Amarillo City Council
Regular Meeting

April 23, 2024
3:00 PM
City Hall - Council Chamber
601 S. Buchanan Street, 3rd Floor
Amarillo, Texas 79101

MINUTES

1. Call to Order

On April 23, 2024 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:
Floyd Hartman, Interim City Manager
Andrew Freeman, Deputy City Manager
Rich Gagnon, Assistant City Manager and CIO
Laura Storrs, Assistant City Manager and CFO
Bryan McWilliams, City Attorney
Stephanie Coggins, City Secretary

Mayor Stanley established a quorum and called the meeting to order at 3:03 PM.

2. Invocation Richie Brown, Amarillo Fellowship Church

Richie Brown, with Amarillo Fellowship Church, gave the 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. "Child Abuse Prevention Awareness Month"

Councilmember Tipps read the proclamation and presented it to Judge Carrie Baker and representatives from CASA, St. Francis, the Bridge, and the Potter-Randall Child Welfare Board.

5.B. "Alcohol Awareness Month"

Councilmember Scherlen read the proclamation and presented it to David Elizalde and representatives from Andrea's Project.

5.C. "Beta Sigma Phi"

Councilmember Craft read the proclamation and presented it to Katherine Phillips and representatives from Beta Sigma Phi.

5.D. "Municipal Clerks Week"

Councilmember Simpson read the proclamation and presented it to Stephanie Coggins and members of the City Secretary's Office.

6. Announcements

No announcements were made.

7. 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.

Mayor Stanley opened public comment. The following individuals signed up and spoke during public comment:

1. Julia Miller, not of Amarillo
2. Jeff McGunegle, of Amarillo
3. Nathan Smith, of Amarillo
4. Michael Patrick Damron, of Amarillo

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:

1. James Schenck, of Amarillo
2. Noah Dawson, of Amarillo
3. Zach Bias, of Amarillo
4. Angelo Pena, of Amarillo

Mayor Stanley closed public comment.

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

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

8.B. Center City Update

8.C. Charter amendment election process

8.D. Amarillo Economic Development Corporation quarterly update

8.E. Updates from Councilmembers serving on outside boards and commissions:

i. Beautification and Public Arts Advisory Board (April 9, 2024)
ii. Parks and Recreation Board (April 10, 2024)
iii. Amarillo Metropolitan Planning Organization (April 11, 2024)
iv. Amarillo Local Government Corporation (April 17, 2024)

8.F. Request future agenda items and reports from City Manager

Mayor Stanley recessed the regular meeting at 4:57 PM.

Mayor Stanley resumed the regular meeting at 5:12 PM.

9. **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 consent agenda and asked if anything should be pulled for separate consideration. Councilmember Simpson asked that Items No. 9.M, 9.N, and 9.O be removed for separate consideration. Mayor Stanley asked staff to explain these three items prior to pulling them for separate consideration. Mr. Freeman presented all three items.

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

9.A. CONSIDER APPROVAL - MINUTES
This item considers approval of the City Council Minutes for the work session held on April 9, 2024.

(Contact: Stephanie Coggins, City Secretary)

9.B. CONSIDER APPROVAL - MINUTES
This item considers approval of the City Council Minutes for the regular meeting held on April 9, 2024.

(Contact: Stephanie Coggins, City Secretary)

9.C. CONSIDER APPROVAL - MINUTES
This item considers approval of the City Council Minutes for the work session held on April 18, 2024.

(Contact: Stephanie Coggins, City Secretary)

9.D. CONSIDERATION OF ORDINANCE NO. 8128
This item is a second and final reading to consider an ordinance vacating a 10-foot wide public utility easement, 10-foot wide public utility and drainage easement, and a 20-foot wide public utility and drainage easement, all located in Lot 11-G, Block 1, Quail Creek Addition Unit No. 37, an addition to the City of Amarillo, in Section 25, Block 9, BS&F Survey, Potter County, Texas. (VICINITY: John David Cir. & Plum Creek Dr.; APPLICANT/S: OJD Engineering, LLC for Thane Morgan)

(Contact: Brady Kendrick, Senior Planner)

9.E. CONSIDERATION OF ORDINANCE NO. 8129

This item is the second and final reading to consider an ordinance amending the Amarillo Municipal Code, to repeal Ordinance 8092 and Chapter 14-8 related to the regulation of massage establishments.

(Contact: Donny Hooper, Managing Director of Public Works)

9.F. CONSIDERATION OF RESOLUTION NO. 04-23-24-1

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2024 Cowboy Mounted Shooting Association World and American Quarter Horse Association World of Mounted Shooting Horses Event.

(Contact: Laura Storrs, Assistant City Manager and CFO)

9.G. CONSIDERATION OF RESOLUTION NO. 04-23-24-2

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2024 United States Team Penning Association World Championship Event.

(Contact: Laura Storrs, Assistant City Manager and CFO)

9.H. CONSIDERATION OF RESOLUTION NO. 04-23-24-3

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes for the 2024 Working Ranch Cowboys Association's World Championship Ranch Rodeo.

(Contact: Laura Storrs, Assistant City Manager and CFO)

9.I. CONSIDER ACCEPTANCE - AVIATION CLEAR ZONE EASEMENT

This item considers the acceptance of an aviation clear zone easement being 3,755 feet above mean sea level above the plat Producer Owned Beef Addition Unit No. 1, a suburban subdivision to the City of Amarillo, in Sections 36 and 37, Block 2, AB&M Survey, Potter County, Texas. (VICINITY: US Hwy. 287 and Jackrabbit Rd.; GRANTOR: Producer Owned Beef Opco, LLC)

(Contact: Brady Kendrick, Senior Planner)

9.J. CONSIDER ACCEPTANCE - AVIATION CLEAR ZONE EASEMENT

This item considers the acceptance of an aviation clear zone easement being 3,755 feet above mean sea level above the plat Centerport Addition Unit No. 11, an addition to the City of Amarillo, in Section 72, Block 2, AB&M Survey, Potter County, Texas. (VICINITY: Centerport Blvd. and Folsom Rd.; GRANTOR: Coast Packing Company - South LLC)

(Contact: Brady Kendrick, Senior Planner)

9.K. CONSIDER ACCEPTANCE - AVIATION CLEAR ZONE EASEMENT

This item considers the acceptance of an aviation clear zone easement being 4,700 feet above mean sea level above the plat Sunrise Addition Unit No. 8, an addition to the City of Amarillo, in Section 123, Block 2, AB&M Survey, Potter Couny, Texas. (VICINITY: Interstate 40 and Trigg St.; GRANTOR: Fayebuck Family LLC)

(Contact: Brady Kendrick, Senior Planner)

9.L. CONSIDER ACCEPTANCE - PUBLIC UTILITY EASEMENT
This item considers the acceptance of a public utility easement by the City of Amarillo, being a 0.22 acre tract of unplatted land, in Section 191, Block 2, AB&M Survey, Potter County, Texas. (VICINITY: Hastings Ave. and Broadway Dr.; GRANTOR: FAEC Holdings 396537, LLC)

(Contact: Brady Kendrick, Senior Planner)

9.M. CONSIDER APPROVAL - SOUTH GATEWAY TAX INCREMENT REINVESTMENT ZONE #3 DEVELOPER AGREEMENT WITH THE AMARILLO ECONOMIC DEVELOPMENT CORPORATION FOR REIMBURSEMENT OF PUBLIC INFRASTRUCTURE PROJECTS WITHIN THE ZONE BOUNDARY. This item approves a South Gateway Tax Increment Reinvestment Zone (TIRZ) #3 Developer Agreement with the Amarillo Economic Development Corporation for public infrastructure projects in the vicinity South of Loop 335, between South Coulter and I-27, within the South Gateway TIRZ boundaries. The agreement is for reimbursement of up to $7,570,000 spent on installing the extension of Premiere Dr., Street D, and all associated utility infrastructure. Reimbursement will be made with a maximum of 90% of available funds through the year 2042 from the South Gateway Tax Increment Fund.

(Contact: Drew Brassfield, Assistant Director of Planning)

9.N. CONSIDER APPROVAL - SOUTH GATEWAY TAX INCREMENT REINVESTMENT ZONE #3 DEVELOPER AGREEMENT WITH ATTEBURY ELEVATORS, LLC AND ROCKROSE DEVELOPMENT, LLC FOR REIMBURSEMENT OF PUBLIC INFRASTRUCTURE PROJECTS WITHIN THE ZONE BOUNDARY. This item approves a South Gateway Tax Increment Reinvestment Zone (TIRZ) #3 Developer Agreement with the Attebury Elevators, LLC and Rockrose Development, LLC for infrastructure projects in the vicinity North of Loop 335, between South Coulter and I-27 within the South Gateway TIRZ boundaries. The agreement is for reimbursement of up to $4,670,000 spent to install Tavern Dr., Southgate Dr., Street A, Street B and all associated utility infrastructure. Reimbursement will be made with a maximum of 90% of available funds through the year 2042 from the South Gateway Tax Increment Fund.

(Contact: Drew Brassfield, Assistant Director of Planning)

9.O. CONSIDER APPROVAL - SOUTH GATEWAY TAX INCREMENT REINVESTMENT ZONE #3 DEVELOPER AGREEMENT WITH ATTEBURY ELEVATORS, LLC AND ROCKROSE DEVELOPMENT, LLC FOR REIMBURSEMENT OF PRIVATE INFRASTRUCTURE PROJECTS WITHIN THE ZONE BOUNDARY. This item approves a South Gateway Tax Increment Reinvestment Zone (TIRZ) #3 Developer Agreement with the Attebury Elevators, LLC and Rockrose Development, LLC for a private infrastructure project in the vicinity South of Loop 335, between South Coulter and I-27 within the South Gateway TIRZ boundaries. The agreement is for reimbursement of up to $3,000,000 spent on installing the parking lot associated with the forthcoming Kids, Inc. Sports Complex. Reimbursement will be made with a maximum of 90%

of available funds through the year 2042 from the South Gateway Tax Increment Fund.

(Contact: Drew Brassfield, Assistant Director of Planning)

9.P. CONSIDER APPROVAL - MEMORANDUM OF UNDERSTANDING BETWEEN RANDALL COUNTY SHERIFF'S OFFICE AND CITY OF AMARILLO
This item considers the approval of a Memorandum of Understanding (MOU) between the Randall County Sheriff's Office (RCSO) and the City of Amarillo for the purpose of installing, maintaining, and operating a fiber optic circuit between RSCO and the Simms Municipal Building.

(Contact: Missy Laird, Director of Information Technology)

9.Q. CONSIDER APPROVAL - INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO, TEXAS, RANDALL COUNTY, TEXAS, AND RANDALL COUNTY SHERIFF'S OFFICE FOR JAIL SERVICES FOR CITY PRISONERS
This item is to consider approval of a new interlocal agreement for jail services due to the existing agreement being set to expire in May 2024.

(Contact: Andrew Freeman, Deputy City Manager)

9.R. CONSIDER AWARD - LANDFILL SCRAPER LEASE AGREEMENT
This item considers the award of a lease agreement for a Caterpillar Model 623 Wheel Scraper for use at the city Landfill.
Award to: Warren Cat/Caterpillar Financial (Source Well Contract #011723)
Amount: 60 Month Lease @ $26,554.31 per month. $1,593,258.60 total to lease, $1,820,099.72 if purchase option exercised at end of lease.
Funding Source: Fleet Services fund revenues
Is the item budgeted? Yes

(Contact: Donny Hooper, Managing Director of Public Works)

9.S. CONSIDER AWARD - LAWRENCE LAKE PUMP STATION INTAKE STRUCTURE REPAIR
This item considers the award of a project to repair both Lawrence Lake pump station intake structures.
Award to: Chapman Marine, Inc.
Amount: $163,935.00
Funding Source: Funding is available in the Drainage Utility Fund
Is the item budgeted? Yes

(Contact: Donny Hooper, Managing Director of Public Works)

9.T. CONSIDER AWARD - INFOBLOX SOFTWARE LICENSE
This item considers the award of a five-year license for InfoBlox software to assist in management of critical core security services.
Award to: Sterling Computers Corporation (State of Texas DIR-TSO-4288)
Amount: $169,886.55
Funding Source: Information Technology fund revenues
Is the item budgeted? Yes

(Contact: Missy Laird, Director of Information Technology)

9.U. CONSIDER PURCHASE - HS GOVTECH SOFTWARE

This item considers the purchase of HS GovTech software for a two-year term. This software will be utilized by Environmental Health for permit management, billing and inspections.

Award to: HS GovTech USA (State of Texas DIR-TSO-4327 via Unisys Corporation)

Amount: $122,565.00

Funding Source: General fund revenues

Is the item budgeted? Yes

(Contact: Anthony Spanel, Director of Environmental Health)

9.V. CONSIDER APPROVAL - AIRPORT BUILDING LEASE AGREEMENT WITH AMARILLO NATIONAL BANK.

This item considers a building lease agreement between the City and Amarillo National Bank for the lease of Building #583 at the Rick Husband Amarillo International Airport. Amarillo National Bank is the current lessee and they use the building as a data center and storage facility. This lease increases the associated land rented from 32,000 sq. ft. to 38,400 sq. ft. and updates the rental amount to current appraised value. The building area is 6,995 sq. ft. This lease is a 10-year lease beginning on May 1, 2024, with mutual consent options for four additional 10-year terms.

Amount: $15,600 per year, with annual CPI increases. (Revenue).

Funding Source: N/A

Is the item budgeted? Yes.

(Contact: Michael Conner, Director of Aviation)

9.W. CONSIDER AWARD - JOHN STIFF NORTH SOCCER FIELD FENCING PROJECT CONSTRUCTION CONTRACT

This item considers the award of a contract for the John Stiff North Soccer Field Fencing Project. This project will fence the three northern soccer fields in John Stiff Memorial Park (where the athletic lighting was recently installed).

Award to: All Star Fencing

Amount: $219,514.00

Funding Source: General fund revenues

Is the item budgeted? Yes

(Contact: Michael Kashuba, Director of Parks and Recreation)

9.X. CONSIDER AWARD - LIQUID CHLORINE FOR POOLS ANNUAL CONTRACT

This item considers the award of an annual contract to purchase liquid chlorine for pools. This contract has an initial term of one-year, with three one-year options to renew. This item will be considered for award of all four years.

Award to: Reeder Ind. Inc.

Amount: Not to exceed $140,000.00 (Annual cost of $35,000.00)

Funding Source: General fund revenues

Is the item budgeted? Yes

(Contact: Michael Kashuba, Director of Parks and Recreation)

9.Y. CONSIDER AWARD – PURCHASE OF ASSET MANAGEMENT SOFTWARE FOR WATER UTILITIES DEPARTMENT

This item considers the award of asset management software for use throughout the divisions of the water and sewer utilities department.
Award to: Vertosoft dba OpenGov (DIR-TSO-4227)
Amount: $97,706.50
Funding Source: Water and sewer fund revenues
Is the item budgeted? Yes

(Contact: Michael Price, Interim Director of Utilities)

9.Z. CONSIDER APPROVAL - CHANGE ORDER NO. 1 FOR WATER MAIN REPLACEMENT FOR SE 9TH & ACROSS BNSF RIGHT-OF-WAY/RAILROAD REMOVAL DOWNTOWN

This item is to consider approval of Change Order No. 1 for additional scope of work which includes sanitary sewer replacement located in Polk Street between SW 4th Avenue and SW 5th Avenue. The overall project consists of both water and sewer main replacement.
Award to: Amarillo Utility Contractors, Inc.
Amount: $317,900.00
Funding Source: Water and sewer fund revenues
Is this item budgeted? Yes

(Contact: Kyle Schniederjan, Director of Capital Projects Development and Engineering)

9.AA. CONSIDER AWARD - PROFESSIONAL SERVICE AGREEMENT FOR 23-24 LAWRENCE LAKE DRAINAGE IMPROVEMENTS PROJECT

This item considers the award of a Professional Services agreement for the planning and design recommendations for Lawrence Lake Drainage Improvements.
Award to: Freese and Nichols, Inc
Amount: $862,089.00
Funding Source: Drainage fund revenues
Is the item budgeted? Yes

(Contact: Kyle Schniederjan, Director of Capital Projects Development and Engineering)

9.BB. CONSIDER AWARD - PROFESSIONAL SERVICE AGREEMENT FOR 45TH AVENUE AND LAMAR STREET DRAINAGE IMPROVEMENTS

This item considers the award of a Professional Services agreement for the planning, design, and construction phase services for 45th Avenue and Lamar Street Drainage Improvements.
Award to: Kimley Horn and Associates, Inc.
Amount: Hourly Rate Not to Exceed $88,000.00
Funding Source: Drainage Revenue Bonds
Is the item budgeted? Yes

(Contact: Kyle Schniederjan, Director of Capital Projects Development and Engineering)

9.CC. CONSIDER AWARD - PROFESSIONAL SERVICE AGREEMENT FOR 23-24 MULTI-SITE STORM IMPROVEMENTS

This item considers the award of a Professional Services agreement for the planning, design, and construction phase services for 23-24 Multi-Site Storm Drain Improvements.

Award to: Freese and Nichols, Inc.
Amount: $667,796
Funding Source: Drainage bond proceeds
Is the item budgeted? Yes

(Contact: Kyle Schniederjan, Director of Capital Projects Development and Engineering)

10. Non-Consent Items

10.A. CONSIDERATION OF ORDINANCE NO. 8130

This item is a second and final reading of an ordinance to consider designating certain areas as Reinvestment Zone No. 24 for commercial/industrial tax abatement. The zone is approximately 20 acres in Amarillo Economic Development Corporation's South Georgia Business Park in the vicinity of Farmers and Georgia, in Randall County, Texas.

(Contact: Kevin Carter, Amarillo Economic Development Corporation)

Mayor Stanley introduced the item. Kevin Carter, Amarillo Economic Deveopment Corporation, presented the item.

ACTION:	Motion to adopt Ordinance no. 8130 as presented in the agenda by Don Tipps, second by Les Simpson; Motion passed with a 4:1 vote.
AYES:	Cole Stanley, Don Tipps, Tom Scherlen, Les Simpson
NOES:	Josh Craft
ABSTAIN:	None

10.B. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 8131

This item is a public hearing and first reading to consider an ordinance rezoning Lot 3, Block 1, The Colonies Unit No. 54, an addition to the City of Amarillo, in Section 40, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Planned Development District 238 to Planned Development District 238E to construct an apartment complex. (VICINITY: Tuscany Pkwy. & Coulter St.; APPLICANT/S: Geospatial Data, Inc. for Tuscany Parkway Apartments, 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 adopt ordinance no. 8131 as presented by Josh Craft, second by Don Tipps; Motion passed with a 5:0 vote.
AYES:	Cole Stanley, Josh Craft, Don Tipps, Tom Scherlen, Les Simpson
NOES:	None
ABSTAIN:	None

10.C. CONSIDER APPROVAL – LOCATION INCENTIVE AGREEMENT – BETWEEN AMARILLO ECONOMIC DEVELOPMENT CORPORATION AND SAGE OIL VAC, INC.

This item considers the award of a Location Incentive Agreement (LIA) between the Amarillo Economic Development Corporation (AEDC) and Sage Oil Vac, Inc. (Sage). Under the LIA, AEDC will provide an incentive of $10,000 per job created paid over five years (up to $600,000.00) and will convey 20 acres of land to Sage over two phases.

(Contact: Kevin Carter, Amarillo Economic Development Corporation)

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

ACTION:	Motion to adopt Item 10.C as presented in the agenda by Josh Craft, second by Don Tipps; Motion passed with a 5:0 vote.
AYES:	Cole Stanley, Josh Craft, Don Tipps, Tom Scherlen, Les Simpson
NOES:	None
ABSTAIN:	None

10.D. CONSIDER APPROVAL – TAX ABATEMENT AGREEMENT BETWEEN CITY OF AMARILLO AND AMARILLO ECONOMIC DEVELOPMENT CORPORATION AND SAGE OIL VAC, INC

This item considers the award of a Tax Abatement Agreement (Agreement) between the City of Amarillo and Amarillo Economic Development Corporation and Sage Oil Vac, Inc. for 10% abatement in year one.

(Contact: Kevin Carter, Amarillo Economic Development Corporation)

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

ACTION:	Motion to accept Item 10.D as stated on the agenda package by Tom Scherlen, second by Les Simpson; Motion passed with a 4:1 vote.
AYES:	Cole Stanley, Don Tipps, Tom Scherlen, Les Simpson
NOES:	Josh Craft
ABSTAIN:	None

10.E. CONSIDER APPROVAL – LOCATION INCENTIVE AGREEMENT BETWEEN AMARILLO ECONOMIC DEVELOPMENT CORPORATION AND ASSET PROTECTION UNIT, LLC.

This item considers approval of a Location Incentive Agreement (LIA) between the Amarillo Economic Development Corporation (AEDC) and Asset Protection Unit, LLC. (APU). Under the LIA, AEDC will provide an incentive of $10,000 per job created paid over five years (up to $300,000.00).

(Contact: Kevin Carter, Amarillo Economic Development Corporation)

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

ACTION:	Motion to approve Item 10.E as presented by Les Simpson, second by Don Tipps; Motion passed with a 5:0 vote.
AYES:	Cole Stanley, Josh Craft, Don Tipps, Tom Scherlen, Les Simpson
NOES:	None
ABSTAIN:	None

11. Adjourn

Mayor Stanley adjourned the Regular Meeting at 5:50 PM.

ATTEST:

Stephanie Coggins

Stephanie Coggins, City Secretary

Cole Stanley

Cole Stanley, Mayor