

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th 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
MARCUS NORRIS	DEPUTY CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Beth Duke.

Mayor Nelson established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

A proclamation and Key to the City were presented to Holly Ridings.

RECOGNITION: Beth Duke notified City Council that Center City has been recognized as a National and Texas Main Street City for the 19th consecutive year.

PUBLIC ADDRESS: There were no comments.

ITEM 1:

- A. Review agenda items for regular meeting and attachments;
- B. Coronavirus Update;
- C. Discussion Amarillo Police Department Use of Force Policy;
- D. Discuss Creation and Charge of the Unity Committee;
- E. Discuss Possible November Charter Election;
- F. Discuss Civic Center General Obligation Bond Election; and
- G. 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 Smith:

A. **MINUTES:**

Approval of the City Council minutes for the regular meeting held on June 23, 2020, special meeting held on June 26, 2020; and the work session held on July 7, 2020.

B. **CONSIDERATION OF ORDINANCE NO. 7858:**

(Contact: Andrew Freeman, Director of Planning and Development Services)
Mayor Nelson presented the second and final reading of an ordinance to consider an ordinance rezoning of a 28.03 acre tract of unplatted land in Section 183, Block 2, A.B.&M. Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Agricultural District to Moderate Density District. (Vicinity: Farmers Avenue and Gemini Trail.) This item was presented by Cris Valverde, Assistant Director of Planning and Development Services.

ORDINANCE NO. 7858

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 FARMERS AVENUE AND GEMINI TRAIL, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

C. **CONSIDERATION OF ORDINANCE NO. 7859:**

(Contact: Andrew Freeman, Director of Planning and Development Services)

Mayor Nelson presented the second and final reading of an ordinance to consider an ordinance rezoning of a 61.52 acre tract of unplatted land in Section 183, Block 2, A.B.&M. Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Agricultural District to Residential District 3. (Vicinity: Farmers Avenue and Gemini Trail.) This item was presented by Cris Valverde, Assistant Director of Planning and Development Services

ORDINANCE NO. 7859

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 FARMERS AVENUE AND GEMINI TRAIL, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

D. **CONSIDER – APPROVAL OF THE SECOND AMENDMENT TO THE AIRLINE AIRPORT USE AND LEASE AGREEMENTS BETWEEN THE CITY AND AMERICAN AIRLINES, SOUTHWEST AIRLINES, AND UNITED AIRLINES:**

(Contact: Michael W. Conner, Director of Aviation)

This second amendment to the airline operating agreements confirms that the airport will not increase the airline landing fee or terminal rental rates between June 1, 2020 and May 31, 2021; and allows the airlines to defer (or otherwise postpone) their rents and fees between June 1, 2020 and August 31, 2020, allowing them to pay those accrued amounts at any time between September 1, 2020 and May 31, 2021.

E. **CONSIDER APPROVAL – LEASE AGREEMENT BETWEEN MARCEE PROPERTIES LLC AND THE CITY OF AMARILLO FOR RENTAL OF A HANGAR AND ASSOCIATED PROPERTY AT THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT:**

(Contact: Michael W. Conner, Director of Aviation)

This item is a lease agreement between the City of Amarillo and Marcee Properties LLC for the rental of a hangar and associated apron space, parking lot space, and attached office space at the Rick Husband Amarillo International Airport. The initial lease term is five (5) years with a maximum of five (5) additional one-year renewals. The rental amount for the initial term shall be \$3,750 per month after the first 60 days, which shall be at zero rent per month to allow for improvements to be made by Marcee Properties LLC and then increase each year of any renewal by two percent (2%). Marcee Properties LLC shall use the hangar and associated space primarily for aircraft maintenance and storage. Maximum term of this lease shall be ten (10) years.

F. **CONSIDER APPROVAL – DEDICATION FOR PUBLIC RIGHT-OF-WAY:**

(Contact: Matt Thomas, City Engineer)

Grantor/s: P Dub Investments Ltd. and P Dub Landholding Ltd.

This item is a dedication of a 8.77 acre tract of land for public right-of-way purposes in Sections 64 and 65, Block 9, BS&F Survey, Randall County, Texas. This right-of-way is being dedicated at no cost to the City of Amarillo and is associated with the upcoming Arden Road extension and improvement project. This project is funded through Proposition 1 Bonds. (Vicinity: Helium Road and Arden Road.)

G. **CONSIDER APPROVAL – AGREEMENT WITH CONSOLIDATED NUCLEAR SECURITY, LLC FOR USE OF THE AMARILLO FIRE DEPARTMENT (AFD) TRAINING FACILITY:**

(Contact: Sam Baucom, Deputy Fire Chief)

This item is to consider approval of an agreement between the City of Amarillo and Pantex Fire Department for use of the AFD Training Facility located at 12400 Northeast 8 Avenue.

H. **CONSIDER AWARD – IT INFRASTRUCTURE HARDWARE:**

(Contact: Rich Gagnon, Information Technology)

Weaver Technologies – \$58,429.40

This item represents the purchase of IT Infrastructure Hardware for the City's Airport as part of the Federal CARES Act grant.

I. **CONSIDER AWARD – PURCHASING OF “E-BUILDER” PROJECT MANAGEMENT SOFTWARE ANNUAL SUBSCRIPTION RENEWAL:**

(Contact: Kyle Schniederjan, Director of CP&DE)

Dell, Inc. – \$85,555.17

This item considers approval the “e-Builder” Project Management software system annual subscription renewal for period of June 1, 2020 thru May 31, 2021.

J. **CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENTS:**

(Contact: Andre Freeman, Managing Director of Planning and Development Services)

- 1) This item considers an Aviation Clear Zone Easement being 4,950 feet above mean sea level above the plat of Tradewind Square Unit No. 5, an addition to the City of Amarillo, being an unplatted tract of land in Section 173, Block 2, AB&M Survey, Randall County, Texas.
- 2) This item considers an Aviation Clear Zone Easement being 3,750 feet above mean sea level above the plat of Chisum Number 25 Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Sections 29 and 30, Block 2, AB&M Survey, Potter County, Texas.
- 3) This item considers an Aviation Clear Zone Easement being 4,650 feet above mean sea level above the plat of Grand Avenue Estates Unit No. 7, a suburban subdivision to the City of Amarillo, being a unplatted tract of land 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 first and final reading of an ordinance discussing and considering all matters incident and related to the issuance and sale of “City of Amarillo, Texas, Waterworks and Sewer System Revenue Bonds, New Series 2020,” including the adoption of an ordinance authorizing the issuance of such bonds. This item was presented by Laura Storrs, Assistant City Manager and Steven Adams, Specialized Public Finance, Inc. Motion was made that the following captioned ordinance be passed on first and final reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7860

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF AMARILLO, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, NEW SERIES 2020;” PRESCRIBING THE FORMS, TERMS, AND PROVISIONS OF SAID BONDS; PLEDGING THE NET REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF SAID BONDS; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; 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 3B: Mayor Nelson presented the first and final reading of an ordinance discussing and considering all matters incident and related to the issuance and sale of "City of Amarillo, Texas, Drainage Utility System Revenue Bonds, Series 2020," including the adoption of an ordinance authorizing the issuance of such bonds. This item was presented by Laura Storrs, Assistant City Manager and Steven Adams, Specialized Public Finance, Inc. Motion was made that the following captioned ordinance be passed on first and final reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7861

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, DRAINAGE UTILITY SYSTEM REVENUE BONDS, SERIES 2020," PRESCRIBING THE FORMS, TERMS, AND PROVISIONS OF SAID BONDS; PLEDGING THE NET REVENUES OF THE CITY'S DRAINAGE UTILITY SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; 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 3C: Mayor Nelson presented the first reading of 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); and providing an effective date. This item was presented by David Wilson, Assistant Director of Parks and Recreation. 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:

ORDINANCE NO. 7862

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ADOPTING STANDARDS OF CARE FOR THE CITY OF AMARILLO'S PARKS AND RECREATION DEPARTMENT AS REQUIRED BY THE TEXAS HUMAN RESOURCES CODE SECTION 42.041(b)(14); PROVIDING FOR 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 3D: Mayor Nelson presented the first reading of an ordinance amending the City of Amarillo 2019/2020 Budget. This item was presented by Laura Storrs, Assistant City Manager. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7863

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET AMENDMENTS PERTAINING TO THE FISCAL YEAR 2019-2020 BUDGET; 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 the first 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. This item was presented by Donny Hooper, Assistant Public Works Director. 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:

ORDINANCE NO. 7864

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 18-4, ARTICLE II, SECTIONS 18-4-14 AND 18-4-15, TO MODIFY RESIDENTIAL DRAINAGE UTILITY CHARGE CALCULATION AND BILLING PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; 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 3F: Mayor Nelson presented the first reading of an ordinance amending 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. 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. 7865

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-5 ARTICLE I, SECTION 8-5-1 TO PROVIDE ADDITIONAL DEFINITIONS; AND ARTICLE IV, TO ADD SECTION 8-5-27 TO REGULATE NONRESIDENTIAL AND NONINDUSTRIAL FATS, OILS, GREASE DISCHARGE AND HAULING, AND MANAGEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; 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 3G: Mayor Nelson presented a resolution considering approval authorizing the Amarillo Continuum of Care to receive an Emergency Solutions Grant (ESG) award up to \$676,479 for 2020 grant year and CARES funding to provide street outreach and rapid re-housing to persons experiencing homelessness. This item was presented by Juliana Kitten, Director of Community Development. Motion was made that the following captioned resolution be passed by Councilmember Powell, seconded by Councilmember Sauer:

RESOLUTION NO. 07-14-20-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ADOPTING STANDARDS OF CARE FOR THE CITY OF AMARILLO'S PARKS AND RECREATION DEPARTMENT AS REQUIRED BY THE TEXAS HUMAN RESOURCES CODE SECTION 42.041(b)(14); PROVIDING FOR AN EFFECTIVE DATE.

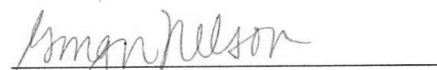
Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mr. Norris advised at 4:09 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. Norris announced that the Executive Session was adjourned at 4:39 p.m. and recessed the Regular Meeting.

ATTEST:


Frances Hibbs, City Secretary


Ginger Nelson, Mayor