

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 21st day of May 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:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
COUNCILMEMBER NO. 4

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

JARED MILLER
MICHELLE BONNER
BRYAN MCWILLIAMS
STEPHANIE COGGINS
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
ASSISTANT TO THE CITY MANAGER
CITY SECRETARY

The invocation was given by Kati Collins, St. Luke Presbyterian Church. Mayor Nelson led the Pledge of Allegiance.

A proclamation was presented for "National EMS Week."

Mayor Nelson 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. Presentation on No Limits No Excuses;
- C. Mayor's Summit on Homelessness; and
- D. Consider future Agenda items and request 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 except for Item 2C, which will be considered separately. This item was seconded by Councilmember Sauer.

- A. **MINUTES:**
Approval of the City Council minutes for the meeting held on May 14, 2019.
- B. **ORDINANCE NO. 7785:**
(Contact: Andrew Freeman, Director of Planning and Development Services)
This is the second and final reading of an ordinance amending Chapter 14-2, Article III, to clarify the scope of coverage of the hotel occupancy tax, including bed and breakfasts and other short-term residential rentals and the duty to take all necessary steps to pay such tax.
- D. **APPROVAL -- INTERLOCAL AGREEMENT WITH RANDALL COUNTY JAIL:**
(Contact: Chief Ed Drain, Amarillo Police Department)
This is an interlocal agreement with Randall County to provide jail services for the City of Amarillo. The agreement has been updated to reflect a new rate of \$75 per day with a minimum of 67 City prisoners per day.

- E. **CONSIDER AWARD – BRASS WATER FITTING SUPPLY AGREEMENT:**
 (Contact: Trent Davis, Purchasing Agent)

Triple T Pipe & Supply LLC	\$52,540.00
Morrison Supply Company	<u>\$12,258.00</u>
Total Awarded:	\$64,798.00

 This item is to consider award of the brass water fittings.
- F. **APPROVAL -- WORKERS' COMPENSATION EXCESS INSURANCE POLICY:**
 Awarded to: Upshaw Insurance -- \$142,559.00
 (Contact: Wesley Hall, Risk Management Director)
 The City of Amarillo is self-insured for Workers' Compensation claims. This insurance policy indemnifies the City when a workers' compensation claim exceeds a total of \$1.5 million. This policy has statutory limits which will pay all expenses authorized by the Division of Workers' Compensation associated with a high cost claim, with no limit. This Risk Management Board has reviewed this policy and unanimously recommends approval.
- G. **AWARD – SOFTWARE MAINTENANCE:**
 (Contact: Rich Gagnon, IT Director)
 Open Text Inc. -- \$93,205.51
 This purchase renews annual vendor-provided support and maintenance for Open Text eDOCS software which is utilized by all City departments for document management and retention.
- H. **CONSIDER – APPROVAL OF CHANGE ORDER NO. 1 FY 2017-2021 COMMUNITY INVESTMENT PROGRAM: FY 2017-2018 SEWER MAIN REHABILITATION BY PIPE BURSTING – VARIOUS LOCATIONS:**
 (Contact: Matthew Thomas, City Engineer)
 PM Construction & Rehab, LLC dba IPR South Central LLC

Original Contract Amount	\$	1,886,030.00
Change Order No. 1	\$	<u>174,400.00</u>
Revised Contract Amount:	\$	2,060,430.00

 This item is to consider approval of Change Order No. 1, which adds sanitary sewer manholes, access chambers, and pipe rehabilitation.
- I. **CONSIDER – AMENDMENT NO. 1 TO AGREEMENT FOR ENGINEERING SERVICES FOR REHABILITATION IMPROVEMENTS AT THE RIVER ROAD WASTEWATER RECLAMATION FACILITY PROJECTS:**
 (Contact: Matthew Thomas, City Engineer)

Consultant CH2M Hill	\$	66,500	530014.17400.2070
Consultant CH2M Hill	\$	<u>41,750</u>	530015.17400.2070
Total:		\$108,250	

 The agreement with CH2M Hill Engineers, Inc. for Engineering Services was executed by the City Manager on November 2, 2017, and was for the design of the rehabilitation improvements at the River Road Wastewater Reclamation Facility. The original agreement amount was \$231,500.00. Amendment No. One (1) to the Professional Services Agreement with CH2M Hill Engineers, Inc. is for additional services for the River Road Wastewater Reclamation Facility, on the Digester Mixing System and Secondary Aeration Basin Diffuser Replacement projects per the City of Amarillo requirements. The amendment adds \$108,250.00 to the agreement, which results in a total agreement amount of \$339,750.00.
- J. **CONSIDER – APPROVAL OF CHANGE ORDER NO. 4 CARSON COUNTY WELLS 664 and 665:**
 (Contact: Matthew Thomas, City Engineer)
 Current Change Order: -\$248.00
 These final quantity adjustments include reducing the quantity of metal beam guard fence by four (4) feet to match the installation of the culvert. Work to includes final quantity adjustments to match the final installed quantities.

Original Contract:	\$1,908,878.00
Previous Change Orders:	\$254,472.56
Current Change Order:	<u>\$ -248.00</u>
Revised Contract Total:	\$2,163,102.56

K. CONSIDER – APPROVAL OF CHANGE ORDER NO. 6 2-INCH WATER MAIN REPLACEMENT AT VARIOUS LOCATIONS:

(Contact: Kyle Schniederjan, CP&DE Director)

Amarillo Utility Contractors – Change Order No. 6 -- \$704.21

This item approves change order no. 6 for labor for a water service tie-in at 320 South Polk Street which was performed outside of contract working hours, at the request of the City's Project Manager

Original Contract:	\$1,621,258.00
Current Change Order:	\$704.21
Previous Change Orders:	<u>\$339,080.45</u>
Revised Contract Total:	\$1,961,042.66

L. CONSIDER – PURCHASE OF SPECIALIZED PRODUCTS IN SEALING PAVED ALLEYS:

(Contact: Chris Mitchell, Street Superintendent)

Award to Professional Coating Technologies, Inc. -- \$194,000.00

This item awards a contract for the purchase of COS-50 used by the Street Division to seal and maintain the City's paved alleys.

M. CONSIDER – APPROVAL OF AVIATION CLEAR ZONE EASEMENT:

(Contact: Cris Valverde, Assistant Director Planning and Development Services)

This item considers an Aviation Clear Zone Easement, being 4,750 feet above mean sea level above the plat of Tradewind Square Unit No. 4, an addition to the City of Amarillo, being an unplatted tract of land in Section 173, Block 2, AB&M Survey, Randall County, Texas. (Vicinity: Tradewind Street and Southeast 5th Avenue.)

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

Items were taken out of order.

ITEM 3F: Mayor Nelson stated the next item was a presentation of the Parks Asset Management Plan with Kayuga Consulting and representatives from the Parks & Recreation Advisory Board. This item was presented by Michael Kashuba, Parks & Recreation Director, Terry Easterling, Parks & Recreation Advisory Board Chair, Kevin Wilde, Parks Superintendent and Colin Chung, Kayuga Consulting.

ITEM 3C: Mayor Nelson presented a resolution considering all matters incident and related to approving the resolution of the Board of Directors of the Amarillo Economic Development Corporation authorizing the issuance of the "Amarillo Economic Development Corporation Taxable Sales Tax Revenue Refunding Bonds, Series 2019," including the adoption of a resolution pertaining thereto. This item was presented by Kevin Carter, CEO, Amarillo Economic Development Corporation, Steven Adams, Specialized Public Finance, Inc. and Robert Dransfield, Norton Rose Fulbright. Motion was made by Councilmember Powell, seconded by Councilmember Smith and that the following captioned resolution be passed:

RESOLUTION NO. 05-21-19-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, RELATING TO THE "AMARILLO ECONOMIC DEVELOPMENT CORPORATION TAXABLE SALES TAX REVENUE REFUNDING BONDS, SERIES 2019"; APPROVING THE RESOLUTION OF THE BOARD OF DIRECTORS OF THE AMARILLO ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE ISSUANCE OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE OF SUCH BONDS; 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 2C: Mayor Nelson removed this item from the consent for separate consideration. This item considers the purchase and leaseback – real estate located at 808 South Johnson Street. This item authorizes the City Manager to execute a contract, leaseback, and other necessary documents for the purchase of a warehouse and land located at 808 South Johnson Street in downtown Amarillo. The purchase is for \$360,000 plus closing costs and inspection related expenses, with a leaseback amount of \$7,800 per year with an option to renew. This item was presented by Andrew Freeman, Director of Planning and Development Services. Motion was made by Councilmember Powell, seconded by Councilmember Sauer and that this item be approved.

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 3A: Mayor Nelson presented an ordinance considering the first reading amending Chapter 16-5, adding Article IV, to provide authorization for special traffic control measures near downtown city venues. This item was presented by Jared Miller, City Manager and Andrew Freeman, Director of Planning and Development Services. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7786

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 16-5, ADDING ARTICLE IV, TO PROVIDE AUTHORIZATION FOR SPECIAL TRAFFIC CONTROL MEASURES NEAR DOWNTOWN CITY VENUES; PROVIDING FOR REPEALER, SEVERABILITY, ENFORCEMENT BY TOWING; AND 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 a resolution support of the closure of Texas Department of Transportation (TxDot) U.S. Highway 87 on South Fillmore Street from 5th Avenue to 8th Avenue, and U.S. Highway 287 on South Taylor from 5th Avenue to 8th Avenue from June 29, 2019 at 6:00 a.m. to June 30, 2019 at 7:00 a.m. for "The Amarillo Chamber's Summer Fireworks Extravaganza" to be held in Downtown Amarillo, and authorizes the City Manager to execute all necessary documents with TxDot. This item was presented by Kevin Starbuck, Assistant City Manager. Motion was made by Councilmember Sauer, seconded by Councilmember Smith and that the following captioned resolution be passed:

RESOLUTION NO. 05-21-19-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, APPROVING A PARTIAL TEMPORARY CLOSURE OF A STATE HIGHWAY ON JUNE 29, 2019 THROUGH JUNE 30, 2019; PROVIDING A SAVINGS CLAUSE; 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 an item approving an emergency contract for the analysis of filters #2, #3, and #7 at the Osage Water Treatment Plant (OWTP). The rapid sand filters are essential to maintain adequate potable water production at the OWTP. This item was presented by Jonathan Gresham, Director of Utilities. Motion was made by Councilmember Powell, seconded by Councilmember Hays and that this item be approved.

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 an item approving Change Order No. 1 for the emergency contract to repair two, filters #2 and #3 of the eight rapid sand filters at the Osage Water Treatment Plant (OWTP). The rapid sand filters are essential to maintain adequate potable water production at the OWTP. We have experienced unexpected failures on filters #2, #3. This item was presented by Jonathan Gresham, Director of Utilities. Motion was made by Councilmember Powell, seconded by Councilmember Hays and that this item be approved.

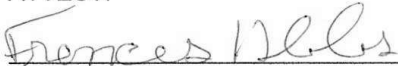
Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

Mr. Miller recognized Damen Ratliff's promotion to Assistant Utilities Director from Drainage Utilities Superintendent.

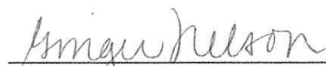
ITEM 3G: Mr. McWilliams advised at 3:48 p.m. that the City Council would convene in Executive Session per Texas Government Code: (1) Section 551.072 – Deliberate the purchase or sale of real property in accordance with the Texas Open Meetings Act: (a) Purchase of real property located in the Southwest extraterritorial jurisdiction of the City of Amarillo. (b) Multiple properties located in the Central Business District. (2) Section 551.087 – Deliberation regarding economic development negotiations in accordance with the Texas Open Meetings Act: (a) Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect: Project # 18-12-01 (Manufacturing).

Mr. McWilliams announced that the Executive Session was adjourned at 4:47 p.m. and recessed the Regular Meeting.

ATTEST:



Frances Hibbs, City Secretary



Ginger Nelson, Mayor