health
Contact Person: Casie Stoughton, Director of Public Health

Agenda Caption: CONSIDER ACCEPTANCE – INFECTIOUS DISEASE SURVEILLANCE (IDCU/SUR) GRANT

Grantor: Texas Department of State Health Services

Grant Amount: \$169,208.00

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

Agenda Item Summary: Contractor shall continue Infectious Disease Surveillance activities. These activities include epidemiologic surveillance, including both active and passive of notifiable conditions and unusual expressions of disease in Potter and Randall Counties, the jurisdiction of the Amarillo Area Public Health District.

Requested Action: Accept grant award.

Funding Summary: Funding provided by the Texas Department of State Health Services.

Community Engagement Summary: N/A

Staff Recommendation: Staff recommend acceptance of this grant.

Attachments: None