

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 28th day of July 2020, the Amarillo City Council met at 1:00 p.m. for a regular session meeting held via conference and in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

GINGER NELSON	MAYOR
ELAINE HAYS	COUNCILMEMBER NO. 1
FREDA POWELL	COUNCILMEMBER NO. 2
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	MAYOR PRO TEM/COUNCILMEMBER NO. 4

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

JARED MILLER	CITY MANAGER
KEVIN STARBUCK	DEPUTY CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	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:

Commissioner Mercy Murguia, 2705 South Seminole Street, spoke on Item 3A, Ordinance No. 7866, the proposed amendments to the Amarillo City Charter. She requested that Council also consider the size of the Council and the district representation. There were no further comments.

ITEM 1:

- A. Review agenda items for regular meeting and attachments;
- B. Coronavirus Update;
- C. Joe Taco Downtown Update;
- D. Discuss Convention and Visitor Council; and
- E. 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 the consent agenda as presented, seconded by Councilmember Sauer:

A. **MINUTES:**

Approval of the City Council minutes for the regular meeting held on July 14, 2020; and the work session held on July 21, 2020.

B. **CONSIDERATION OF ORDINANCE NO. 7862:**

(Contact: David Wilson, Assistant Director of Parks and Recreation)

This item is the second and final reading and public hearing to consider an ordinance adopting the 2020-2021 Standards of Care for recreational care programs administered by the Parks and Recreation Department as required by Texas Human Resources Code section 42.041(b)(14).

C. **CONSIDERATION OF ORDINANCE NO. 7863:**

(Contact: Laura Storrs, Assistant City Manager)

This is the second and final reading of an ordinance to amend the Greenways Public Improvement District 2019/2020 Budget included in the City of Amarillo 2019/2020 Budget.

- D. **CONSIDERATION OF ORDINANCE NO. 7864:**
(Contact: Donny Hooper, Assistant Public Works Director)
This is the second and final reading of an ordinance amending the Amarillo Municipal Code, Chapter 18-4, Article II Sections 18-4-14 and 18-4-15 to modify residential drainage utility charge calculation and billing process.
- E. **CONSIDERATION OF ORDINANCE NO. 7865:**
(Contact: Anthony Spanel, Environmental Health Director)
This is the second and final reading of an ordinance considering amendments to the Wastewater Pretreatment Ordinance, Chapter 8-5, Public and Environmental Health. This Ordinance will provide a uniform standard throughout the Amarillo Area Public Health District relating to the installation and maintenance of grease traps. In addition, it will aid in the prevention of sanitary sewer overflows and reduce the costs associated with maintenance of the City sewer system.
- F. **CONSIDER APPROVAL – JOINT ELECTION AGREEMENTS:**
(Contact: Kevin Starbuck, Deputy City Manager)
Terms and conditions as noted
This item approves agreements with the Potter and Randall Counties Election Administrators to conduct joint elections on November 3, 2020 with the City of Amarillo. This allows the participating entities to share vote center locations and authorizes the Potter and Randall Counties Election Administrators to perform the duties associated with an election. The conduct of a joint election reduces election costs for each of the entities.
- G. **CONSIDER AWARD – CONTRACT FOR RANDALL COUNTY TO ASSESS AND COLLECT CITY OF AMARILLO TAXES:**
(Contact: Laura Storrs, Assistant City Manager)
Randall County – Annual fee based on prior year costs
This contract is for assessment and collection of City of Amarillo taxes and will remain in effect indefinitely. Either party has the right to terminate the contract with proper notice.
- H. **CONSIDER APPROVAL -- ADDENDUM BETWEEN THE CITY OF AMARILLO AND NORTH HEIGHTS LINEN SERVICE, LLC FOR A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT FOR A NEW HEALTHCARE LAUNDRY FACILITY:**
(Contact: Andrew Freeman, Managing Director - Planning and Development Services)
This item is for an addendum of a current Chapter 380 agreement with North Heights Linen Service, LLC for the construction of a new healthcare laundry facility to be located at 601 West Amarillo Boulevard. The extension would allow for an additional six months to receive a certificate of occupancy on the building.
- I. **CONSIDER AWARD – CONSTRUCTION MATERIALS ANNUAL CONTRACT:**
(Contact: Trent Davis, Director of Purchasing)
Home Depot in an amount not to exceed \$68,500.00 awarded to Home Depot through Omnia Partners Contract #16154
This award is to approve a contract for the purchase of construction materials.
- J. **CONSIDER AWARD – WATER MAIN EXTENSION ON 81ST AVENUE FROM SONCY ROAD TO COULTER STREET:**
(Contact: Matthew Thomas, City Engineer)
Amarillo Utility Contractors, Inc. -- \$1,135,557.00
This item is to consider award of the construction contract to furnish and install new 20" potable water main in 81st Avenue between Soncy Road and Coulter Street, as well as towards the south of Heritage Hills Parkway along Soncy Road to the City's well site. The total length of the new main is approximately 6,100 linear feet. The services also include the furnishing and installation of appurtenances such as gate valves, fire hydrants, and associated fittings. This pipeline will improve the hydraulic operation between Arden Rd Pump Station and Hillside Elevated Storage Tank.
- K. **CONSIDER AWARD – NORTHWEST SYSTEM SEWER IMPROVEMENTS AND PRESSURE REDUCING VALVES:**
(Contact: Matthew Thomas, City Engineer)
J&H Services, Inc. -- \$ 63,733.55

Change Order 1 adds additional bedding material to be used in locations where the ground is not suitable to provide support for the sanitary sewer pipe due to unknown conditions. The additional bedding material will allow the pipe to have a solid footing and will result in an acceptable final product.

Additionally, four segments of sanitary sewer creek crossings are being deleted from the plans and will not be constructed. This reduction of scope offsets a portion of the cost of the bedding material.

L. CONSIDER APPROVAL -- INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND AMARILLO COLLEGE TO PROVIDE TRANSIT SERVICES:

(Contact: Marita Wellage-Reiley, Transit Director)

This interlocal agreement between the City of Amarillo and Amarillo College (AC) allows for current AC students, faculty, and staff to ride Amarillo City Transit (ACT) in exchange for the sum of \$25,000. This proposed service will extend free service to AC as a means of increasing class participation and enrollment for students with insufficient transportation to get to AC.

M. CONSIDER APPROVAL -- FY2020 CONTRACT AMENDMENT FOR WOMEN, INFANTS, AND CHILDREN (WIC) NUTRITION PROGRAM SERVICES:

(Contact: Margaret Payton, WIC Director)

This item is a contract to provide an amount not to exceed \$10,155,491 of reimbursement from the State Department of Health and Human Services (HHSC) for WIC Nutrition Program services. The FY 2020 contract period is from October 1, 2020 through September 30, 2025.

N. CONSIDER AWARD -- LIBRARY MATERIALS CONTRACT:

(Contact: Amanda Barrera, Director of Library Services)

TXSmartBuy Contract #715-M2 - \$320,000

This item awards an annual contract for the ongoing purchase of publications, print, and multimedia materials for the Amarillo Public Library. The proposed contract offers improved categories and a better range of discounts. Funding for the contract is available in the approved Amarillo Public Library operating budget.

O. CONSIDER SALE -- PROPERTY:

(Contact: Laura Storrs, Assistant City Manager)
Sheriff Sale property located in Potter County.

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 first reading of an ordinance calling a special election to be held in the City of Amarillo, Texas on November 3, 2020 and resolving other matters incident and related thereto. This item was presented by Jared Miller, City Manager and Bryan McWilliams, City Attorney. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7866

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ORDERING A SPECIAL ELECTION ON NOVEMBER 3, 2020 TO VOTE ON PROPOSED AMENDMENTS TO THE AMARILLO CITY CHARTER, AS MORE FULLY SET OUT HEREIN; PROVIDING FOR A JOINT ELECTION WITH POTTER COUNTY, RANDALL COUNTY, AND THE CITY OF AMARILLO OR OTHER ENTITY; APPROVING INTERLOCAL AGREEMENT FOR EACH COUNTY TO CONDUCT THE CITY ELECTION IN PRECINCTS OF EACH COUNTY THAT ARE WITHIN THE CITY LIMITS; ESTABLISHING POLLING PLACES AND PROVIDING GENERALLY FOR THE CONDUCT OF SAID ELECTION; 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 3B: Mayor Nelson presented the first reading of an ordinance considering an ordinance amending the Amarillo Municipal Code: Chapter 2-6, modifying Article XII, Section 2-6-96, related to the Community Development Advisory Committee (CDAC). This item was presented by Juliana Kitten, Director of Community Development. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7867

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AMENDING THE AMARILLO MUNICIPAL CODE: CHAPTER 2-6, MODIFYING ARTICLE XII, SECTION 2-6-96, RELATED TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE; REVISING THE COMMITTEE MEMBER PARTICIPATION AND QUALIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR PUBLICATION AND 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 3C: Mayor Nelson presented the first reading of an ordinance considering recommended changes to Chapter 14-3 Alcoholic Beverages that will reduce the regulatory burden on businesses applying for an Alcoholic Beverage license. This item was presented by Anthony Spanel, Environmental Health Director. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7868

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 14-3, SECTION 14-3-3 TO CLARIFY WHICH APPLICANTS FOR AN ORIGINAL STATE LICENSE OR PERMIT UNDER THE TEXAS ALCOHOLIC BEVERAGE CODE MUST OBTAIN A CERTIFICATE OF OCCUPANCY OR BUILDING PERMIT PRIOR PRESENTING THEIR APPLICATIONS TO THE CITY SECRETARY FOR CERTIFICATION; PROVIDING FOR: SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, PUBLICATION, AND 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 3D: Mayor Nelson presented the first reading of an ordinance considering a revision to Chapter 8-5-23 Public and Environmental Health. This revision will authorize any peace officer to enforce certain health and safety regulations without the necessity, delay, and cost of summoning a Health Officer. This item was presented by Anthony Spanel, Environmental Health Director. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7869

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 8-5, ARTICLE IV, SECTION 8-5-23 ADDING AUTHORIZATION FOR ANY PEACE OFFICER TO ENFORCE CERTAIN HEALTH AND SAFETY REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE OF SEPTEMBER 1, 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 3E: Mayor Nelson presented the first reading of an ordinance rezoning Lots 11 and 12, Block 5, Roy Lindsey's Addition, in Section 172, Block 2, A.B.&M. Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 2 to General Retail District. This item was presented by Andrew Freeman, Managing Director - Planning and Development Services. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Councilmember Hays stated she did not support the expansion to General Retail. Motion

was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7870

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 INTERSTATE 27 AND WASHINGTON STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Powell, Sauer and Smith; voting NO was Councilmember Hays none; the motion carried by a 4:1 vote of the Council.

ITEM 3F: Mayor Nelson presented a resolution considering amending and restating a resolution calling a bond election to be held in the City of Amarillo, Texas on November 3, 2020 and resolving other matters incident and related thereto. This item was presented by Kevin Starbuck, Deputy City Manager and Laura Storrs, Assistant City Manager. Motion was made that the following captioned resolution be passed by Councilmember Powell, seconded by Councilmember Smith:

RESOLUTION NO. 07-28-20-1

A RESOLUTION AMENDING AND RESTATING A RESOLUTION CALLING A BOND ELECTION TO BE HELD IN THE CITY OF AMARILLO, TEXAS; MAKING PROVISION FOR THE CONDUCT OF AN ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION.

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 a resolution considering a Principal Forgiveness Agreement from the Clean Water State Revolving Fund with the Texas Water Development Board (TWDB). This item was presented by Laura Storrs, Assistant City Manager. Motion was made that the following captioned resolution be passed by Councilmember Powell, seconded by Councilmember Smith:

RESOLUTION NO. 07-28-20-2

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A PRINCIPAL FORGIVENESS AGREEMENT BETWEEN THE TEXAS WATER DEVELOPMENT BOARD AND THE CITY OF AMARILLO, 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.

ITEM 3H: Mayor Nelson presented an item authorizing the Amarillo EDC to execute all necessary documents for the purchase of 37.60 acres of land located at Point West Parkway and Evans Street in Amarillo. The purchase is for \$4,000,000.00 plus closing costs and related expenses. This item was presented by Kevin Carter, President & CEO of Amarillo EDC. Motion was made that this item be approved by Councilmember Powell, 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.

ITEM 4: Mr. McWilliams advised at 2:46 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) 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 properties located in the Central Business District.

Mr. McWilliams announced that the Executive Session was adjourned at 3:18 p.m. and recessed the Regular Meeting.

ATTEST:


Frances Hibbs, City Secretary


Ginger Nelson, Mayor