STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 11th day of June 2019, the Amarillo City Council met at 1:00 p.m. for a regular meeting held in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

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

Absent was Mayor Ginger Nelson. Also in attendance were the following administrative officials:

JARED MILLER	CITY MANAGER
MICHELLE BONNER	DEPUTY CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Sean Vokes, Hillside Christian Church. Mayor Pro Tem Powell led the Pledge of Allegiance.

A proclamation was presented for "International Rotary Youth Exchange Month."

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

ITEM 1:

A. Review agenda times for regular meeting and attachments;
B. Update on Utility Billing;
C. Reports and updates from City Councilmembers serving on outside boards: Beautification and Public Arts Advisory Board
D. Discussion of Photographic Traffic Enforcement and related legislation; and
E. Consider future Agenda items and request reports from City Manager.

CONSENT ACTION ITEMS:

ITEM 2: Mayor Pro Tem Powell presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Sauer to approve the consent agenda, seconded by Councilmember Smith.

A. **MINUTES**:
Approval of the City Council minutes for the meeting held on June 4, 2019.

B. **CONSIDER APPROVAL – AUDIT SERVICES**:
(Contact: Laura Storrs, Finance Director)
Connor, McMillon, Mitchell and Shennum, PLLC -- $305,000.00
This item is a two-year agreement for audit services.

C. **CONSIDER AWARD – PURCHASE OF E-BUILDER PROJECT MANAGEMENT SOFTWARE ANNUAL SUBSCRIPTION**:
(Contact: Kyle Schniederjan, CP&DE Director)
Dell, Inc. -- $77,192.63
This item considers the award of the "e-builder" project management annual renewal subscription for June 1, 2019 thru May 31, 2020.

D. **CONSIDER AWARD – UTILITY BILL PRINTING, RENDERING AND MAILING SERVICES**:
(Contact: Laura Storrs, Finance Director)
Variverge, LLC -- $421,400.00
This item is the contract for monthly Utility Billing printing, rendering, and mailing for a three-year period with two one-year options to renew.

E. **CONSIDER AWARD – CHANGE ORDER NO. 1, NORTHWEST INTERCEPTOR**:
(Contact: Jackson Zaharia, Assistant City Engineer)
Awarded to McKee Utility, Inc. -- $131,570.00

Original Contract:	$10,650,000.00
Current Change Order:	$131,570.00
Revised Contract Total:	$10,781,570.00

This item is to consider award of revisions to original estimated quantities and adds line items for depths not included in the original bid. It also includes BNSF Railroad flagging and inspection requirements that were not anticipated when the work was permitted.

Voting AYE were Mayor Pro Tem Powell, Councilmembers Hays, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

NON-CONSENT ITEMS

ITEM 3A: Mayor Pro Tem Powell presented the first reading to consider a variance to distance regulations prohibiting the sale of alcoholic beverages within 300 feet of a private school. The City Council, as the governing body of the City of Amarillo, Texas, and pursuant to Section 109.33 (e) of the Texas Alcoholic Beverage Code, may grant a variance to Section 14-3-5 of the City of Amarillo Municipal Code (enacted pursuant to Section 109.33 (a)(1) of the Texas Alcoholic Beverage Code) for alcohol sales at 3100 Southwest 6 Avenue, also described as Lot 1, less the south 6 feet and Lots 2 and 3, San Jacinto Heights Amended, in Section 225, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: Southwest 6 Avenue and Virginia Street.) This item was presented by Andrew Freeman, Director of Planning and Development Services. Mayor Pro Tem Powell opened a public hearing. There were no comments and the public hearing was closed. Motion was made by Councilmember Hays, "I move that we approve Ordinance No. 7789, providing for a variance to distance regulations prohibiting the sale of alcoholic beverages within 300 feet of a private school and that we find that the enforcement of the distance regulation in the instance would not would not be in the best interest of the public; would constitute a waste or inefficient use of land or other resources; would create an undue hardship on the applicant; would not serve its intended purpose would not be effective or necessary; would not be in the best interest of the community and that the following captioned ordinance be passed on first reading," seconded by Councilmember Sauer:

ORDINANCE NO. 7789

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR A VARIANCE TO DISTANCE REGULATIONS PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES WITHIN THREE HUNDRED (300) FEET OF A PRIVATE SCHOOL IN ACCORDANCE WITH THE TEXAS ALCOHOLIC BEVERAGE CODE, SECTION 109.33(E), AND AMARILLO MUNICIPAL CODE, SECTION 14-3-5; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR CONTINUATION AND AN EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Powell, Councilmembers Hays, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3B: Mayor Pro Tem Powell presented the first reading of an ordinance Rezoning of a 116.81 acre tract of unplatted land in Section 11, Block 9, BS&F Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from an Agricultural District to Planned Development District for development of a residential subdivision. (Vicinity: Amarillo Boulevard and Western Street.) This item was presented by Cris Valverde, Assistant Director of Planning and Development Services. Mayor Pro Tem Powell opened a public hearing. There were no comments and the public hearing

was closed. Councilmember Hays inquired about the developer's request for exemptions and if they were the standards, and if not, were they setting a precedent as standards. Mr. Valverde replied that they are the planned developer's requested exemptions unique to this area. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Sauer, seconded by Councilmember Hays:

ORDINANCE NO. 7790

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 AMARILLO BOULEVARD AND WESTERN STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Powell, Councilmembers Hays, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3C: Mayor Pro Tem Powell presented the first reading of an ordinance rezoning of a 34.90 acre tract of unplatted land in Section 64, Block 9, BS&F 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: Nancy Ellen Street and Ellen Hope Street.) This item was presented by Cris Valverde, Assistant Director of Planning and Development Services. Mayor Pro Tem Powell opened a public hearing. There were no comments and the public hearing was closed. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Hays, seconded by Councilmember Smith:

ORDINANCE NO. 7791

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 NANCY ELLEN STREET AND ELLEN HOPE STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Powell, Councilmembers Hays, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3D: Mayor Pro Tem Powell presented a change order for emergency work, calamity work and design revisions. Work includes replacing a failed retaining wall, reconstructing yards to original grade and condition, reconstructing fence both temporary and permanent, stabilizing the channel and raising the storm water system to clear sanitary sewer services found to be in conflict with the original design. This item was presented by Floyd Hartman, Assistant City Manager. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that this item be approved.

Voting AYE were Mayor Pro Tem Powell, Councilmembers Hays, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3E: Mayor Pro Tem Powell presented an item authorizing the Amarillo Economic Development Corporation (AEDC) to execute all necessary documents for the purchase of land located at South Georgia Street and Loop 335 in Amarillo. The purchase is for $3,517,405.00 plus closing costs and inspection related expenses. This item was presented by Kevin Carter, President & CEO of Amarillo EDC. Mr. Miller stated this project was great for the City of Amarillo. Mr. Carter stated this item was approved at the Amarillo Economic Development Corporation's meeting held yesterday. He stated the property was rail served, close to the Loop and I-40. Councilmember Sauer inquired how long it has been since we have owned property to lure businesses to Amarillo in Randall County. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that this item be approved.

Voting AYE were Mayor Pro Tem Powell, Councilmembers Hays, Sauer and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3F: Mr. McWilliams advised a 2:39 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Section 551.072 – Deliberate the purchase or sale of real property in accordance with the Texas Open Meetings Act: (a) Discuss property located in the vicinity of West Amarillo Boulevard and North Madison Street. (2) Section 551.087 – Deliberation regarding economic development negotiations in accordance with the Texas Open Meetings Act: (a) Discuss property located in the vicinity of West Amarillo Boulevard and North Madison Street.

Mr. McWilliams announced that the Executive Session was adjourned at 3:00 p.m. and recessed the Regular Meeting.

ATTEST:

Frances Hibbs, City Secretary

Freda Powell, Mayor Pro Tem