



Amarillo City Council Regular Meeting

June 11, 2024

3:00 PM

City Hall - Council Chamber
601 S. Buchanan Street, 3rd Floor
Amarillo, Texas 79101

MINUTES

1. Call to Order

On June 11, 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
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 3:05 PM.

2. Invocation Shane Chadwick, Amarillo Police Department

Shane Chadwick, with Amarillo Police Department, 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. Elder Abuse Prevention Month

Councilmember Craft read a proclamation for Elder Abuse Awareness Month, and it was accepted by members of Adult Protective Services.

6. Announcements

There were no announcements.

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 sign up 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. Michael Ford, of Amarillo
2. James Schenck, of Amarillo
3. Jesse Pfrimmer, 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. Ports-to-Plains Update

8.C. Potential procurement of external legal counsel services for City Council

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

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 item and asked if any items should be pulled for separate consideration.

ACTION: Motion to adopt 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 May 28, 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 May 28, 2024.

(Contact: Stephanie Coggins, City Secretary)

9.C. CONSIDER APPROVAL - MINUTES

This item considers approval of the City Council Minutes for the special meeting held on June 5, 2024.

(Contact: Stephanie Coggins, City Secretary)

9.D. CONSIDERATION OF ORDINANCE NO. 8135

This item is a second and final reading to consider an ordinance rezoning Lot 6, Block 135, Plemons's Addition, an addition to the City of Amarillo, in Section 170, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Multiple-Family District 2 to Central Business District. (VICINITY: Jackson St. & SW 11th Ave.; APPLICANT/S: First Presbyterian Church of Amarillo Inc.)

(Contact: Cody Balzen, Principal Planner)

9.E. CONSIDERATION OF ORDINANCE NO. 8136

This item is a second and final reading of an ordinance amending the City of Amarillo Zoning Code, Chapter 4-10, pursuant to 4-10-84 and 4-10-211(4), to change the land use category "Art Gallery or Museum" in the Schedule of Uses and Definitions of 4-10-82&83, and to change the parking space schedule under Vehicle Parking Regulations for "N. Library or Museum" of 4-10-211(2).

(Contact: Cody Balzen, Principal Planner)

9.F. CONSIDERATION OF RESOLUTION NO. 06-11-24-1

This item considers a resolution authorizing the 2024 competitive application for the Texas Department of Housing and Community Affairs annual Emergency Solutions Grant award.

(Contact: Jason Riddlespurger, Director of Community Development, Stefanie Rodarte-Suto, Assistant Community Development Director)

9.G. CONSIDER AWARD - NEW HOME CONSTRUCTION CONTRACT

This item considers the award of a contract for a new home construction at 906 SE 21st Ave, Amarillo, TX, funded by HOME Community Housing Development Organization (CHDO) set-aside funds.

Award to: Habitat for Humanity

Amount: \$80,000.00

Funding Source: HOME Investment Partnership, CHDO set-aside

Is the item budgeted? Yes

(Contact: Lauren Ebben, Jason Riddlespurger, Director of Community Development, Stefanie Rodarte-Suto, Assistant Community Development Director)

9.H. CONSIDER APPROVAL - RENEWAL OF INSURANCE COVERAGES

This item considers the renewal of insurance coverages presented by USI Southwest, Inc. for the following lines of coverage: Inland Marine (Rare Books), Professional Liability (Medical Malpractice), Cyber Liability, Public Officials Liability, Law Enforcement Liability, Property, Boiler & Machinery, AFD Fire Fleet - Auto Physical Damage, and Fiduciary Liability.

Award to: USI Southwest, Inc.

Amount: \$4,441,938.00

Funding Source: Risk Management Funds

Is the item budgeted? Yes

(Contact: Mitchell Normand, Director of Human Resources)

9.I. CONSIDER AWARD - RENEWAL OF FUSUS AGREEMENT

This item considers the renewal of purchase of a video management system by FUSUS (acquired by Axon). It is a video management system and GIS mapping platform that allows internal and external video feeds to be gathered, viewed, and analyzed. The system allows for real-time access to the video feeds.

Award to: Axon

Amount: \$435,625.00

Funding Source: Police General Fund

Is the item budgeted? Yes

(Contact: Martin Birkenfeld, Chief of Police)

9.J. CONSIDER AWARD - EDOCS SOFTWARE MAINTENANCE RENEWAL

This item considers the award of eDocs software maintenance renewal.

Award to: OpenText

Amount: \$113,747.35

Funding Source: Information Technology Enterprise Applications - Leased Software

Is the item budgeted? Yes

(Contact: Missy Laird, Director of Information Technology)

9.K. CONSIDER APPROVAL - AIRPORT ELEVATOR/ESCALATOR MAINTENANCE CONTRACT

This item considers the award of a 1-year contract (with 4 possible renewals) to American Elevator Company for the maintenance of the elevators and escalators at the Rick Husband Amarillo International Airport.

Award To: American Elevator Company, Inc.

Amount: \$156,000 (includes initial term and renewal terms)

Funding Source: Airport Operational Budget/Airport Revenues

Is the Item Budgeted?: Yes

(Contact: Michael Conner, Director of Aviation)

9.L. CONSIDER APPROVAL - AIRPORT SITE LEASE

This item considers the approval of a communications site lease between the Rick Husband Amarillo International Airport and Delta Air Lines, Inc. This lease is an annually renewing lease (except upon 90 day notice by either party), for Delta Air Lines to maintain an aeronautical air-to-ground radio equipment rack in the airport terminal building. This communications equipment is used by Delta Air Lines aircraft to communicate while flying in the general vicinity of Amarillo. Delta agrees to pay the airport \$1,800 per year for 9 square feet of space in the airport terminal building.

Award to: Delta Air Lines, Inc.

Amount: Revenue Contract = \$1,800 per year.

Funding Source: This is a revenue contract.

Is the item budgeted? N/A

(Contact: Michael Conner, Director of Aviation)

9.M. CONSIDER AWARD - THOMPSON PARK INCLUSIVE PLAYGROUND DESIGN

This item considers the award of an agreement for Engineering Services for the design of an inclusive playground to be located within Thompson Park.

Award to: Kimley-Horn and Associates, Inc.

Amount: \$118,750.00

Funding Source: General Funds

Is the item budgeted? Yes

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

9.N. CONSIDER PURCHASE - TRASH RECEPTACLES FOR PARK MAINTENANCE

This item considers the purchase of commercial trash receptacles with an inside plastic trash liner for park maintenance.

Award to: Kraftsman

Amount: \$49,974.28

Funding Source: General Funds

Is the item budgeted? Yes

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

9.O. CONSIDER AWARD -- PURCHASE MANHOLE INFLOW BOWLS

This item considers the award of a purchase of 200- 24" and 50-32" stainless steel manhole inflow bowls to be placed under manhole lids to prevent storm water entering sewer manholes. Three bids were procured for this purchase.

Award to: No Flow In Flow

Amount: \$63,000.00

Funding Source: Water and Sewer Fund

Is the item budgeted? Yes

(Contact: Michael Price, Interim Director of Utilities)

9.P. CONSIDER AWARD - RFP 12-24 ELEVATOR MAINTENANCE, REPAIR, AND INSPECTION SERVICES FOR CITY BUILDINGS

This item considers the award of a contract with American Elevator Co., Inc. for Elevator Maintenance, Repair, and Inspection Services for City Buildings.

Award to: American Elevator Co., Inc.

Amount: \$3,950.00 per month

\$47,400.00 annually.

\$237,000.00 for the life of the total contract.

Funding Source: General Funds

Is the item budgeted? Yes

(Contact: Jerry Danforth, Director of Facilities)

9.Q. CONSIDER APPROVAL - CHANGE ORDER #2 FOR ADDITIONAL WORK TO BE PERFORMED ON THE CONTRACT FOR (MPEV) HODGETOWN CONSTRUCTION PROJECT TO MEET MILB STANDARDS

This Item is for consideration of a change order to provide additional scope and repairs not in the construction contract. This additional work allows for issues found and needed during construction and allows for cost savings to be realized by using the current construction contractor to control pricing and timelines.

Award to: Western Builders

Original award:

\$4,595,000.00

Previous Change Order #1

18,630.07

Current Change Order #2

118,036.01

Total revised award

\$4,731,666.08

Funding Source: Hodgetown (MPEV) Capital Improvement Fund \$59,018.01 & Elmore Sports Group \$59,018.00

Is the item budgeted? Yes

(Contact: Jerry Danforth, Director of Facilities)

10. Non-Consent Items

10.A. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 8137

This item is a public hearing and first reading of an ordinance adoption City Plan - Vision 2045 as the City of Amarillo Comprehensive Plan pursuant to Chapter 213 of the Texas Local Government Code.

(Contact: Emily Koller, Director of Planning and Development Services)

Mayor Stanley introduced the item. Emily Koller, Planning Director, presented the item. Mayor Stanley opened a public hearing. Speaking FOR the item was Noah Dawson; speaking AGAINST the item were none; and speaking ON the item were none. Mayor Stanley closed the public hearing.

ACTION: Motion to adopt ordinance no. 8137 as presented by Don Tipps, second by Les Simpson;
Motion passed with a 5:0 vote.

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

NOES: None

ABSTAIN: None

10.B. CONSIDERATION OF RESOLUTION NO. 06-11-24-2

This is the consideration of a resolution of the City Council for the City of Amarillo setting a date, time, and place for a public hearing on the proposed annexation of approximately 100.45 acres of land including unplatted land and all of Krebs Addition Unit No. 1, a suburban subdivision to the City of Amarillo, all in Section 61, Block 9, BS&F Survey, Potter County, Texas and authorizing the City Manager to execute the agreed service plan. (APPLICANT/S: Krebs Cycling, LLC and the Emeline Bush O'Brien / Marsh Trust; VICINITY: Interstate 40 and Loop 335/Helium Road)

(Contact: Brady Kendrick, Senior Planner)

Mayor Stanley introduced the item. Brady Kendrick, Senior Planner, presented the item.

ACTION: Motion to adopt Resolution No. 06-11-24-2 as stated by Tom Scherlen, 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 SALE - REAL ESTATE LOCATED AT 501 S. GRANT STREET, 509 S. GRANT STREET, AND 517 S. GRANT STREET

This item authorizes the Interim City Manager to execute a contract and other necessary documents for the sale of multiple buildings and land located at 501 S. Grant Street, 509 S. Grant Street, and 517 S. Grant Street in Downtown Amarillo that was originally purchased in December 2022. The sales price is \$1,300,000 plus closing costs and related expenses. The buyer is JM Conkling, LLC.

(Contact: Andrew Freeman, Deputy City Manager)

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

ACTION: Motion to sell the property at 509 S. Grant, 517 S. Grant and 501 S. Grant as stated in the agenda for \$1.3 mm by Tom Scherlen, second by Josh Craft;

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 - AMENDMENT TO AGREEMENT FOR CHARTER AND GOVERNANCE AND ENDS POLICY PROFESSIONAL SERVICES

This item considers the approval of an amendment to the agreement with Baker Tilly to increase the scope in order to allow a consultant to attend all charter review committee meetings in-person.

Award to: Baker Tilly US, LLP	Amount
Original award:	\$49,975.00
Change Order #1	<u>9,120.00</u>
Total Award:	\$59,095.00

Funding Source: City Council Working Budget
Is the item budgeted? Yes

(Contact: Floyd Hartman, Assistant City Manager)

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

ACTION: Motion to approve Item 10.D 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

10.E. CONSIDER APPROVAL - CHANGE ORDER NO. 2 FOR THE AMARILLO NORTHEAST SANITARY SEWER INTERCEPTOR

This item is to consider approval of Change Order No. 2 for an extension in the tunneling length(s) of eight utility crossings along the sanitary sewer interceptor and for adjustments to the interceptor alignment due to unknown site conditions.

Award to: S.J. Louis Construction of Texas, LTD.	Amount
Original Award	\$71,266,760.15
Previous Change Order No. 1	0.00
Current Change Order No. 2	<u>1,406,065.95</u>
Total Revised Award	\$72,672,826.10

Funding Source: Water and sewer operating revenue and water and sewer bond revenue
Is the item budgeted? Yes

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

Mayor Stanley introduced the item. Jackson Zaharia, City Engineer, presented the item.

ACTION: Motion to approve Item 10.E as presented by Don Tipps, second by Josh Craft;

Motion passed with a 5:0 vote.
AYES: Cole Stanley, Josh Craft, Don Tipps, Tom Scherlen, Les Simpson
NOES: None
ABSTAIN: None

10.F. DISCUSS AND CONSIDER EMPLOYMENT AGREEMENT WITH CITY MANAGER

(Contact: Cole Stanley, Mayor)

Mayor Stanley introduced the item. Mayor Stanley presented the item.

ACTION: Motion to adopt an employment agreement with Grayson Path as presented by Josh Craft, second by Les Simpson;
Motion passed with a 5:0 vote.

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

NOES: None

ABSTAIN: None

10.G. PUBLIC HEARING FOR INITIATIVE PETITION SEEKING PASSAGE OF AN ORDINANCE OUTLAWING ABORTION AND DECLARING AMARILLO A "SANCTUARY CITY FOR THE UNBORN" (Contact: Cole Stanley, Mayor)

Mayor Stanley introduced the item and opened a public hearing. The following individuals provided comments for the item:

1. Cynthia Price
2. Kim Schrader
3. Connie Morgan
4. Fred Hughes
5. Robin Ross
6. Jacob Meyer
7. Irene Hughes
8. Wendy Frick
9. James Schulte
10. Martha Sell
11. Tammy Fogle
12. Sherie Wood
13. Cassie Green
14. Evan Green
15. Steve Austin
16. Jeremy Pfeil
17. Mildred Darton
18. Mary London
19. John Barrett
20. Peggy Thomas
21. Pama Nobile
22. Alex Deanda
23. Iris Lopez
24. Jana May
25. Mark Lee Dickson
26. Misty Collier
27. Jade Diaz
28. Doug Albracht
29. Hannah Fortenberry
30. Jennifer Roberts
31. Kim Thompson

The following individuals provided comments against the item:

1. Michael Ford
2. James Schenck
3. Joe Luscombe
4. Jak Thurmond
5. Bri Cagle
6. Nathan Smith
7. Tim Gassaway
8. Kat Browning
9. Courtney Brown
10. Harper Metcalf
11. Lindsay London
12. Dr Reg Martin
13. Dr Richard McKay
14. Tiffany Martin
15. Cindy Barnard
16. Fariha Samad
17. Gabriela Mireles
18. Linda Gipson
19. Claudia Stravato
20. Brandon Martinez
21. Keely Wilson
22. Tremaine Brown
23. Karmyn Seaburg
24. John Early
25. Dr. Frederick D Poage
26. Amanda Fitzgerald
27. Angelica Ramirez
28. Lucas Gray
29. Ashley Grossman (written)
30. David and Shelley Trabysh (written)
31. Phil Witt (written)
32. Terri Witt (written)
33. CR (written)
34. Kendra Timmons (written)
35. Andrea DeLeon (written)
36. Gretchen Hinkle (written)
37. Rachel Oleary Carmona (written)
38. Joanne Canedo (written)
39. Cathy Coberly (written)
40. Donna Singleton (written)
41. Sarah Stone (written)
42. Melissa Harcrow (written)
43. Kaysha Irelans (written)
44. Barbara Scheller (written)
45. Collin Waldrop (written)
46. Melanie Eggleston (written)
47. Donna Mason (written)
48. Ashley Allcorn (written)

Mayor Stanley closed the public hearing.

**10.H. CONSIDERATION OF ORDINANCE OUTLAWING ABORTION AND
DECLARING AMARILLO A SANCTUARY CITY FOR THE UNBORN**

This item is a discussion and first reading of an ordinance outlawing abortion, declaring Amarillo a Sanctuary City for the Unborn, and making various provisions and findings.

(Contact: Cole Stanley, Mayor)

Mayor Stanley introduced the item. Mayor Stanley presented the item.

ACTION: Motion to reject the amended ordinance as stated by Tom Scherlen, second by Les Simpson;
Motion passed with a 4:1 vote.
AYES: Cole Stanley, Josh Craft, Tom Scherlen, Les Simpson
NOES: Don Tipps
ABSTAIN: None

ACTION: Motion to reject the original Sanctuary City for the Unborn ordinance as it was presented to council by Tom Scherlen, second by Josh Craft;
Motion passed with a 4:1 vote.
AYES: Cole Stanley, Josh Craft, Tom Scherlen, Les Simpson
NOES: Don Tipps
ABSTAIN: None

10.I. CONSIDER ORDERING OF AN ELECTION FOR PROPOSED ORDINANCE OUTLAWING ABORTION AND DECLARING AMARILLO A SANCTUARY CITY FOR THE UNBORN

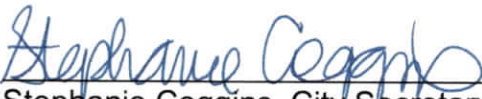
(Contact: Cole Stanley, Mayor)

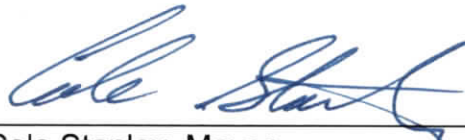
No action was taken on this item.

11. Adjourn

Mayor Stanley adjourned the Regular Meeting at 9:41 PM.

ATTEST:


Stephanie Coggins, City Secretary


Cole Stanley, Mayor