

AGENDA

FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, JANUARY 25, 2022 AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

City Council Mission: Use democracy to govern the City efficiently and effectively to accomplish the City's mission.

Please note: The City Council may take up items out of the order shown on any Agenda. The City Council reserves the right to discuss all or part of any item in an executive session at any time during a meeting or work session, as necessary and allowed by state law. Votes or final decisions are made only in open Regular or Special meetings, not in either a work session or executive session.

INVOCATION: Chris Condit, Hillside Christian Church

PUBLIC ADDRESS:

(For items on the agenda for City Council consideration)

The public will be permitted to offer public comment on agenda items. Public Address signup times are available from Sunday at 8:00 a.m. until Tuesday at 12:45 p.m. at <https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form> or by calling the City Secretary's office at (806) 378-3014.

AGENDA

1. City Council will discuss or receive reports on the following current matters or projects:

- A. Review agenda items for regular meeting and attachments;
- B. Updates from Councilmembers serving on outside boards and commissions:
 - a. Parks and Recreation Board
 - b. Amarillo Metropolitan Planning Organization Policy Committee
- C. Discuss Update on Peer Reintegration Employment Partnership (PREP) Academy
- D. Discuss Reconstruction of Western Street, Wallace Boulevard, Hagy Boulevard, and Port Lane
- E. Request future agenda items and reports from City Manager.

2. 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.

A. CONSIDER APPROVAL - MINUTES:

(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on January 11, 2022.

B. CONSIDERATION OF ORDINANCE NO. 7946

(Contact: Martin Birkenfeld, Chief of Police)

This item the second and final reading of an ordinance to consider readopting of an ordinance providing for a nocturnal curfew for persons under age seventeen.

C. CONSIDERATION OF ORDINANCE NO. 7947

(Contact: Martin Birkenfeld, Chief of Police)

This item is the second and final reading of an ordinance to consider amending the Amarillo Municipal Code, Chapter 8-4, article I, Sections 8-4-2 and 8-4-3 to enable authorized code enforcement officers to assist with moving or impounding vehicles that are in violation of state law or city ordinance.

D. CONSIDERATION OF ORDINANCE NO. 7948

(Contact: Brady Kendrick, Planner II)

This item is the second and final reading of an ordinance to consider the Vacation of a 7,544 square foot portion of a Public Right-Of-Way (alley) located adjacent to Lots 2 through 4, Block 33, Lawrence Park Unit No. 23 and Lot 6, Block 24, Lawrence Park Unit No. 89, in Section 227, Block 2, A.B.&M. Survey, Potter County, Texas. (Vicinity: S.W. 26th Ave. and Britain Dr.; Applicant/s: David Hudson for Southwestern Public Service Company)

E. CONSIDERATION OF ORDINANCE NO. 7949

(Contact: Brady Kendrick, Planner II)

This item is the second and final reading of an ordinance to consider the Vacation of a 20 foot wide Public Right-Of-Way (alley) lying in Block 13, Sunrise Addition Unit No. 3, in Section 123, Block 2, A.B.&M. Survey, Potter County, Texas. (Vicinity: Eastern St. and Interstate 40; Applicant/s: Beant Sandhu for Sardari, LLC)

F. CONSIDERATION OF ORDINANCE NO. 7950

(Contact: Brady Kendrick, Planner II)

This item is the second and final reading to consider an ordinance rezoning a 20.00-acre tract of unplatted land, in Section 53, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District (A) and Heavy Commercial District (HC) to Heavy Commercial District (HC). (Vicinity: Pullman Rd. and Interstate 40; Applicant/s: Sardari, LLC)

G. CONSIDERATION OF ORDINANCE NO. 7951

(Contact: Brady Kendrick, Planner II)

This item is the second and final reading to consider an ordinance rezoning a 2.89-acre portion of Lot 2, Block 3, Amended South Side Acres Unit No. 12, an addition and a suburban subdivision to the City of Amarillo, in Section 230, 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 (A) to Multiple-Family District 1 (MF-1). (Vicinity: S.W. 58th Ave. and Ray St; Applicant/s: Robert Keys for Attebury Elevators, LLC)

H. CONSIDERATION OF RESOLUTION 01-25-22-1

(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution authorizing Assistant City Manager Laura Storrs as the Authorized Official for the Smart Policing Initiative grant program.

I. CONSIDER AWARD – ARCHITECTURAL SERVICES FOR SERVICE CENTER FUELING SITES

(Contact: Jerry Danforth, Facilities Director)

Award to: Sims Architects - \$300,000.00

This item considers the award of a contract for architectural services for the construction design of two new fueling sites located at the City of Amarillo's Service Center.

J. CONSIDER AWARD – CONTRACT FOR UPGRADE OF BUDGET SOFTWARE

(Contact: Debbie Reid, Finance Director)

Award to: Questica Ltd. - Not to exceed \$351,992.00

This item considers the award of a one-year contract for the upgrade of the City's current budget software, including the option to extend the contract for four additional one-year terms.

K. CONSIDER PURCHASE – FALCON+72 SORTING MACHINE

(Contact: Jennifer Gonzalez, Utility Billing Manager)

Award to: Opex Document and Mail Automation - \$102,690.00

This item considers the purchase of a Falcon+72 sorting machine to replace Utility Billing's current sorting machine which has reached its end of useful life. This item includes the machine, installation services, and an annual license fee.

L. CONSIDER AWARD – WATERWORKS SUPPLY AGREEMENT

(Contact: Trent Davis, Purchasing Agent)

Award to: Ferguson Enterprises	\$ 63,325.20
Premier Waterworks	\$ 6,032.00
Silver Star Supply	\$ 73,408.45
Core & Main	\$ 38,171.00
Total Award	\$180,936.65

This item considers the award of the annual waterworks supply agreement.

M. CONSIDER PURCHASE - REAL ESTATE LOCATED AT US HWY 60 & PARSLEY ROAD

(Contact: Kevin Carter, President & CEO)

Total amount - \$6,647,650 plus closing costs and related expenses

This item considers authorizing Amarillo Economic Development Corporation (AEDC) to execute a contract and all necessary documents for the purchase of approximately 1,329 acres of land located at US Hwy 60 and Parsley Road.

3. NON-CONSENT ITEM:

A. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7952

(Contact: Kevin Carter, Amarillo Economic Development Corporation)

This is a public hearing and first reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 16 for commercial and industrial tax abatement. The zone is approximately 9.57 acres in the vicinity of 421 SE 34th Avenue.

B. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7953

(Contact: Brady Kendrick, Planner II)

This is a public hearing and first reading to consider an ordinance rezoning an 8.49 acre tract of unplatted land in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 (R-1) and Agricultural District (A) to General Retail District (GR). (VICINITY: Hillside Rd. and Nancy Ellen St.; APPLICANT/S: Mike Buccola for FBR Land Co., LLC.)

C. DISCUSS AND CONSIDER FUNDING OPTIONS FOR REPAIRING ATHLETIC FIELD LIGHTING

(Contact: Laura Storrs, Assistant City Manager)

This item is to discuss and consider funding options to repair athletic field lighting, in conjunction with Agenda Items No. 3-D and 3-E that provide for

possible consideration by Council on the various funding options to be discussed.

D. CONSIDERATION OF RESOLUTION 01-25-22-2
(Contact: Laura Storrs, Assistant City Manager)

This item is the discussion and consideration of all matters incident and related to approving and authorizing publication of notice of intention to issue up to \$9.0 million of certificates of obligation, including the adoption of a resolution pertaining thereto. This is presented as one of the funding options available to Council in conjunction with the discussion in Agenda Item No. 3-C.

E. CONSIDERATION OF RESOLUTION 01-25-22-3
(Contact: Laura Storrs, Assistant City Manager)

This item is the discussion and consideration of all matters incident and related to approving and authorizing publication of notice of intention to issue up to \$7.0 million of certificates of obligation, including the adoption of a resolution pertaining thereto. This is presented as one of the funding options available to Council in conjunction with the discussion in Agenda Item No. 3-C.

4. EXECUTIVE SESSION:

The City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:

- A. Sec. 551.071 – Consultation with Attorney about pending or contemplated litigation or settlement of the same or on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter:
 - a. Nurek et. Al. v. City of Amarillo
- B. Sec. 551.087 - 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:
 - a. Project # 21-02-04 (Manufacturing)
 - b. Project # 21-10-03 (Manufacturing)
 - c. Project # 21-11-01 (Transportation)
 - d. Project # 21-12-01 (Manufacturing)
 - e. Project # 21-12-02 (Manufacturing)
 - f. Project # 21-12-03 (Manufacturing)
 - g. Economic development incentive request in the vicinity of Loop 335/W. Hollywood Road and Interstate Highway 27/Canyon Drive

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 S. Buchanan Street) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations, or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3014 or the City TDD number at 378-4229.

Watch the meeting live: <http://amarillo.gov/city-hall/city-government/view-city-council-meetings>.

I certify that the above notice of meeting was posted on the electronic bulletin board in City Hall, 601 S. Buchanan, Amarillo, Texas and the City website (www.amarillo.gov) on or before the 21st day of January 2022, at 5:00 p.m. in accordance with the Open Meetings Laws of the State of Texas, Chapter 551, Texas Government Code.


Stephanie Coggins, City Secretary

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 11th of January 2022 the Amarillo City Council met at 1:00 p.m. 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:

GINGER NELSON	MAYOR
COLE STANLEY	COUNCILMEMBER NO. 1
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	COUNCILMEMBER NO. 4

Absent was Mayor Pro Tem/Councilmember No. 2 Freda Powell. Also in attendance were the following administrative officials:

JARED MILLER	CITY MANAGER
ANDREW FREEMAN	ASSISTANT CITY MANAGER
FLOYD HARTMAN	ASSISTANT CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
JENIFER RAMIREZ	ASSISTANT TO THE CITY MANAGER
KATHRYN MASSEY	ASSISTANT TO THE MAYOR
STEPHANIE COGGINS	CITY SECRETARY
JONNI GLICK	ASSISTANT CITY SECRETARY

A quorum was established by Mayor Nelson and Councilmembers Stanley, Sauer and Smith. Mayor Nelson called the meeting to order, welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Bob Attaway of Hillside Christian Church. Mayor Pro Tem Powell led the Pledge of Allegiance.

Jason Harrison with the Chamber of Commerce presented an award to City Council for the City's partnership in the "Supporting Small Business Initiative".

PUBLIC ADDRESS:

James Schenck, of Amarillo, spoke on agenda item 2A. There were no further comments.

ITEM 1 – CITY COUNCIL DISCUSSED OR RECEIVED REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:

- A. Review agenda items for regular meeting and attachments;
- B. Updates from Councilmembers serving on outside boards and commissions:
 - a. Beautification and Public Arts Advisory Board
- C. Quarterly Budget Update
- D. Quarterly Sales Tax Update
- F. Discuss replacement of Athletic Field Lighting; and
- G. Request future agenda items and reports from City Manager

ITEM 2 – CONSENT ACTION ITEMS:

Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Item No. 2-H was discussed at the request of Councilmember Stanley and ultimately remained on the consent agenda. Items No. 2-F and 2-G were removed at the request of Mayor Nelson. A motion was made to approve the consent agenda, except for Items No. 2-F and 2-G, and replacing the minutes with the revised version provided on the dais by Councilmember Smith, seconded by Councilmember Sauer.

A. CONSIDER APPROVAL - MINUTES:

(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on December 14, 2021.

B. CONSIDERATION OF ORDINANCE NO. 7942

(Contact: Brady Kendrick, Planner II)

This item is a second and final reading of an ordinance to consider rezoning a 30.89-acre tract of unplatted land, in Section 65, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential 3 District. (Vicinity: Westin Dr. and Legacy Pkwy.)

C. CONSIDERATION OF ORDINANCE NO. 7943

(Contact: Victoria Medley, Animal Management and Welfare Director)

This item is a second and final reading of an ordinance to consider amendments to the Amarillo Municipal Code, Chapter 8-2, Articles I and II, Sec. 8-2-4, 8-2-12, 8-2-55, 8-2-57

D. CONSIDERATION OF ORDINANCE NO. 7945

(Contact: Kevin Carter, President and CEO, Amarillo Economic Development Corporation)

This item is a second and final reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 15 for commercial and industrial tax abatement. The zone is approximately 77 acres in the vicinity of Centerport Boulevard and Folsom Road.

E. CONSIDERATION OF RESOLUTION NO. 01-11-22-1

(Contact: Donny Hooper, Director of Public Works)

This item considers approval of a resolution for the Advance Funding Agreement for Highway Safety Improvement Program (Off System) with the Texas Department of Transportation (TxDOT). This agreement will provide for \$182,622 in federal funding for the construction of related traffic signal improvements.

H. CONSIDER AWARD - SUPPLY AGREEMENT FOR FIREFIGHTING GARMENTS

(Contact: Brandon Mason, Deputy Fire Chief)
Award to: Daco Fire Equipment - \$318,240.00

This item is to consider award of a supply agreement for 100 sets of coats, pants, hoods, and gloves with a 7-year warranty, 30 suspenders, 40 helmets, and 10 pairs of boots.

I. CONSIDER APPROVAL - REMOVAL AND INSTALLATION OF VERTICAL TURBINE PUMP AT OSAGE WATER TREATMENT PLANT

(Contact: Jonathan Gresham, Director of Utilities)
Award to: Kinger GPI - \$69,969.00

This item considers approval of the removal, evaluation, and rehabilitation of #1 Pump at the High Service Pump Station. This repair will allow the Osage Water Treatment Plant to efficiently and systematically move water around the transmission system to assets where demand has been identified around the city.

J. CONSIDER APPROVAL - COMMUNICATION SYSTEM MUTUAL AID AGREEMENT

(Contact: Chip Orton, Emergency Management Coordinator)

This item considers approval of a Communication System Agreement with the United States Department of Energy (DOE) for Pantex usage of the City's radio system.

K. CONSIDER AWARD - PAPER GOODS SUPPLY AGREEMENT

(Contact: Trent Davis, Purchasing Agent)

Award to: Empire Paper -	\$ 1,008.60
Wagner Supply -	\$103,936.00
Mavich -	\$ 5,844.00
Total Award	\$110,788.60

This item considers approval for the award of an annual paper goods supply agreement.

L. CONSIDER APPROVAL - BEARING ASSEMBLIES FOR HOLLYWOOD ROAD WATER RECLAMATION PLANT PUMP STATION

(Contact: Jonathan Gresham, Director of Utilities)

Award to: Evoqua Water Technologies - \$132,681.82

This item considers approval to purchase two sets of bearing assemblies to replace existing equipment at Hollywood Road Water Reclamation Plant.

M. CONSIDERATION OF RESOLUTION 01-11-22-2

(Contact: Sam Baucom, Deputy Fire Chief)

This item considers a resolution that will authorize the City Manager to take action on a letter of authorization for the Amarillo Fire Department (AFD) to upgrade from a Texas Department of State Health Services (DSHS) First Responder Only (FRO) license to a Provider license, which would allow the AFD to transport patients when necessary.

N. CONSIDER AWARD – CONTRACT FOR THE ARCHITECTURE AND ENGINEERING OF THE NEW AMARILLO CITY TRANSIT MULTIMODAL TERMINAL (6TH AVENUE AND BOWIE ST AMARILLO, TEXAS 79106)

(Contact: Jerry Danforth, Facilities Director)

Award to: Sims + Architects - \$480,000.00

This item considers awarding a contract for all architecture and engineering services for the design of the new Amarillo City Transit Multimodal Terminal located at 6th Avenue and Bowie St in Amarillo, Texas 79106.

O. CONSIDER ACCEPTANCE OF STD/HIV – DIS GRANT

Grant amount: \$213,611.00

Grantor: Texas Department of State Health Services

This item accepts the award from the Texas Department of State Health Services from January 1, 2022, thru December 31, 2022, to fund for the Infectious Disease Surveillance in the Public Health Department.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3 - NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson introduced the first reading of Ordinance No. 7946. Police Chief Martin Birkenfeld presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7946 re-adopting and continuing Chapter 10-3, Article VI, Sections 10-3-

71 through 10-3-75, inclusive of the Amarillo Municipal Code, without change; providing for a nocturnal curfew (starting at Midnight) for persons under the age of 17 by Councilmember Sauer, seconded by Councilmember Stanley.

ORDINANCE NO. 7946

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO: RE-ADOPTING AND CONTINUING CHAPTER 10-3, ARTICLE VI, SECTIONS 10-3-71 THROUGH 10-3-75, INCLUSIVE OF THE AMARILLO MUNICIPAL CODE, WITHOUT CHANGE; PROVIDING FOR A NOCTURNAL CURFEW (STARTING AT MIDNIGHT) FOR PERSONS UNDER 17 YEARS OF AGE; DEFINING OFFENSES; PROVIDING DEFENSES; PROVIDING FOR PENALTIES; PROVIDING A CUMULATIVE REMEDY CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3B: Mayor Nelson introduced the first reading of Ordinance No. 7947. Chief Birkenfeld presented the item. A motion was made to approve Ordinance No. 7947 to amend the Amarillo Municipal Code, Chapter 8-4, Article I, Sections 8-4-2 and 8-4-3 to enable authorized code enforcement officers to assist with moving or impounding vehicles by Councilmember Stanley, seconded by Councilmember Sauer.

ORDINANCE NO. 7947

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-4, ARTICLE I, SECTIONS 8-4-2 AND 8-4-3 TO ENABLE AUTHORIZED CODE ENFORCEMENT OFFICERS TO ASSIST WITH MOVING OR IMPOUNDING VEHICLES; PROVIDING FOR: SEVERABILITY, CONTINUATION OF PRIOR LAW, REPEALER, AND EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3C: Mayor Nelson introduced the first reading of Ordinance No. 7948. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7947 for the vacation of a 7,544 square foot portion of Public Right-Of-Way (alley) located adjacent to Lots 2 through 4, Block 33, Lawrence Park Unit No. 23 and Lot 6, Block 24, Lawrence Park Unit No. 89, in Section 227, Block 2, A.B.&M. Survey, Potter County, Texas in the vicinity of S.W. 26th Ave. and Britain Dr. by Councilmember Smith, seconded by Councilmember Sauer.

ORDINANCE NO. 7948

7948AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR PUBLIC RIGHT-OF-WAY (ALLEY) IN THE VICINITY OF SOUTHWEST 26th AVENUE AND BRITAIN DRIVE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT A PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3D: Mayor Nelson introduced an item to consider the dedication of 4,201 square foot tract of land for public right-of-way. Mr. Kendrick presented the item. A motion was

made to accept the dedication of a 4,201 square foot tract of land for Public Right-Of-Way (alley) purposes being in Lot 4, Block 33, Lawrence Park Unit No. 23, an addition to the City of Amarillo, in Section 227, Block 2, A.B.&M. Survey, Potter County, Texas; authorizing the city manager to sign the necessary documents contingent upon approval of a second and final reading of Ordinance No. 7948 by Councilmember Sauer, seconded by Councilmember Smith.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3E: Mayor Nelson introduced the first reading of Ordinance No. 7949. Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7949 approving the vacation of a 20-foot-wide Public Right-Of-Way (alley) lying in Block 13, Sunrise Addition Unit No. 3, in Section 123, Block 2, A.B.&M. Survey, Potter County, Texas in the vicinity of Eastern St. and I-40 by Councilmember Stanley, seconded by Councilmember Sauer.

ORDINANCE NO. 7949

AN ORDINANCE TO THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR A SEGMENT OF STREET RIGHT-OF-WAY IN THE VICINITY OF EASTERN STREET AND INTERSTATE 40, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED STREET RIGHT-OF-WAY SAVE AND EXCEPT A TEMPORARY PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3F: Mayor Nelson introduced the first reading of Ordinance No. 7950. Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7950 to rezone a 20.00-acre tract of unplatted land, in Section 53, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District and Heavy Commercial District to Heavy Commercial District in the vicinity of Pullman Rd. and Interstate 40 by Councilmember Smith, seconded by Councilmember Sauer.

ORDINANCE NO. 7950

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 PULLMAN ROAD AND INTERSTATE HIGHWAY 40, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3G: Mayor Nelson introduced the first reading of Ordinance No. 7951. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. A motion was made to approve Ordinance No. 7951 to rezone a 2.89-acre portion of Lot 2, Block 3, Amended South Side Acres Unit No. 12, an addition and a suburban subdivision to the City of Amarillo, in Section 230, 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 Multiple-Family District 1 in the vicinity of Pullman Road and Interstate 40. by Councilmember Sauer, seconded by Councilmember Stanley.

ORDINANCE NO. 7951
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 RAY
STREET AND SOUTHWEST 58TH AVENUE, RANDALL COUNTY,
TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER
CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Due to an error in the motion made, Dr. Sauer amended his motion to approve Ordinance No. 7951 to rezone a 2.89-acre portion of Lot 2, Block 3, Amended South Side Acres Unit No. 12, an addition and a suburban subdivision to the City of Amarillo, in Section 230, 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 Multiple-Family District 1 in the vicinity of 58th Street and Ray Street. Councilmember Stanley seconded the amended motion.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3H: Mayor Nelson introduced an item for the award of a contract for Martin Road Lake construction improvements. Kyle Schniederjan, Director of Capital Projects & Development Engineering, presented the item. A motion was made to award the contract for phases three and four of the Martin Road Lake Improvements Project to MH Civil Constructors, Inc. for a base bid of \$10,877,000; an alternate bid no. 1 of \$1,000; and an alternate bid no. 2 of \$10,000; for a total contract price of \$10,888,000 by Councilmember Stanley, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3I: Mayor Nelson introduced an item to consider a Location Incentive Agreement between Amarillo Economic Development Corporation (AEDC) and Mateen Bar USA. Kevin Carter, President and CEO of AEDC, presented the item. A motion was made to approve a Location Incentive Agreement between Amarillo Economic Development Corporation and Mateen Bar USA for the construction of a new 800,000 square foot manufacturing facility on 77 acres in the Centerport Business Park – under which the AEDC will provide Mateen Bar USA \$1,920,000 for the creation of up to 160 full-time employees to be paid out over 10 years based on a 10-year performance term and convey 77.1 acres of land to Mateen Bar USA at a value of \$3,084,000 by Councilmember Sauer, seconded by Councilmember Stanley.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 3J: Mayor Nelson introduced an item to consider a Tax Abatement between the City of Amarillo, Amarillo Economic Development Corporation (AEDC), and Mateen Bar USA. Kevin Carter, President and CEO of AEDC, presented the item. A motion was made to approve a Tax Abatement Agreement between the City of Amarillo, Amarillo Economic Development Corporation, and Mateen Bar USA for the construction of a new 800,000 square foot manufacturing facility on 77 acres in the Centerport Business Park – providing for an abatement on future taxes on the construction and equipment costs at 100% abatement for 10 years on \$72,000,000 estimated cost of improvements in four phases and \$8,000,000 in new equipment by Councilmember Smith, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Sauer, Smith, and Stanley; voting NO were none; absent was Councilmember Powell; the motion carried by a 4-0 vote.

ITEM 4: Mr. McWilliams advised at 4:44 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Sec. 551.071 - Discussion on a

matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter IX of the Texas Open Meetings Act: (a) Poker rooms; 2) Sec. 551.072 - Discussion regarding the purchase, exchange, lease or value of real property. (a) Purchase/Sale of real property located in the Northeast quadrant of the City of Amarillo; and 3) Sec. 551.087 - 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: (a) Project # 21-02-04 (Manufacturing), (b) Project # 21-07-02 (Workforce Education), (c) Project # 21-10-03 (Manufacturing), (d) Project # 21-11-01 (Transportation), (e) Project # 21-12-01 (Manufacturing), (f) Project # 21-12-02 (Manufacturing); and (g) Economic development incentive request in the vicinity of East Interstate 40 and Airport Boulevard.

Mr. McWilliams announced that Executive Session was adjourned at 6:42 p.m. and recessed the Regular Meeting.

ATTEST:

Stephanie Coggins, City Secretary

Ginger Nelson, Mayor

Amarillo City Council

Agenda Transmittal Memo



B

Meeting Date	January 25, 2022	Council Priority	Public Safety
Department	Police Department		
Contact	Chief Martin Birkenfeld		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7946

Second and final reading of an ordinance re-adopting and continuing CHAPTER 10-3, Article VI, Sections 10-3-71 through 10-3-75, inclusive of the Amarillo Municipal Code, without change; providing for a nocturnal curfew (starting at midnight) for persons under 17 years of age; defining offenses; providing defenses; providing a cumulative remedy clause; providing savings and severability clauses; providing a repealer clause; providing for penalties and an effective date.

Agenda Item Summary

This ordinance renews the juvenile curfew, making it an offense to remain in any public place or on the premises of any establishment within the city during curfew hours. This rule has been proven and remains valuable in reducing juvenile crime and keeping kids from becoming victims of crimes during curfew hours. The curfew rule is up for renewal and review every three years.

Requested Action

Council consideration and approval of the ordinance.

Funding Summary

No additional funding required for this.

Community Engagement Summary

n/a

Staff Recommendation

Staff recommends that the City Council approve this agreement.

ORDINANCE NO. 7946

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO: RE-ADOPTING AND CONTINUING CHAPTER 10-3, ARTICLE VI, SECTIONS 10-3-71 THROUGH 10-3-75, INCLUSIVE OF THE AMARILLO MUNICIPAL CODE, WITHOUT CHANGE; PROVIDING FOR A NOCTURNAL CURFEW (STARTING AT MIDNIGHT) FOR PERSONS UNDER 17 YEARS OF AGE; DEFINING OFFENSES; PROVIDING DEFENSES; PROVIDING FOR PENALTIES; PROVIDING A CUMULATIVE REMEDY CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by prior action on March 5, 2019, and effective on March 23, 2019, the City Council renewed the existing teen curfew for persons under the age of seventeen years, with the goals of both reducing crime committed by juveniles, and reducing the number of juveniles who are victimized by night crimes; and

WHEREAS, by state law the City Council must conduct a public hearing and review such Ordinance every three years, and either renew it or allow it to lapse; and

WHEREAS, at a minimum, the City Council has conducted a public hearing upon the first reading of this Ordinance, and now finds the peer pressure to be out late at night continues to be a factor in teen behavior, whether it be for law abiding or criminal purposes; and

WHEREAS, the City Council also finds that persons under the age of seventeen continue to be particularly vulnerable to crime victimization late at night; and

WHEREAS, the City Council further finds that protecting persons under the age of seventeen by limiting the opportunities for victimization; requiring parental control and responsibility for youth; and protecting the public from irresponsible acts committed by certain youth; and

WHEREAS, upon review of the experience of other cities with teen curfews and the experience within the City of Amarillo itself, as documented in police statistics and information, the City Council now finds that the public health, safety, and welfare continues to be served by renewing the existing curfew, which forecloses constitutionally unprotected conduct by persons under the age of seventeen years, during late hours of the night when the likelihood of adult supervision is the least.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Chapter 10-3, “Miscellaneous Offenses”, of the Amarillo Municipal Code is hereby amended as follows:

CHAPTER 10

ARTICLE VI. CURFEW HOURS FOR MINORS

Sec. 10-3-71. Definitions.

- (A) *Curfew Hours* means 12:01 a.m. until 6:00 a.m. daily.
- (B) *Emergency* means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
- (C) *Establishment* means any privately-owned place of business operated for a profit to which the public is invited, including but not limited to, any place of amusement or entertainment.
- (D) *Guardian* means:
 - 1. a person who, under court order, is the guardian of the person of a minor; or
 - 2. a public or private agency with whom a minor has been placed by a court.
- (E) *Minor* means any person under 17 years of age.
- (F) *Operator* means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.
- (G) *Parent* means a person who is:
 - 1. a natural parent, adoptive parent, or step-parent of another person; or
 - 2. at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.
- (H) *Public Place* means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.
- (I) *Remain* means to:
 - 1. linger or stay; or
 - 2. fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.
- (J) *Serious Bodily Injury* means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Sec. 10-3-72. Offenses.

- (A) A minor commits an offense if he remains in any public place or on the premises of any establishment within the City during curfew hours.
- (B) A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the City during curfew hours.

- (C) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

Sec. 10-3-73. Defenses.

- (A) It is a defense to prosecution under Offenses that the minor was:
1. accompanied by the minor's parent or guardian;
 2. on an errand at the direction of the minor's parent or guardian, without any detour or stop;
 3. in a motor vehicle involved in interstate travel;
 4. engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
 5. involved in an emergency;
 6. on the sidewalk abutting the minor's residence or abutting the residence of a next door neighbor if the neighbor did not complain to the Police Department about the minor's presence;
 7. attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Amarillo, a civic organization, or another similar entity that has undertaken responsibility for the minor, or going to or returning home from such activity, without any detour or stop.
 8. exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
 9. married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code.
- (B) It is a defense to prosecution under Section 10-3-72-(C) that the owner, operator, or employee of an establishment promptly notified the Police Department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

Sec. 10-3-74. Enforcement.

- (A) Before taking any enforcement action under this Section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this Section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in Section 10-3-73 is present.

Sec. 10-3-75. Penalties.

- (A) A person who violates a provision of this Chapter is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$500.
- (B) When required by Section 51.08 of the Texas Family Code, as amended, the Municipal Court shall waive original jurisdiction over a minor who violates Section 10-3-72-(A) and shall refer the minor to juvenile court.

SECTION 3. The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Amarillo hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 5. If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 6. This Ordinance shall become effective ten (10) days after the date of its second publication as required by the Charter of the City of Amarillo.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on the 11th day of January 2022; and PASSED on Second and Final Reading on the 25th day of January 2022.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan S. McWilliams, City Attorney

Amarillo City Council

Agenda Transmittal Memo



C

Meeting Date	January 25, 2022	Council Priority	Public Safety
Department	Police Department		
Contact	Chief Martin Birkenfeld		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7947

This item is the second and final reading of an ordinance to consider amending the Amarillo Municipal Code, Chapter 8-4, article I, Sections 8-4-2 and 8-4-3 to enable authorized code enforcement officers to assist with moving or impounding vehicles that are in violation of state law or city ordinance.

Agenda Item Summary

This ordinance clarifies the language in the municipal code to enable additional authorized code enforcement officers to assist with moving or impounding vehicles that are in violation of state law or city ordinance. This will include parking enforcement officers for the police department who are regularly tasked with responding to illegally parked vehicles.

Requested Action

Council consideration and approval of the ordinance.

Funding Summary

No additional funding required for this change.

Community Engagement Summary

n/a

Staff Recommendation

Staff recommends that the City Council approve this agreement.

ORDINANCE NO. 7947

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-4, ARTICLE I, SECTIONS 8-4-2 AND 8-4-3 TO ENABLE AUTHORIZED CODE ENFORCEMENT OFFICERS TO ASSIST WITH MOVING OR IMPOUNDING VEHICLES; PROVIDING FOR: SEVERABILITY, CONTINUATION OF PRIOR LAW, REPEALER, AND EFFECTIVE DATE.

WHEREAS, members of the Amarillo Police Department are authorized to move or impound vehicles that are in violation of state law or city ordinance; and

WHEREAS, the City Council finds it is in the interest of public safety to enable additional authorized code enforcement officers to assist with moving or impounding vehicles that are in violation of state law or city ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. The Amarillo Municipal Code, Chapter 8-4, Article I, Section 8-4-2 be and hereby is amended in part to now read as follows:

Sec. 8-4-2. - Vehicles.

- (a) Whenever any police officer or authorized code enforcement officer finds a vehicle standing upon a Street or highway in violation of any provision of a statute or ordinance, such officer is authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same to a position off the paved or main-traveled part of such highway or Street.
- (b) Any police officer or authorized code enforcement officer is authorized to remove a vehicle from a highway to the nearest garage or other place of safety, or to a storage place designated or maintained by the City, under the following circumstances:
 - (1) - (6) [NO TEXT CHANGE]
- (c) [NO TEXT CHANGE]
- (d) [NO TEXT CHANGE]

SECTION 2. The Amarillo Municipal Code, Chapter 8-4, Article I, Section 8-4-3 be and hereby is amended in part to now read as follows:

Sec. 8-4-3. - Notice requirements.

- (a) [NO TEXT CHANGE]
- (b) If the property removed from the Street, as authorized in sections 12-4-1 and 12-4-2, is a motor vehicle and the officer does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as

provided in subsection (a) of this section, and if the vehicle is not returned to the owner as provided in section 8-4-4, notice shall be given as provided in ~~V.A.C.S. art. 4477-9a~~ the Texas Transportation Code.

SECTION 3. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 4. Continuation of prior law. Nothing in this ordinance or any code hereby adopted shall be construed so as to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause of action acquired existing, under any act or ordinance hereby repealed by this ordinance; nor shall any just, vested, or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 5. Repealer. Subject to the provision in Section 4 (Continuation of Prior Law), all ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 6. Effective Date. This ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 11th day of January 2022; and PASSED on Second and Final Reading this the 25th day of January 2022.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan S. McWilliams, City Attorney

Amarillo City Council

Agenda Transmittal Memo



D

Meeting Date	January 25, 2022	Council Priority	Economic Development & Redevelopment
Department	Planning and Development Services Brady Kendrick – Planner II		

Agenda Caption

Second and final reading of an ordinance to consider the Vacation of a 7,544 square foot portion of a Public Right-Of-Way (alley) located adjacent to Lots 2 through 4, Block 33, Lawrence Park Unit No. 23 and Lot 6, Block 24, Lawrence Park Unit No. 89, in Section 227, Block 2, A.B.&M. Survey, Potter County, Texas.
VICINITY: S.W. 26th Ave. and Britain Dr.
APPLICANT/S: David Hudson for Southwestern Public Service Company

Agenda Item Summary

Proposal

This item is associated with Southwestern Public Service Company's latest Substation construction project. The vacation of the above alley way is being requested in order to consolidate adjacent land into a unified building site for just-mentioned substation.

A dedication of 4,201 square foot tract of land authorized by City Council at the January 11, 2022 meeting will not only ensure continued through access is provided for as mentioned but will serve as a new location for utility infrastructure that is being relocated by the applicant as part of the vacation request.

Analysis

The alley to be abandoned is within the Lawrence Park subdivision where with exception land developed with a United Grocery Store, all land adjacent to the alley is owned by the applicant. United is aware of the request and has expressed no opposition to the request.

City Staff and private utility companies have reviewed the request and apart from the relocation of utilities being necessary (construction plans approved) and a new alley segment needing to be dedicated and constructed, no additional requirements for approval or objections have been expressed.

As with any request to vacate public right-of-way, an applicant is required to either pay fair market value to acquire the alleyway, dedicate an area of equal or greater value, pay only the higher cost of the fair market value or the relocation cost, or complete a combination of these requirements.

In this case, the applicant will be dedicating a new alley way as previously mentioned (4,201 square feet) north of the alley to be vacated to avoid a dead-end alley. Additionally, the applicant will also be relocating, at their expense, a City water and sanitary sewer main. The combination of the above exceeds an approximate fair market value of \$27,309 and as such, no fair-market value payment is required.

Requested Action/Recommendation

Public notices of the vacation request were sent to property owners within 200 feet as required by State Law. As of this writing, one phone call has been received expressing no opposition to the vacation request.

Considering the just mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the Vacation request as presented with a 6-0 vote.

ORDINANCE NO. 7949

AN ORDINANCE TO THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR A SEGMENT OF STREET RIGHT-OF-WAY IN THE VICINITY OF EASTERN STREET AND INTERSTATE 40, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED STREET RIGHT-OF-WAY SAVE AND EXCEPT A TEMPORARY PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Amarillo has been petitioned to abandon a 20 foot wide Public Right-Of-Way (alley), lying in Block 13, Sunrise Addition Unit No. 3, in Section 123, Block 2, A.B.&M. Survey, Potter County, Texas, located in the vicinity of Eastern Street and Interstate 40, Potter County, Texas; and

WHEREAS, after reviewing information presented in the petition, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following described street right-of-way; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that the street right-of-way described are no longer necessary and no longer serve a public purpose; and

WHEREAS, the City Council, further decides that such vacation of street right-of-way excepted a temporary public utility easement, which is retained for current utilities; and

WHEREAS, the City Council further determined that this street right-of-Way abandonment is not detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. The herein-described street right-of-way to be vacated and abandoned for public purposes:

Vacation of a 20 foot wide public Right-Of-Way (alley) lying West of Lots 1 through 4, and East of Lots 5 through 9, all in Block 13, Sunrise Addition Unit No. 3, in Section 123, Block 2, A.B.&M. Survey, Potter County, Texas, being further described below and attached hereto as Exhibit A, incorporated herein:

FIELD NOTES for a 0.17 acre tract of land being a 20.0 foot alley out of Block 13, Sunrise Addition Unit No. 3, City of Amarillo, Potter County, Texas, as per the plat filed of record in Volume 500, Page 233, Deed Records, Potter County, Texas, and more particularly described as follows:

BEGINNING at a 1/2" iron rod found on the north right-of-way line of Interstate Hwy. No. 40 at the southeast corner of Lot 5, Block 13, for the southwest corner of this tract.

THENCE N. 00° 14' 34" E. a distance of 114.26 feet to a corner of this tract.

THENCE N. 18° 03' 40" E. a distance of 258.19 feet to a M.A.G. nail found on the south right-of-way line of 17th Avenue at the northeast corner of Lot 9, Block 13, which bears S. 71° 56' 20" E. a distance of 119.98 feet from a M.A.G. nail found at the northwest corner of said Lot 9 for the northwest corner of this tract.

THENCE S. 71° 56' 20" E., along said south right-of-way line, a distance of 20.00 feet to the northwest corner of Lot 1, Block 13, for the northeast corner of this tract.

THENCE S. 18° 03' 40" W. a distance of 255.05 feet to a corner of this tract.

THENCE S. 00° 14' 34" W. a distance of 110.53 feet to said north right-of-way line of said Interstate Hwy. No. 40 same being at the southwest corner of Lot 4, Block 13, which bears S. 88° 33' 03" W. a distance of 120.08 feet from a 3/4" iron pipe found at the southeast corner of said Lot 4 for the southeast corner of this tract.

THENCE S. 88° 33' 03" W., along said north right-of-way line, a distance of 20.01 feet to the place of BEGINNING and containing 0.17 acres (7,380 square feet) of land.

SAVE AND EXCEPT: A Temporary Public Utility Easement and is hereby retained over the area of abandonment. Upon completed relocation/rerouting of existing utility equipment, said portion of the Public Utility Easement encroached upon with utility equipment shall be abandoned entirely.

SECTION 2. The City Manager is authorized to execute an instrument of conveyance to the abutting landowner(s) as allowed by law.

SECTION 3. Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of conflict with this Ordinance.

SECTION 4. Severability. If any provision, section, subsection, clause or the application of sale to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this Ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 5. Effective Date. This Ordinance shall be effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 11th day of January, 2022, and **PASSED** on Second and Final Reading on this the 25th day of January, 2022.

Ginger Nelson, Mayor

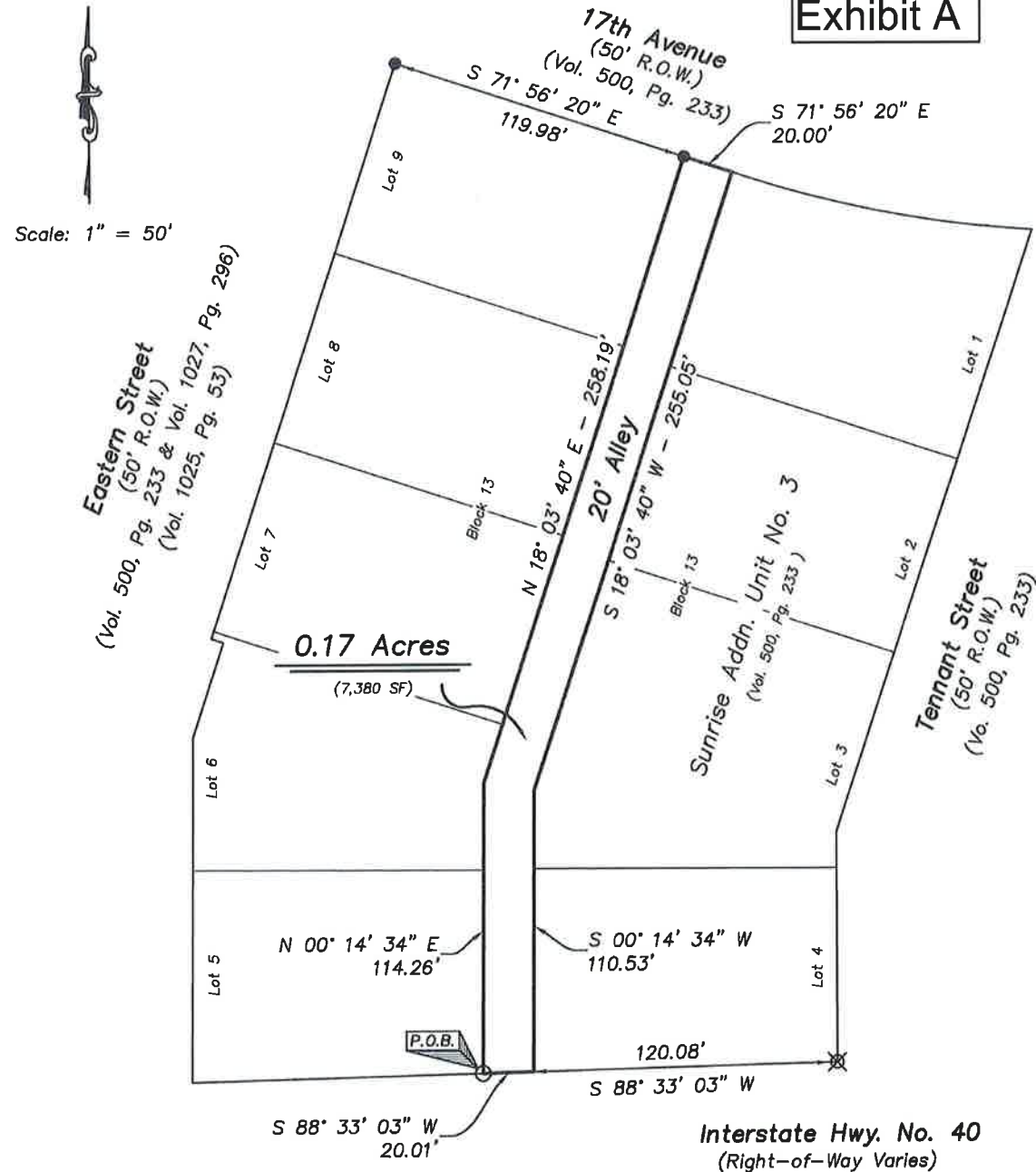
ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

Exhibit A



~~Ø~~ = 3/4" Iron Pipe Found

O = 1/2" Iron Rod Found

● = M.A.G. Nail Found

Bearings based on the U.S. State Plane Coordinate System
(NAD83) - Texas North Zone 4201

Distances shown are ground distances. Grid to ground scale factor: 1.0002507

* * * * *

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF COLLINGSWORTH : that I, Richard E. Johnson, Registered
Professional Land Surveyor, do hereby
certify that I did cause to be surveyed
on the ground the tract of land shown on this plat, and to the best
of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 19th day of November,
A.D., 2021.




Richard E. Johnson
Registered Professional
Land Surveyor #4263

A Plat of a 20.0' Alley out of Block 13,
Sunrise Addition Unit No. 3, City of Amarillo,
Potter County, Texas

SCALE: 1" = 50'

Firm No. 10090900

DRAWN BY: JA

DATE: July 2021

FILE NAME:

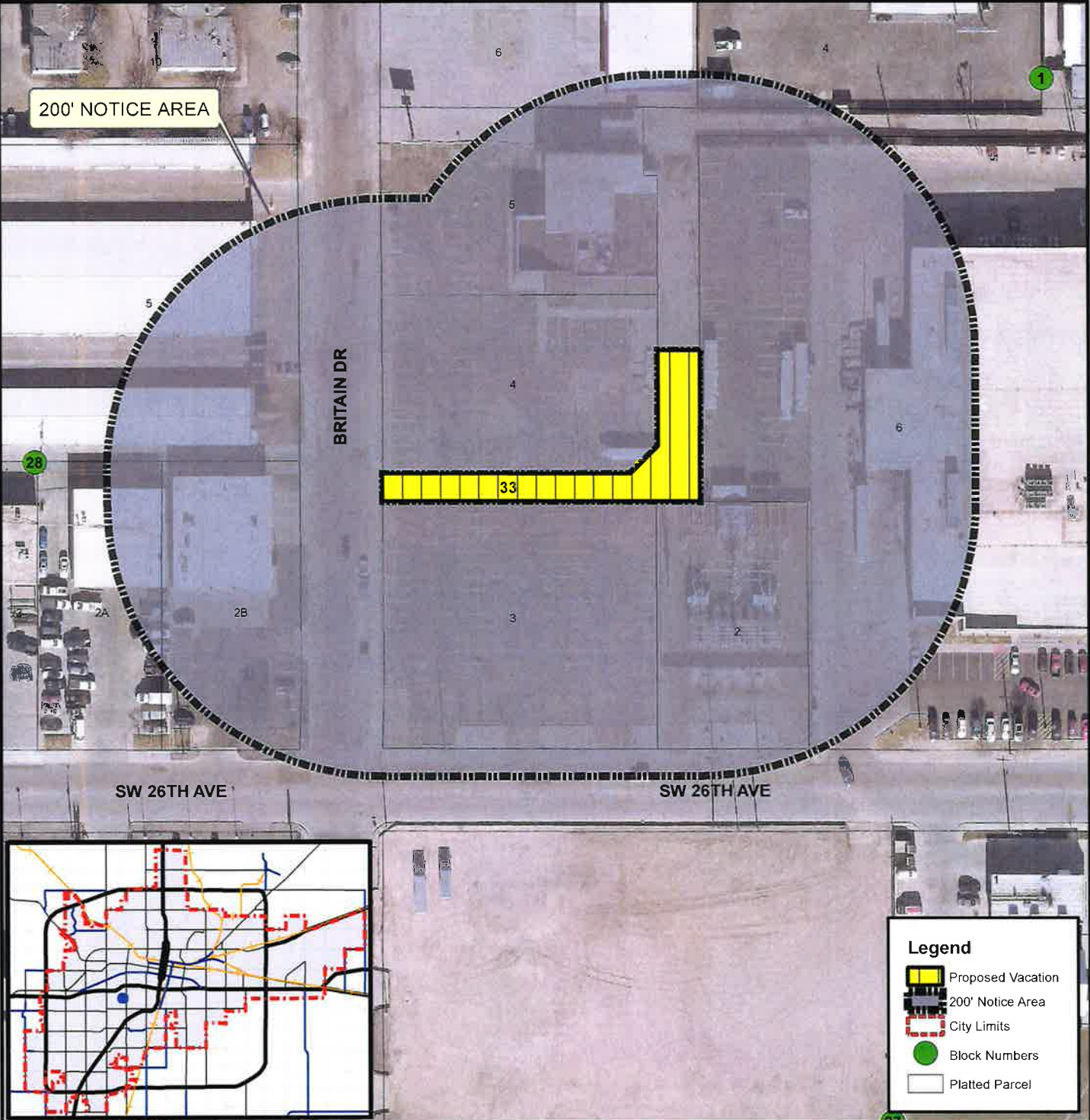


OJD Engineering, LLC
Consulting Engineers & Surveyors

806-447-2503
P.O. Box 543
Wellington, Texas 79095

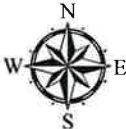
DRAWING NUMBER

CASE V-21-03
LAWRENCE PARK
ALLEY VACATION



CITY OF AMARILLO
PLANNING DEPARTMENT

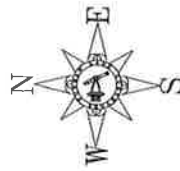
Scale: 1 inch = 100 feet
Date: 7/12/2021
Case No: V-21-03



V-21-03 Vacation of a 7,544 square foot portion of a Public Right-of-way (alley) located adjacent to Lots 2 through 4, Block 33, Lawrence Park Unit No. 23 and Lot 6, Block 24, Lawrence Park Unit No. 89, an addition to the City of Amarillo, all in Section 227, Block 2, A.B.&M. Survey, Potter County, Texas.
VICINITY: SW 26th Ave. and Britain Dr.
APPLICANT/S: David Hudson for Southwestern Public Service Company

AP: L-13

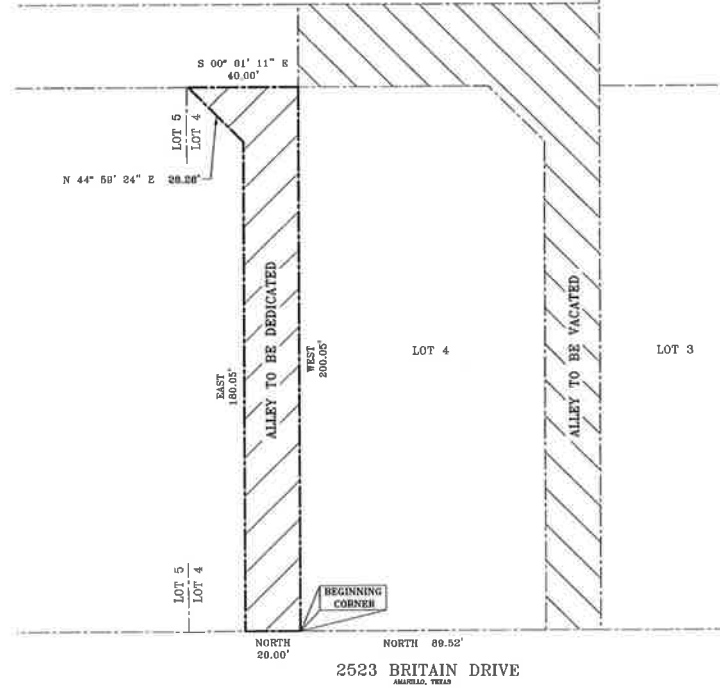
DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.



SCALE 1" = 40'

LOT 6, BLOCK 24
LAWRENCE PARK UNIT NO. 89

LOT 2



ALLEY DEDICATION EXHIBIT FOR:
SOUTHWESTERN PUBLIC
SERVICES CO.

PAGE 1 OF 2

PRELIMINARY. THIS
DOCUMENT SHALL NOT
BE RECORDED FOR
ANY PURPOSE AND
SHALL NOT BE USED
OR VIEWED OR RELIED
UPON AS A FINAL
SURVEY DOCUMENT.
THIS DOCUMENT HAS
BEEN RELEASED BY
DARYL R. FURMAN
RPLS 5374
FOR REVIEW
PURPOSES ONLY.
DATE: 7/2/2021

FURMAN LAND SURVEYORS, INC.
SURVEYING - MAPPING - CONSULTING
TEXAS - OKLAHOMA - NEW MEXICO
KANSAS - COLORADO

DARYL R. FURMAN, RPLS - DANIEL R. FURMAN, RPLS - DONALD R. FURMAN, RPLS
CASEY A. MANN, RPLS - LONDON M. STOKES, RPLS
HEATHER LYNN LEMONS, RPLS - KYLE L. BRADY, RPLS
CHASE ROME, SIT - LEONARD A. MCLAUGHLIN, SIT
TEXAS FIRM #10092400 & 10092401
P.O. BOX 1416 - AMARILLO, TEXAS 79105 - (806) 374-4226 - FAX (806) 374-4244
P.O. BOX 464 - DUMAS, TEXAS 75029 - (806) 934-1403 - FAX (806) 934-1402
PROJECT NO. 2027280 FILE NO. L-13
DRAWING NO. DWG\XCEI\2027280\DWG\2027280\LP-ALLEY

Amarillo City Council

Agenda Transmittal Memo



E

Meeting Date	January 25, 2022	Council Priority	Regular Agenda Item – Public Hearing
Department	Planning and Development Services Brady Kendrick- Planner II		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7949

Second and final reading of an ordinance to consider the Vacation of a 20 foot wide Public Right-Of-Way (alley) lying in Block 13, Sunrise Addition Unit No. 3, in Section 123, Block 2, A.B.&M. Survey, Potter County, Texas.

VICINITY: Eastern St. and Interstate 40

APPLICANT/S: Beant Sandhu for SARDARI, LLC

Agenda Item Summary

Analysis

The proposed alley to be vacated is located within the Sunrise Addition subdivision and all land adjacent to the alley is owned by the applicant. The applicant is requesting vacation in order to consolidate the adjacent land into a unified building site for an upcoming commercial project.

City staff and private utility companies have reviewed the request and as of this writing, no objections to abandoning the alley way have been received.

As with any request to vacate public right-of-way, an applicant is required to either pay fair market value to acquire the alleyway, dedicate an area of equal or greater value, pay only the higher cost of the fair market value or the relocation cost, or complete a combination of these requirements.

In this case, the applicant has relocated the existing water line in the alley to be vacated at an estimated cost of \$57,500. The relocation costs exceed the fair market value of \$2,250 and as such no fair-market value payment is required.

Requested Action/Recommendation

Notices have been sent to property owners within 200 feet regarding this proposed vacation request. As of this writing, the Planning Department has not received any comments regarding the request.

Considering the just mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the request as presented.

ORDINANCE NO. 7949

AN ORDINANCE TO THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR A SEGMENT OF STREET RIGHT-OF-WAY IN THE VICINITY OF EASTERN STREET AND INTERSTATE 40, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED STREET RIGHT-OF-WAY SAVE AND EXCEPT A TEMPORARY PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Amarillo has been petitioned to abandon a 20 foot wide Public Right-Of-Way (alley), lying in Block 13, Sunrise Addition Unit No. 3, in Section 123, Block 2, A.B.&M. Survey, Potter County, Texas, located in the vicinity of Eastern Street and Interstate 40, Potter County, Texas; and

WHEREAS, after reviewing information presented in the petition, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following described street right-of-way; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that the street right-of-way described are no longer necessary and no longer serve a public purpose; and

WHEREAS, the City Council, further decides that such vacation of street right-of-way excepted a temporary public utility easement, which is retained for current utilities; and

WHEREAS, the City Council further determined that this street right-of-Way abandonment is not detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. The herein-described street right-of-way to be vacated and abandoned for public purposes:

Vacation of a 20 foot wide public Right-Of-Way (alley) lying West of Lots 1 through 4, and East of Lots 5 through 9, all in Block 13, Sunrise Addition Unit No. 3, in Section 123, Block 2, A.B.&M. Survey, Potter County, Texas, being further described below and attached hereto as Exhibit A, incorporated herein:

FIELD NOTES for a 0.17 acre tract of land being a 20.0 foot alley out of Block 13, Sunrise Addition Unit No. 3, City of Amarillo, Potter County, Texas, as per the plat filed of record in Volume 500, Page 233, Deed Records, Potter County, Texas, and more particularly described as follows:

BEGINNING at a 1/2" iron rod found on the north right-of-way line of Interstate Hwy. No. 40 at the southeast corner of Lot 5, Block 13, for the southwest corner of this tract.

THENCE N. 00° 14' 34" E. a distance of 114.26 feet to a corner of this tract.

THENCE N. 18° 03' 40" E. a distance of 258.19 feet to a M.A.G. nail found on the south right-of-way line of 17th Avenue at the northeast corner of Lot 9, Block 13, which bears S. 71° 56' 20" E. a distance of 119.98 feet from a M.A.G. nail found at the northwest corner of said Lot 9 for the northwest corner of this tract.

THENCE S. 71° 56' 20" E., along said south right-of-way line, a distance of 20.00 feet to the northwest corner of Lot 1, Block 13, for the northeast corner of this tract.

THENCE S. 18° 03' 40" W. a distance of 255.05 feet to a corner of this tract.

THENCE S. 00° 14' 34" W. a distance of 110.53 feet to said north right-of-way line of said Interstate Hwy. No. 40 same being at the southwest corner of Lot 4, Block 13, which bears S. 88° 33' 03" W. a distance of 120.08 feet from a 3/4" iron pipe found at the southeast corner of said Lot 4 for the southeast corner of this tract.

THENCE S. 88° 33' 03" W., along said north right-of-way line, a distance of 20.01 feet to the place of BEGINNING and containing 0.17 acres (7,380 square feet) of land.

SAVE AND EXCEPT: A Temporary Public Utility Easement and is hereby retained over the area of abandonment. Upon completed relocation/rerouting of existing utility equipment, said portion of the Public Utility Easement encroached upon with utility equipment shall be abandoned entirely.

SECTION 2. The City Manager is authorized to execute an instrument of conveyance to the abutting landowner(s) as allowed by law.

SECTION 3. Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of conflict with this Ordinance.

SECTION 4. Severability. If any provision, section, subsection, clause or the application of sale to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this Ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 5. Effective Date. This Ordinance shall be effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 11th day of January, 2022, and **PASSED** on Second and Final Reading on this the 25th day of January, 2022.

Ginger Nelson, Mayor

ATTEST:

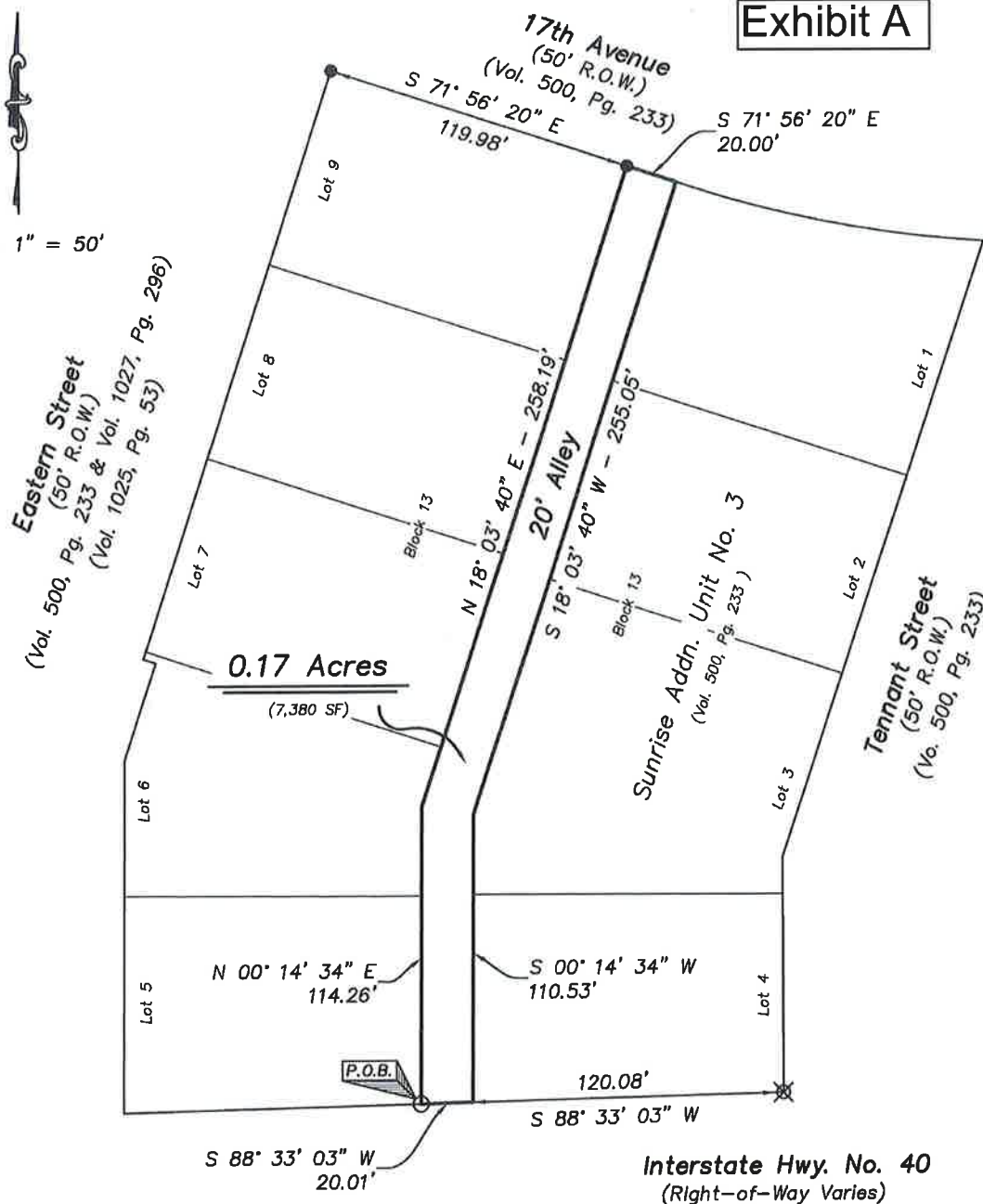
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

Exhibit A

Scale: 1" = 50'



⊗ = 3/4" Iron Pipe Found

○ = 1/2" Iron Rod Found

● = M.A.G. Nail Found

Bearings based on the U.S. State Plane Coordinate System
(NAD83) - Texas North Zone 4201

Distances shown are ground distances. Grid to ground scale
factor: 1.0002507

* * * * *

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
that I, Richard E. Johnson, Registered
COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby
certify that I did cause to be surveyed
on the ground the tract of land shown on this plat, and to the best
of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 19th day of November,
A.D., 2021.

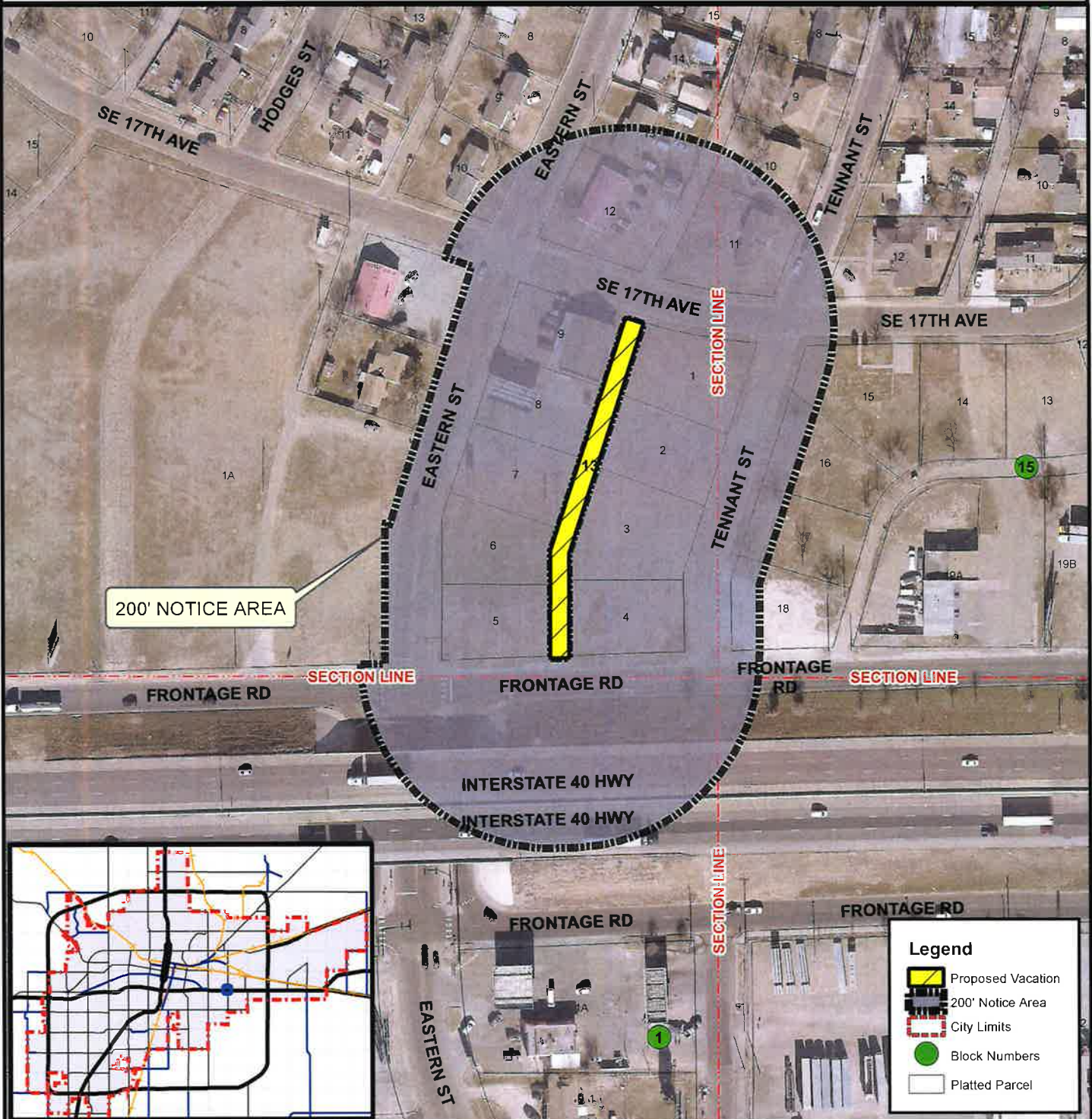


Richard E. Johnson
Richard E. Johnson
Registered Professional
Land Surveyor #4263

A Plat of a 20.0' Alley out of Block 13,
Sunrise Addition Unit No. 3, City of Amarillo,
Potter County, Texas

SCALE: 1" = 50'	Firm No. 10090900	DRAWN BY: JA
DATE: July 2021		FILE NAME:
OJD Engineering, LLC Consulting Engineers & Surveyors		808-447-2503 P.O. Box 543 Wellington, Texas 79095
		DRAWING NUMBER

CASE V-21-04 SUNRISE ADDITION UNIT NO. 3 ALLEY VACATION
--



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1 inch = 145 feet
Date: 12/1/2021
Case No: V-21-04



Vacation of a 20 foot wide alley lying west of Lots 1 thru 4, and east of Lots 5 thru 9, all in Block 13, Sunrise Addition Unit No. 3, in Section 123, A.B.&M. Survey, Potter County, Texas.

Applicant: Greg Mitchell for JAMAL Enterprises, LP

Vicinity: Eastern & I-40

AP: R-12

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	January 25, 2022	Council Priority	Regular Agenda Item – Public Hearing
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Department	Brady Kendrick – Planner II Planning and Development Services
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Agenda Caption

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7950

Second and final reading to consider an ordinance rezoning a 20.00-acre tract of unplatted land, in Section 53, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District (A) and Heavy Commercial District (HC) to Heavy Commercial District (HC).
(Vicinity: Pullman Rd. and Interstate 40)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consists of Heavy Commercial District (HC) to the north, a combination of Agricultural District (A) and Heavy Commercial District to the east and west, and Agricultural District to the south.

Adjacent land uses consist of various commercial developments to the north and undeveloped land in all other directions.

Proposal

The applicant is requesting a change in zoning to develop this tract of land with a commercial land use (hotel).

Analysis

Analysis of a zoning change begins with referring to conformity to the Comprehensive Plan's Future Land Use and Character Map, the recommended Neighborhood Unit Concept (NUC) of development, and what impacts, if any, a particular request will have on existing area zoning and development patterns.

The Future Land Use and Character Map identifies the applicant's tract as being General Commercial in nature. The General Commercial category calls for a wide range of commercial retail and service uses. The land uses typically vary in scale and intensity depending on the site.

Understanding that there are some uses allowed in Heavy Commercial that may not fit within the General Commercial category, the Planning and Zoning Commission would typically have some reservations with going against the recommended type of development. That said, considering the existing land use and zoning patterns along Interstate-40 either have or allow for Heavy Commercial uses and the fact that the applicant is expanding existing Heavy Commercial zoning minimally southward to the limits of the General Commercial recommendation, the Planning and Zoning Commission believes that if approved, no significant changes to existing zoning or development patterns will result.

Regarding the Neighborhood Unit Concept of Development, this concept calls for more intensive uses such as commercial, retail, office, and multi-family development to be located at or near Section Line Arterial Intersections with intensity of use and/or zoning decreasing inward towards the center/middle of a section.

In this case, the applicant's tract does not fall within such areas. That said, the applicant's tract is located adjacent to a long-established commercial corridor. Considering this and other considerations mentioned previously, the Planning and Zoning Commission is of the opinion that the request is a logical continuation of existing zoning and development patterns in the area and would not create any negative impacts to the surrounding area.

Requested Action/Recommendation

Notices have been sent to property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has not received any comments regarding the request.

Considering the above, the Planning and Zoning Commission recommends **APPROVAL** as presented.

ORDINANCE NO. 7950

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 PULLMAN ROAD AND INTERSTATE HIGHWAY 40, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the “Amarillo Comprehensive Plan” on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the Amarillo Municipal Code established zoning districts and regulations in accordance with such land use plan, and proposed changes must be submitted to the Planning and Zoning Commission; and

WHEREAS, after a public hearing before the Planning and Zoning Commission for proposed zoning changes on the property hereinafter described, the Commission filed its final recommendation and report on such proposed zoning changes with the City Council; and

WHEREAS, the City Council has considered the final recommendation and report of the Planning and Zoning Commission and has held public hearings on such proposed zoning changes, all as required by law; and

WHEREAS, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. The zoning map of the City of Amarillo adopted by Section 4-10 of the Amarillo Municipal Code and on file in the office of the Planning Director is hereby amended to reflect the following zoning use changes:

Rezoning of a 20 acre tract of unplatted land, in Section 53, Block 2, Pullman Industrial Acres Addition, AB&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District (A) and Heavy Commercial District (HC) to Heavy Commercial District (HC) being further described below and site plan attached hereto and incorporated herein as Exhibit A:

2129381- Description

A 20.00+/- acre tract of land out of Section 53, Block 2, A.B. & M. Survey, Potter County, Texas, being a portion of that certain 39.90+/- acre tract of land being described in that certain instrument recorded under Clerk’s File No. 2021OPR0013879 of the Official Public Records of Potter County, Texas, said 20.00+/- acre tract of land being described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with cap (Keys) found as called for in the East Right-of-Way line of FM Highway 1258 for the Southwest corner of said 39.90+/- acre tract of land, from whence a

1/2 inch iron rod with cap (Keys) found for the Southeast corner of said 39.90+/- acre tract of land bears S. 89° 54' 29" E. (Base line) 2699.97 feet;

THENCE N. 00° 04' 50" W. 199.77 feet along the East Right-of-Way line of said FM Highway 1258 to the Southwest and BEGINNING CORNER of this tract of land;

THENCE N. 00° 04' 50" W. 300.00 feet along the East Right-of-Way line of said FM Highway 1258 to a 5/8 inch iron rod with cap (Miller) found as called for the Southwest corner of Lot 1, Block 3, Pullman Industrial Acres Unit No. 4, an addition to the City of Amarillo according to the map or plat thereof, recorded under Clerk's File No. 1248351 of the Official Public Records of Potter County, Texas;

THENCE N. 89° 54' 38" E. 329.88 feet to a 5/8 inch iron rod with cap (Miller) found as called for the Southeast corner of said Lot 1, Block 3, same being an interior corner of this tract of land;

THENCE N. 00° 02' 20" W. 329.98 feet to a 5/8 inch iron rod with cap (Miller) found as called for in the South line of that certain 7.60 acre tract of land being described in that certain instrument recorded under Clerk's File No. 2018OPR0013136 of the Official Public Records of Potter County, Texas, for the Northeast corner of said Lot 1, Block 3;

THENCE N. 89° 54' 51" E. 244.13 feet to a 3/8 inch iron rod with cap (HBD) found as called for the Southeast corner of said 7.60 acre tract of land, same being an interior corner of this tract of land;

THENCE N. 00° 21' 42" E. 72.81 feet along the East line of said 7.60 acre tract of land to a 1/2 inch iron rod found as called for the Southwest corner of Lot 1, Block 1, Pullman Industrial Acres Unit No. 1, an addition to the City of Amarillo according to the map or plat thereof recorded in Volume 1707, Page 713 of the Official Public Records of Potter County, Texas;

THENCE S. 89° 53' 27" E. 699.92 feet to a 1/2 inch iron rod with cap (Keys) found as called for the Southeast corner of said Lot 1, Block 1, same being an interior corner of this tract of land;

THENCE N. 00° 26' 08" E. 498.91 feet to a 1/2 inch iron rod with cap (Keys) found as called for the most North Northwest corner of this tract of land;

THENCE S. 89° 49' 39" E. 105.00 feet to the Northeast corner of this tract of land, from whence a 1/2 inch iron rod with cap (Dorsey) bears S. 89° 49' 39" E. 294.92 feet;

THENCE S. 00° 24' 23" W. 1203.15 feet to the Southeast corner of this tract of land;

THENCE N. 89° 54' 29" W. 1374.00 feet to the PLACE OF BEGINNING and containing 20.00 acres of land, more or less.

SECTION 3. In the event this Ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the Ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

SECTION 4. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 5. This Ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 11th day of January, 2022, and PASSED on Second and Final Reading on this the 25th day of January, 2022.

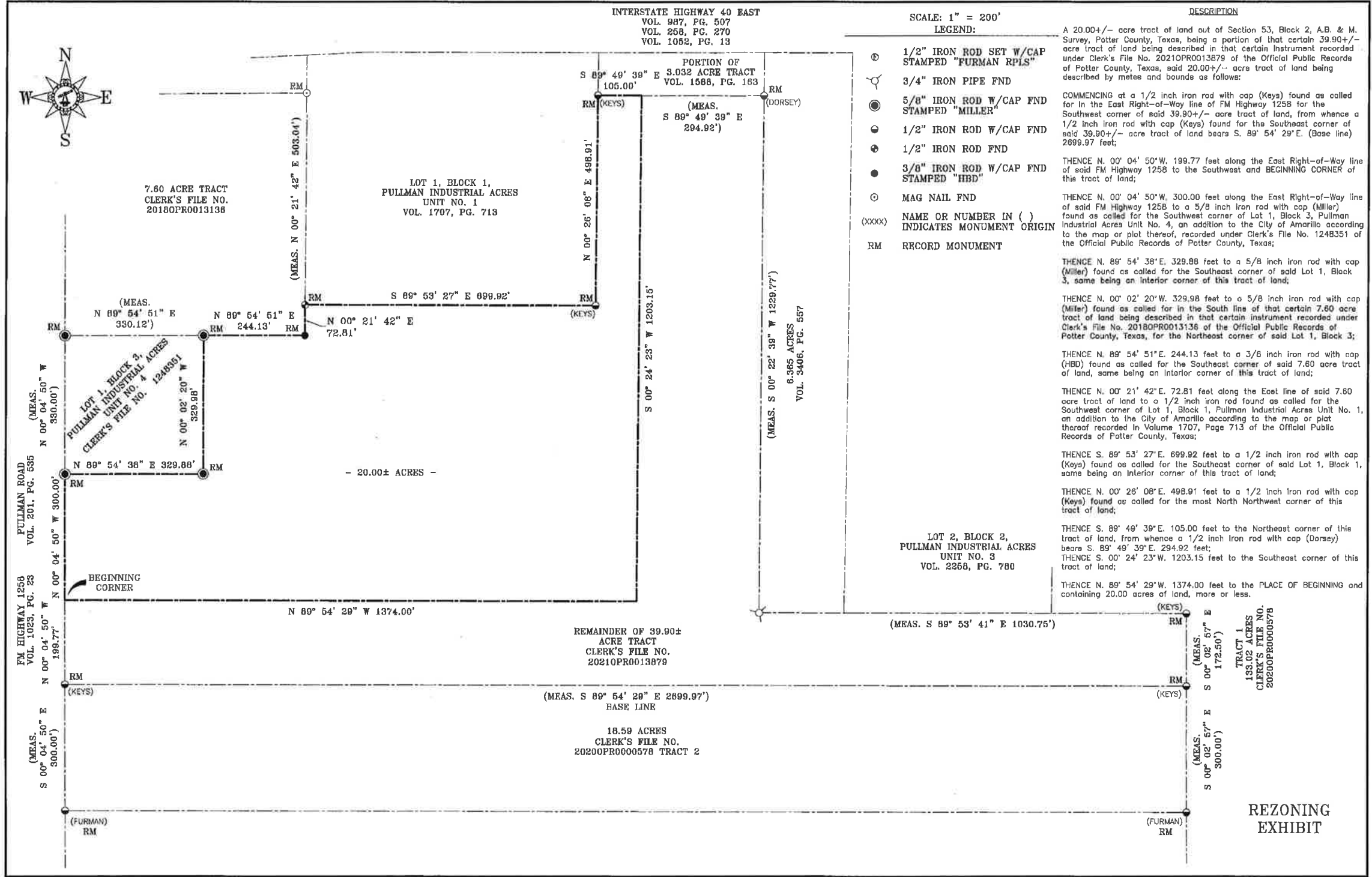
Ginger Nelson, Mayor

ATTEST:

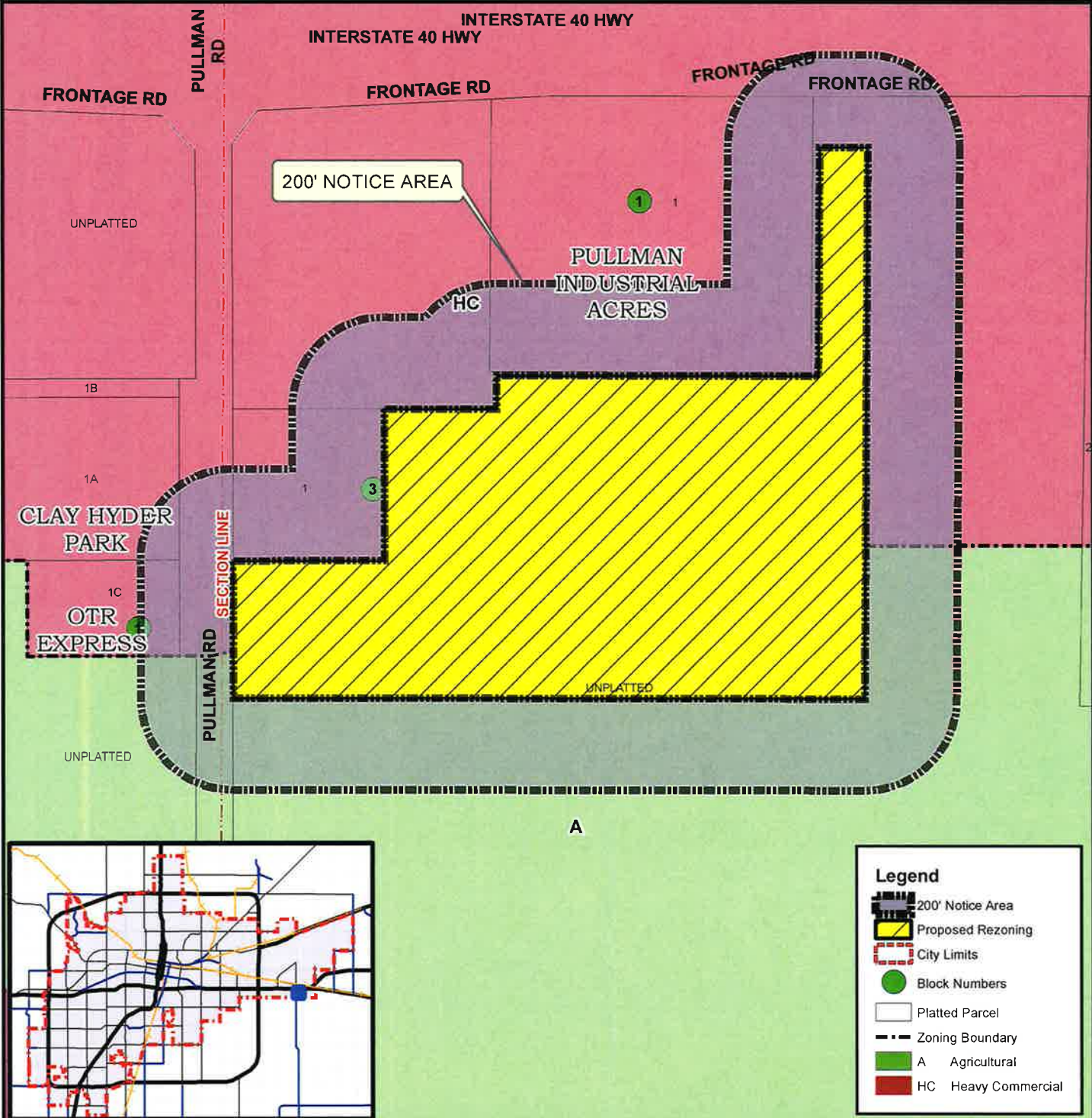
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney



REZONING FROM HC AND A TO HC

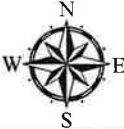


Legend

- 200' Notice Area
- Proposed Rezoning
- City Limits
- Block Numbers
- Platted Parcel
- Zoning Boundary
- A Agricultural
- HC Heavy Commercial

CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 12/1/2021
Case No: Z-21-16



Rezoning of a 20 acre portion of Section 53, Block 2, Pullman Industrial Acres Addition, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Heavy Commercial District.

Owner: Sardari, LLC
Vicinity: Pullam Rd & I40

AP: V-13

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Meeting Date	January 25, 2022	Council Priority	Regular Agenda Item – Public Hearing
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Department	Planning and Development Services Brady Kendrick – Planner II
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Agenda Caption
CONSIDERATION OF ORDINANCE NO. 7951

Second and final reading to consider an ordinance rezoning a 2.89-acre portion of Lot 2, Block 3, Amended South Side Acres Unit No. 12, an addition and a suburban subdivision to the City of Amarillo, in Section 230, 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 (A) to Multiple-Family District 1 (MF-1).
VICINITY: S.W. 58th Ave. and Ray St.
APPLICANT/S: Robert Keys for Attebury Elevators, LLC

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consists of Multiple-Family District 1 to the north and east and Agricultural District in all other directions.

Adjacent land uses consist of undeveloped land to the north, a playa lake to the south, an apartment complex to the east, and an outdoor athletic complex and playa lake to the west.

Proposal

The applicant is requesting a change in zoning to have the entirety of this lot zoned appropriately for a future multi-family development. Currently the north 230 feet of this lot is zoned Multiple-Family District 1 while the remaining south 2.89-acre portion of the lot is zoned Agricultural District.

Analysis

Analysis of a zoning change begins with referring to conformity to the Comprehensive Plan’s Future Land Use and Character Map, the recommended Neighborhood Unit Concept (NUC) of development, and what impacts, if any, a particular request will have on existing area zoning and development patterns.

The Future Land Use and Character Map identifies the applicant’s tract as being General Residential (GR). This category calls for detached single-family dwellings being the primary focus with less open space than suburban areas. Additionally, a mix of housing types and densities can be considered as well, typically via Planned Developments.

While the applicant’s request does not conform with the just mentioned land use category, it must be noted that there has been a departure from this recommendation as neighboring property to the north and east has developed primarily with apartments while land to the west contains multiuse complex that has various non-residential land uses (indoor and outdoor sports, retail, and daycare).

Land to the south of the applicant’s tract is mostly undevelopable due to the presence of a playa lake and associated flood hazard area. In fact, all the properties immediately along the south side of 58th Avenue between Georgia Street and Western Street are developed with non-single family uses.

In this instance if the Future Land Use Map was strictly adhered to, this would place single family homes among higher intensity land uses and would not be compatible with existing development. Additionally, it must also be noted that the applicant’s tract is part of a lot located on cul-de-sac that is either developed with apartments or zoned for multiple-family office development.



Regarding the Neighborhood Unit Concept of Development, this concept calls for more intensive uses such as retail, office, and multi-family development to be located at or near Section Line Arterial Intersections with intensity of use and/or zoning decreasing inward towards the center/middle of a section.

As illustrated by existing zoning and development patterns in the area, development along SW 58th Ave has not developed according to the Neighborhood Unit Concept due to a large portion of the section south of development along SW 58th being a playa lake and associated flood hazard area. Considering this, the Planning and Zoning Commission is of the opinion that the applicant's tract is a logical continuation of existing zoning and development patterns in the area and would not result in any detrimental impacts to the surrounding area if approved

Requested Action/Recommendation

Notices were sent to all property owners within 200 feet as required by State Law. As of this writing, no comments have been received.

Considering the just mentioned information, the Planning and Zoning Commission recommends **APPROVAL** of the request as presented with a 6-0 vote.

ORDINANCE NO. 7951

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 RAY STREET AND SOUTHWEST 58TH AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the "Amarillo Comprehensive Plan" on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the Amarillo Municipal Code established zoning districts and regulations in accordance with such land use plan, and proposed changes must be submitted to the Planning and Zoning Commission; and

WHEREAS, after a public hearing before the Planning and Zoning Commission for proposed zoning changes on the property hereinafter described, the Commission filed its final recommendation and report on such proposed zoning changes with the City Council; and

WHEREAS, the City Council has considered the final recommendation and report of the Planning and Zoning Commission and has held public hearings on such proposed zoning changes, all as required by law; and

WHEREAS, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. The zoning map of the City of Amarillo adopted by Section 4-10 of the Amarillo Municipal Code and on file in the office of the Planning Director is hereby amended to reflect the following zoning use changes:

Rezoning of a 2.89 acre portion of Lot 2, Block 3, Amended South Side Acres Unit No. 12, an addition and a suburban subdivision to the City of Amarillo, in Section 230, 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 (A) to Multiple-Family District 1 (MF-1), as shown in Exhibit A attached hereto and incorporated herein.

SECTION 3. In the event this Ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the Ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

SECTION 4. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 5. This Ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 11th day of January, 2022 and PASSED on Second and Final Reading on this the 25th day of January, 2022.

Ginger Nelson, Mayor

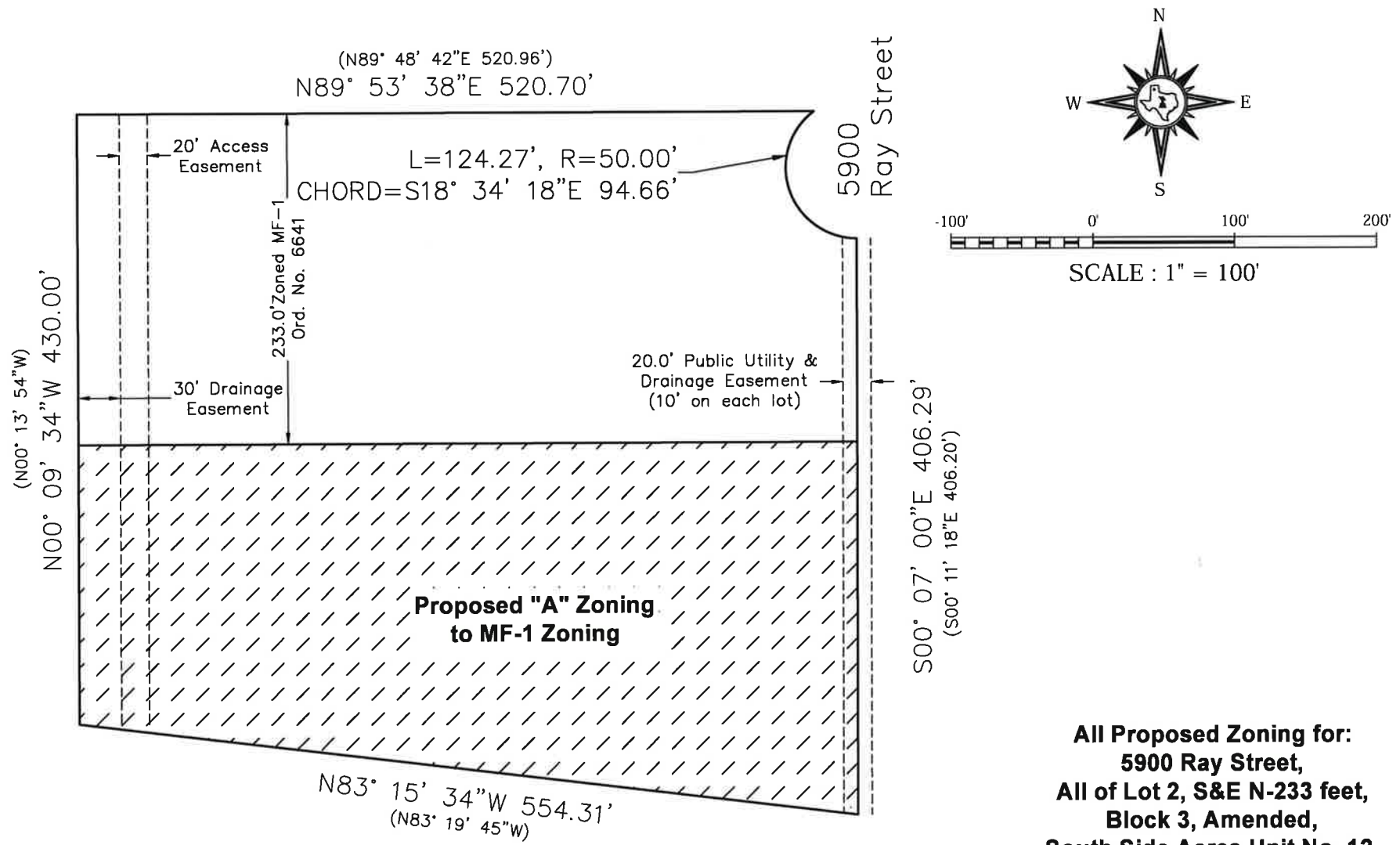
ATTEST:

Stephanie Coggins
City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

Exhibit A



All Proposed Zoning for:
5900 Ray Street,
All of Lot 2, S&E N-233 feet,
Block 3, Amended,
South Side Acres Unit No. 12,
Amarillo, Randall County, Texas

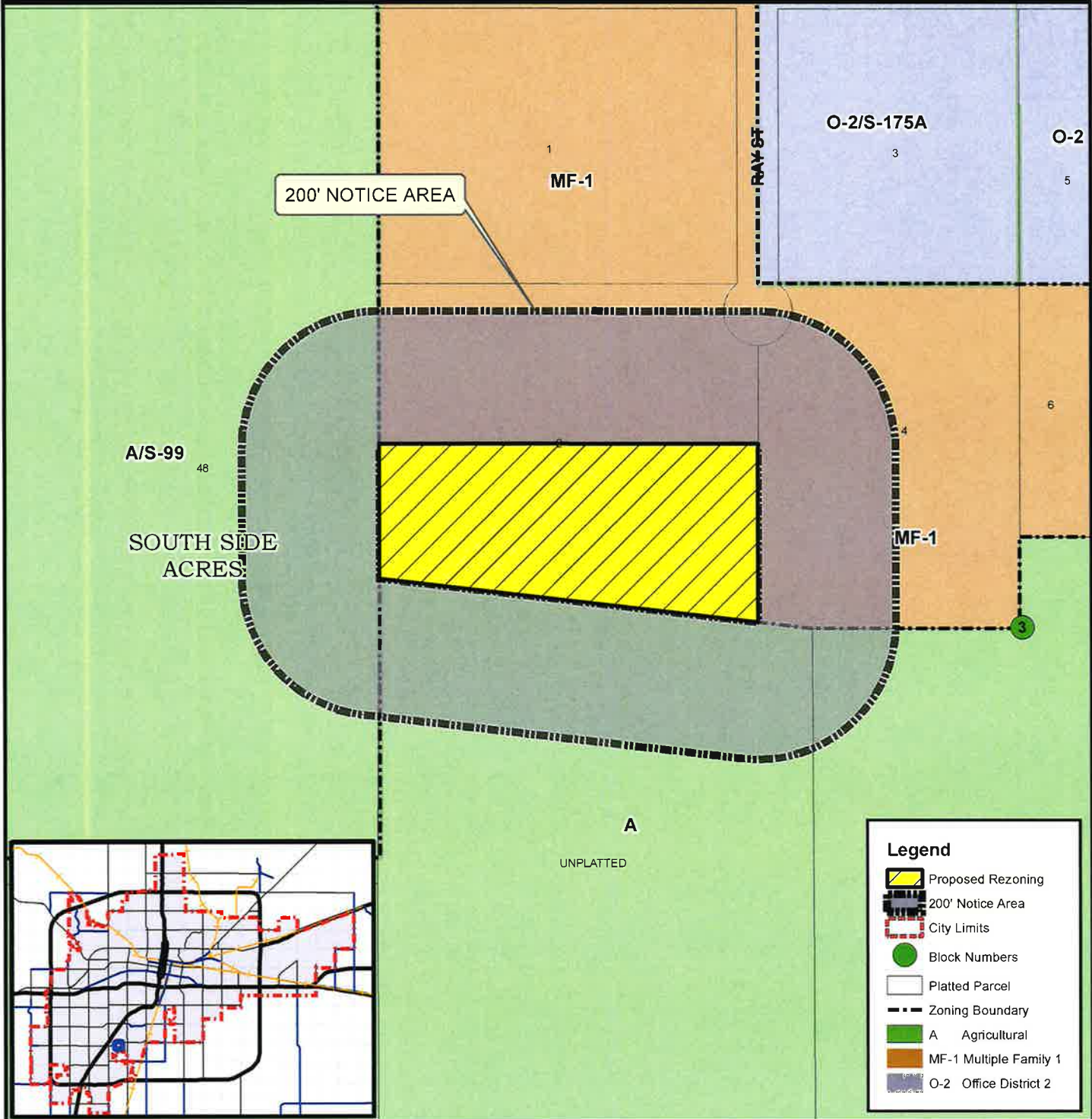
Robert Keys & Associates

RK A land surveying
engineering
land planning

(806)352-1782 Email: rka@keyssurveying.com
7106 S. Bell Street, Amarillo, Texas 79109-7003
TBPE Reg. No. F-16713 TBPLS Reg. No. 10194378
Oklahoma CA No. 8646 www.keyssurveying.com

Date 11-18-2021
Location: L-16

REZONING FROM A TO MF-1



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 200 feet
Date: 12/1/2021
Case No: Z-21-17



Z-21-17 Rezoning of a 2.89 acre portion of Lot 2, Block 3, Amended South Side Acres Unit No. 12, an addition and a suburban subdivision to the City of Amarillo, in Section 230, 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 (A) to Multiple-Family District 1 (MF-1).

VICINITY: S.W. 58th Ave. and Ray St.
APPLICANT/S: Robert Keys for Attebury Elevators, LLC

AP: L-16

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Amarillo City Council

Agenda Transmittal Memo



H

Meeting Date	January 25, 2022	Council Pillar	Fiscal Responsibility
Department	City Manager's Office		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption
CONSIDERATION OF RESOLUTION 01-25-22-1

This item considers a resolution authorizing Assistant City Manager Laura Storrs as the Authorized Official for the Smart Policing Initiative grant program.

Agenda Item Summary
With the departure of Deputy City Manager Kevin Starbuck, this resolution will designate Assistant City Manager Laura Storrs as the Authorized Official for the Smart Policing Initiative grant.

Requested Action
Consider approval of a resolution designating Assistant City Manager Laura Storrs as the Authorized Official for the Smart Policing Initiative grant on behalf of the City.

Funding Summary
A grant proposal is submitted to the US Department of Justice for consideration and approval pending allocation of program funds.

Community Engagement Summary
N/A

Staff Recommendation
It is recommended that City Council adopt the resolution.

RESOLUTION NO 01-25-22-1

A RESOLUTION BY THE CITY OF AMARILLO CITY COUNCIL:
AUTHORIZING ADMINISTRATION OF THE SMART POLICING
INITIATIVE (SPI) GRANT PROGRAM; DESIGNATING THE AS-
SISTANT CITY MANAGER TO ACT AS THE CITY'S AUTHOR-
IZED OFFICIAL IN ALL MATTERS PERTAINING TO THE
CITY'S PARTICIPATION IN THE RRTCC GRANT PROGRAM.

WHEREAS, the City of Amarillo is eligible to apply for and receive funding in the Smart Policing Initiative (SPI) grant program; and

WHEREAS, the City of Amarillo previously submitted application for the same (Grant #13399589); and

WHEREAS, the City of Amarillo was awarded funds on or about December 20, 2021; and

WHEREAS, the City Council wishes to designate specific City staff to efficiently administer and implement said grant.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. That a grant application is hereby ratified on behalf of the City.
2. That the City Council authorizes Assistant City Manager, Laura Storrs, as the grantee's authorized official, to apply for, accept, reject, alter, or terminate the application and/or subsequent grant on behalf of the City.
3. That in the event of loss or misuse said funds, the City Council assures that those funds will be returned to the same in full.

CONSIDERED AND APPROVED this 25th day of January 2022.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

Amarillo City Council

Agenda Transmittal Memo



I

Meeting Date	January 25, 2022	Council Priority	Infrastructure
Department	Facilities Department		
Contact	Jerry Danforth, Facilities Director		

Agenda Caption

CONSIDER AWARD – ARCHITECTURAL SERVICES FOR SERVICE CENTER FUELING SITES
(Contact: Jerry Danforth, Facilities Director)
Award to: Sims Architects - \$300,000.00

This item considers the award of a contract for architectural services for the construction design of two new fueling sites located at the City of Amarillo’s Service Center.

Agenda Item Summary

This award is for the architectural contract to Sims Architects for the construction of two new Fueling Sites located at the City of Amarillo’s Service Center.

Requested Action

Approval and award of the architectural contract to Sims Architects for the amount of \$300,000.00

Funding Summary

City Job # 610004.17400.1050

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of contract award to Sims Architects for the construction design of two new Fueling Sites located at the City of Amarillo’s Service Center.

Amarillo City Council

Agenda Transmittal Memo



J

Meeting Date	January 25, 2022	Council Priority	Fiscal Responsibility
Department	Finance		
Contact	Debbie Reid, Finance Director; Blair Snow, Assistant Finance Director		

Agenda Caption
CONSIDER AWARD – CONTRACT FOR UPGRADE OF BUDGET SOFTWARE
(Contact: Debbie Reid, Finance Director)
Award to: Questica Ltd. - Not to exceed \$351,992.00

This item considers the award of a one-year contract for the upgrade of the City’s current budget software, including the option to extend the contract for four additional one-year terms.

Agenda Item Summary
This item is the purchase of a software upgrade to transition from Questica’s legacy PowerPlan budgeting software to the latest version of Questica budget software in a hosted environment. Questica will deliver the latest version of Questica Budget software. This upgrade will enhance the efficiency of the budgeting process. The City of Amarillo’s current version of PowerPlan is not recommended for organizations of this size and is no longer meeting the needs of the organization. The most recent renewed contract between Questica and the City of Amarillo remains in effect.

Requested Action
Approval

Funding Summary
Job 411486 Financial Enterprise Resource Planning Software

Community Engagement Summary
Internal engagement with users

Staff Recommendation
Approval

Amarillo City Council

Agenda Transmittal Memo



K

Meeting Date	January 25, 2022	Council Priority	Fiscal Responsibility
Department	Finance		
Contact	Jennifer Gonzalez, Utility Billing Manager		

Agenda Caption
CONSIDER PURCHASE – FALCON+72 SORTING MACHINE
Award to: Opex Document and Mail Automation - \$102,690

This item is to replace the current sorting machine due to end of life span. This sorting machine for the Utility Billing Payment Operations includes machine, installation services, and annual license fee.

Agenda Item Summary
The Utility Billing Department receives a range of 700-1500 pieces of mail per day. The Falcon+ 72 Machine cuts, scans, uploads, and sends electronic payment files to the bank each day. This machine alleviates the manual work in applying each payment within the billing system and creates accuracy and efficiency within a group with minimal staffing. This would be a replacement due to the high volumes of mail we receive daily. The current equipment is also no longer supported due to being on the Windows 7 platform. This sorting machine for the Utility Billing Payment Operations includes machine, installation services, and annual license fee for a total cost of \$102,690.

Requested Action
Council consideration and approval of the purchase.

Funding Summary
Sufficient funding is available in the Utility Billing budget. Proposal also submitted within CIP request.

Community Engagement Summary
No competitors that will fulfill the requirements within the mail payment operations.

Staff Recommendation
Staff’s recommendation is for City Council’s approval of the purchase.

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	January 25, 2022	Council Priority	Fiscal Responsibility
Department	Central Stores		
Contact	Trent Davis, Purchasing Agent		

Agenda Caption

Consider Award-Bid 7135 Waterworks Supply Agreement

Ferguson Enterprises	\$ 63,325.20
Premier Waterworks	\$ 6,032.00
Silver Star Supply	\$ 73,408.45
Core & Main	\$ 38,171.00
	\$180,936.65

Agenda Item Summary

Consider approval of the award of the Waterworks Supply Agreement bid 7135

Requested Action

Consider approval of the award of the Waterworks Supply Agreement bid 7135

Funding Summary

Funding is available in the inventory account 1000.15400

Community Engagement Summary

N/A

Staff Recommendation

City staff is recommending approval of award

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	January 25, 2022	Council Pillar	Economic Development
Department	Amarillo Economic Development Corporation		
Contact	Kevin Carter, President & CEO		

Agenda Caption

CONSIDER PURCHASE - REAL ESTATE LOCATED AT US HWY 60 & PARSLEY ROAD

This item considers authorizing Amarillo Economic Development Corporation (AEDC) to execute a contract and all necessary documents for the purchase of approximately 1329 acres of land located at US Hwy 60 and Parsley Road. The purchase price is for \$6,647,650.00 plus closing costs and related expenses.

Agenda Item Summary

This item authorizes AEDC to execute a contract and all necessary documents for the purchase of approximately 1,329 acres of land located at US Hwy 60 and Parsley Road. The purchase price is for \$6,647,650.00 plus closing costs and related expenses.

Requested Action

Approval of the purchase of land as requested.

Funding Summary

\$6,647,650.00 plus closing costs and related expenses.

Staff Recommendation

AEDC staff is recommending approval of the purchase. The AEDC Board voted 3-0 on Tuesday, January 19, 2022 to consider approval of the purchase.

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	January 25, 2022	Council Pillar	Economic Development and Redevelopment
Department	Amarillo Economic Development Corporation		
Contact	Kevin Carter, President and CEO		

Agenda Caption
PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7952

This is a public hearing and first reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 16 for commercial and industrial tax abatement. The zone is approximately 9.57 acres in the vicinity of 421 SE 34th Avenue.

Agenda Item Summary

Designating a reinvestment zone is a step in the property tax abatement process under Chapter 312 of the Tax Code. Local governments often use tax abatements to attract new industry and commercial enterprises and to encourage the retention and development of existing businesses. Designation of an area as a reinvestment zone is required before City Council has the ability to offer a tax abatement.

The 9.57 acres proposed for Reinvestment Zone No. 16 is located at 421 SE 34th Avenue. The reason for creating this zone is to provide Council the option to offer an economic development incentive to a prospective manufacturing facility.

Before Council may consider a new zone, it must be preceded by a public hearing, with 7 days written notice of the hearing provided to the presiding officer of each of the other taxing entities with jurisdiction in the zone and notice of the hearing in a newspaper of general circulation in the city.

Council must make findings that the improvements sought in the zone are feasible and practical and would be a benefit to the zone after expiration of a tax abatement agreement. Zones must also meet one of the applicable criteria for reinvestment zones. For the case of this zone, the criteria met is that with designation of the zone it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City.

Requested Action

Conduct a public hearing and first reading of the Ordinance on January 25, 2022. The final reading is scheduled for February 8, 2022.

Funding Summary

N/A

Staff Recommendation

AEDC staff is recommending approval of the designation of Reinvestment Zone 16.

ORDINANCE NO. 7952

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS
CITY COUNCIL: DESIGNATING CERTAIN AREAS AS
REINVESTMENT ZONE NO. 16 FOR COMMERCIAL /
INDUSTRIAL TAX ABATEMENT, CITY OF AMARILLO,
TEXAS, PURSUANT TO TEXAS TAX CODE, CHAPTER
312, SUBCHAPTERS A & B, ESTABLISHING THE
BOUNDARIES THEREOF AND OTHER MATTERS
RELATING THERETO; PROVIDING A SEVERANCE
CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Amarillo, Texas ("City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a Reinvestment Zone for commercial/industrial tax abatement, as authorized by Texas Tax Code Chapter 312, Subchapters A & B; and

WHEREAS, City has elected by Resolution No. 08-24-21-1 to become eligible to participate in tax abatements; and

WHEREAS, a public hearing in a regularly scheduled meeting before the City Council was held on January 25, 2022, such date being at least seven (7) days after the date of publication of the notice of such public hearing as required by the Texas Tax Code; and

WHEREAS, notice of the public hearing was delivered to the presiding officer of the governing body of each taxing unit located within the proposed Reinvestment Zone at least seven (7) days before the date of the public hearing; and

WHEREAS, the City at such hearing invited all interested persons, or their counsel, to appear and speak for or against the creation of the proposed Reinvestment Zone, the boundaries of the proposed Reinvestment Zone, and whether all or part of the property described in this ordinance should be included in such proposed Reinvestment Zone; and

WHEREAS, all interested persons were given the opportunity to be heard and the proponents of the Reinvestment Zone offered evidence in favor of the creation of the proposed Reinvestment Zone and the proponents also submitted evidence as to the proposed improvements, and any opponents of the proposed Reinvestment Zone were given the opportunity to contest creation of the proposed Reinvestment Zone; and

WHEREAS, the area to be designated meets the statutory requirement that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary

employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the municipality, and/or meets other criteria that satisfies state law for establishment of a reinvestment zone;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and are adopted as findings of fact by this body and as part of its official record.

SECTION 2. The City, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the testimony and evidence presented to it:

- a) That a public hearing on the designation of the Reinvestment Zone has been properly called, held and conducted and that notice of such hearing was published as required by law and delivered to all taxing units overlapping the territory inside the proposed reinvestment zone; and
- b) That the boundaries of the area to be known as City of Amarillo Reinvestment Zone No. 16 shall be the area of land described on the document attached hereto as Exhibit "A", which is incorporated herein for all purposes; and
- c) That the creation of the City of Amarillo Reinvestment Zone No. 16 with the boundaries as described in (b) above, will result in benefits to the City and to the land included in the zone and to the City after the expiration of any Tax Abatement Agreement entered into, and the improvements sought are feasible and practical; and
- d) That the Reinvestment Zone as described in (b) above meets the criteria for the creation of a Reinvestment Zone as set forth in Texas Tax Code Chapter 312, Subchapters A & B in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the Reinvestment Zone that would be a benefit to the property and that would contribute to the economic development of the City; and
- e) That the City of Amarillo Reinvestment Zone No. 16 as defined herein satisfies the requirement of a Reinvestment Zone and is eligible under the Guidelines and Criteria for Tax Abatement in the City of Amarillo, Resolution No. 08-24-21-1.

SECTION 3. That pursuant to Texas Tax Code Chapter 312, Subchapter B, the City hereby creates a Reinvestment Zone for commercial/industrial tax abatement encompassing the area described by the legal description in Section 2(b) above and such Reinvestment Zone is hereby designated and shall hereafter be designated City of Amarillo Reinvestment Zone No. 16 for a period of five (5) years.

SECTION 4. If any portion of this ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof.

SECTION 5. That the establishment of City of Amarillo Reinvestment Zone No. 16 shall take effect on the date of the final passage of this Ordinance.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 25th day of January 2022, and PASSED on Second and Final Reading on the 8th day of February 2022.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVE AS TO FORM:

Bryan McWilliams, City Attorney

EXHIBIT A
LEGAL DESCRIPTION OF REINVESTMENT ZONE NO. 16

Tract 1:

Being a tract of land containing 9.57 acres out of Section 171, Block 2, AB&M Survey, Randall County, Texas, and being described by metes and bounds as follows:

BEGINNING at the Southeast corner of Section 171, Block 2, AB&M Survey, appoint in Southeast 34th Avenue;

THENCE S. 89 degrees 50 minutes W. along the South line of Section 171 a distance of 1,035.3 feet to a point;

THENCE N. 30 feet to a 1/2 inch iron pipe, the Southeast and Beginning corner of this survey, also being a point in the West property line of Llano Cemetery;

THENCE S. 89 degrees 50 minutes W. 502.5 feet to a 3/4 inch iron rod in the Easterly R.O.W. line of the AT&SF Railroad;

THENCE N 16 degrees 54 minutes 40 seconds E. parallel with and 352.2 feet from the center line of said Railroad a distance of 1,722.45 feet to a 1-1/4 inch iron pipe;

THENCE N. 89 degrees 50 minutes E. 3.66 feet to a 1/2 inch iron pipe in the West line of the Llano Cemetery property;

THENCE S. 00 degrees 04 minutes 35 seconds W. along the West line of the Llano Cemetery property a distance of 1,646.53 feet to the Beginning corner of this tract.

Tract 2:

A parcel of land situated in the City of Amarillo, County of Randall, State of Texas lying in Section 171, Block 2 A. B. & M. Survey, Abstract Number 43, being a portion of those certain land acquired by the Pecos and Northern Texas Railway Company (predecessor in interest to the Atchison, Topeka and Santa Fe Railway Company) and the Atchison, Topeka and Santa Fe Railway Company by the following deeds;

- (1) Deed dated November 19, 1907 from J.W. Crudginton recorded January 29, 1908 in Deed Volume 18, at Pages 64 et seq. of the Records of Randall County;
- (2) Deed dated September 12, 1968 from Verl T. Hawbaker and Blackburn Brothers, Inc, in Deed Volume 446 at Page 317 of the Records of Randall County, Texas.

More particularly described as follows:

Commencing at the Southeast corner of said Section 171, Block 2, A. B. & M. Survey;

Thence South 89° 50' 00" West (bearing assumed for the purpose of this description) along the Southerly line of said Section 171 a distance of 1,035.3 feet;

Thence North 00° 04' 35" East, 30 feet to a 1/2 inch pipe set October 27, 1971 for a survey point by Jimmie Nail (Surveyor);

Thence South 89° 50' 00" West, 501.11 feet to the Southwesterly corner of that certain parcel as described as Tract A in deed dated September 12, 1968 from said Railway Company to Verl R. Hawbaker and Blackburn Brothers, Inc., monumented by a 1/2 inch rod with a cap stamped "Furmon RPLS 1959", being the True Point of Beginning;

Thence continuing South 89° 54' 00" West along the Westerly prolongation of the Southerly Boundary of said Tract A, 10.72 feet to a point on a line parallel with and distant Easterly 314.95

feet from the centerline of that certain railroad tract as designated in records of said Railway Company as the Hereford Subdivision Main Track;

Thence North $16^{\circ} 54' 40''$ East along said parallel line 1,722.45 feet to the Northerly boundary of Tract Number 4, described in said deed dated September 12, 1968 recorded in Volume 446, at Page 317;

Thence North $89^{\circ} 50' 00''$ East along said Northerly boundary, 10.72 feet to the Easterly boundary of said Tract Number 4;

Thence South $16^{\circ} 54' 40''$ West along the Southerly prolongation of said Easterly boundary, 1,722.45 feet to the Point of Beginning.

Amarillo City Council

Agenda Transmittal Memo



B

Meeting Date	January 25, 2022	Council Priority	Regular Agenda Item – Public Hearing
Department	Planning and Development Services		
Contact	Brady Kendrick – Planner II		

Agenda Caption

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7953

Public hearing and first reading to consider an ordinance rezoning an 8.49 acre tract of unplatted land in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 (R-1) and Agricultural District (A) to General Retail District (GR).

VICINITY: Hillside Rd. and Nancy Ellen St.

APPLICANT/S: Mike Buccola for FBR Land Co., LLC

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consists of Residential District 3, Residential District 1, and Planned Development 373A to the north, Residential District 3 to the west, Planned Development District 373A to the east, and Agricultural District, Moderate Density District, and Planned Development 381 to the south.

Adjacent land uses consist of undeveloped land and a single family detached home to the north, an electrical substation, City water tower, a duplex, and mini-storage facility (under construction) to the south, a multi-tenant office and retail building to the east, and undeveloped land to the west.

Proposal

The applicant is requesting a change in zoning from Residential District 1 and Agricultural District to General Retail District with the intent of developing the property with retail land uses.

Analysis

Analysis of a zoning change begins with referring to conformity to the Comprehensive Plan’s Future Land Use and Character Map, the recommended Neighborhood Unit Concept (NUC) of development, and what impacts, if any, a particular request will have on existing area zoning and development patterns.

The Future Land Use and Character Map recommends the applicant’s tract develop with Suburban Residential land uses. The Suburban Residential category calls for detached residential dwellings, attached residential dwellings (when incorporated with Planned Developments), parks/public spaces, and public/institutional as the primary development types recommended within this category with a suburban character being the desired development pattern.

The applicant’s request of General Retail zoning would not fit this Future Land Use and Character Map category. Staff does note that in this area, patterns of development and zoning have varied from the Future Land Use and Character Map as the adjacent properties have developed with the uses described previously in an area that is largely in the Suburban Residential category (the yellow in the following image).

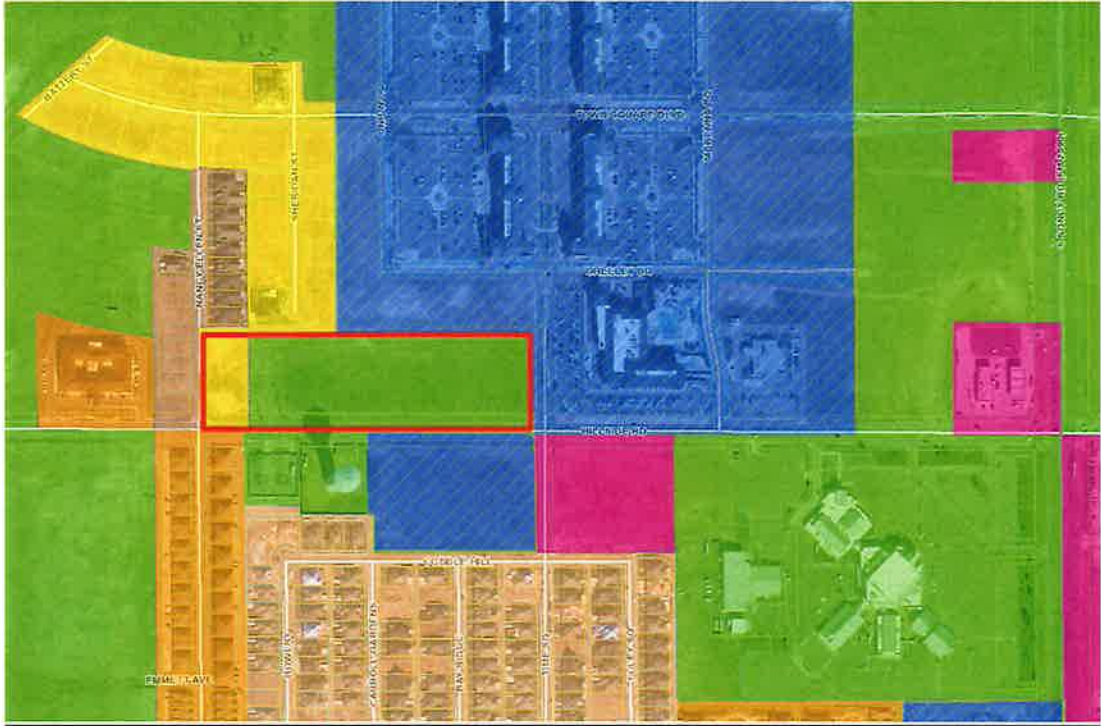


(Hillside Rd. and Nancy Ellen St.)

If this tract developed in strict adherence to the Future Land Use and Character Map, it would place single-family homes among higher intensity land uses and immediately adjacent to Hillside Road, which has become a retail corridor and throughfare in this area. This would not be compatible with existing development patterns.

The Neighborhood Unit Concept of Development calls for more intensive uses such as retail, office, and multi-family development to be located at or near Section Line Arterial Intersections with intensity of use and/or zoning decreasing inward towards the center/middle of a section.

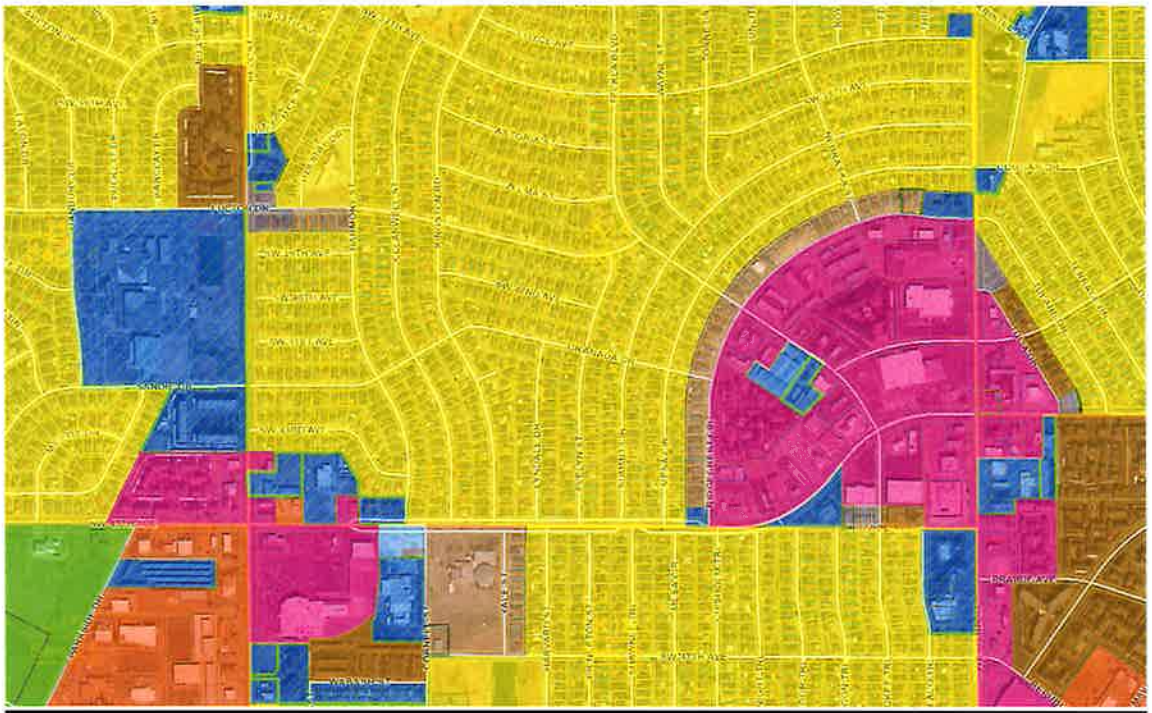
Considering the distance the applicant's tract is from the adjacent Section Line Arterial Intersections, the applicant's request would not conform with the Neighborhood Unit Concept. However, when considering the existing zoning and development patterns along this section of Hillside Road as illustrated in the next graphic, development in this area has not developed according to the Neighborhood Unit Concept with Hillside Road featuring a number of non-single family uses in the immediate area of the applicant's tract.



(Hillside Rd. And Nancy Ellen St.)

The development patterns within this area have been influenced by the development of the Town Square subdivision to the north of Hillside Road which features mixed use development with multi-family and various retail and office uses within the center portion of the section and areas along Hillside Road. Additionally, the presence of the Hillside Christian Church, electrical substation, and City water tower along the south side of Hillside Road have also influenced development along this section of Hillside Road to be primarily non-residential in nature.

The Planning and Zoning Commission does note that while the request, if approved, would place General Retail Zoning immediately adjacent to areas zoned for Single-Family development, it should also be noted a precedent for such has already been set within the City along many arterial roadways which is illustrated in the following graphics.



(SW 45th Ave. and Western St.)



(Hillside Rd. and Coulter St.)

Upon development of these tracts, site plan review would be required which would address screening, landscaping, and setback requirements which would mitigate impacts to the neighboring single family zoned properties.

Considering the above, The Planning and Zoning Commission is of the opinion that the request is a logical continuation of existing zoning and patterns of development in the area and would have minimal impacts on the surrounding area.

Requested Action/Recommendation

Notices have been sent to property owners within 200 feet regarding this proposed rezoning as required by State Law. At the time of this writing, the Planning Department has not received any comments regarding the request.

Considering the just mentioned, The Planning and Zoning Commission recommends **APPROVAL** of the rezoning request as presented.

ORDINANCE NO. 7953

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

WHEREAS, the City Council adopted the "Amarillo Comprehensive Plan" on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the Amarillo Municipal Code established zoning districts and regulations in accordance with such land use plan, and proposed changes must be submitted to the Planning and Zoning Commission; and

WHEREAS, after a public hearing before the Planning and Zoning Commission for proposed zoning changes on the property hereinafter described, the Commission filed its final recommendation and report on such proposed zoning changes with the City Council; and

WHEREAS, the City Council has considered the final recommendation and report of the Planning and Zoning Commission and has held public hearings on such proposed zoning changes, all as required by law; and

WHEREAS, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. The zoning map of the City of Amarillo adopted by Section 4-10 of the Amarillo Municipal Code and on file in the office of the Planning Director is hereby amended to reflect the following zoning use changes:

Rezoning of an 8.49 acre tract of unplatted land in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Residential District 1 (R-1) and Agricultural District (A) to General Retail District (GR), as shown in Exhibit A attached hereto and incorporated herein.

SECTION 3. In the event this Ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the Ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

SECTION 4. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 5. This Ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 25th day of January 2022 and PASSED on Second and Final Reading on the 8th day of February 2022.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

REZONING FROM A & R-1 TO GR

REZONING FROM A & R-1 TO GR

Legend

- 200' Notice Area
- Proposed Rezoning
- City Limits
- Block Numbers
- Platted Parcel
- Zoning Boundary
- A Agricultural
- GR General Retail
- MD Moderate Density
- R-1 Residential District 1
- R-2 Residential District 2
- R-3 Residential District 3

Rezoning of a 8.49 acre tract of unplatted land in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Residential District 1 (R-1) and Agricultural District (A) to General Retail District (GR).

AP: H-15

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

Amarillo City Council

Agenda Transmittal Memo



C

Meeting Date	January 25, 2022	Council Pillar	Fiscal Responsibility
Department	City Manager's Office		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

DISCUSS AND CONSIDER FUNDING OPTIONS FOR REPAIRING ATHLETIC FIELD LIGHTING
(Contact: Laura Storrs, Assistant City Manager)

This item is to discuss and consider funding options to repair athletic field lighting, in conjunction with Agenda Items No. 3-D and 3-E that provide for possible consideration by Council on the various funding options to be discussed.

Agenda Item Summary

This item is to discuss and consider funding options to repair athletic field lighting, in conjunction with Agenda Items No. 3-D and 3-E that provide for possible consideration by Council on the various funding options to be discussed.

Requested Action

Provide direction to staff about which funding option Council would like to utilize to repairing and improving lighting for park and recreational facilities.

Funding Summary

N/A

Community Engagement Summary

At the January 11, 2022 City Council meeting, Council was presented costs associated with the replacement needed to existing athletic facility lighting.

Staff Recommendation

Staff is recommending direction from Council on this item.

Amarillo City Council

Agenda Transmittal Memo



D

Meeting Date	January 25, 2022	Council Pillar	Fiscal Responsibility
Department	City Manager’s Office		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption
CONSIDERATION OF RESOLUTION 01-25-22-2
(Contact: Laura Storrs, Assistant City Manager)

This item is the discussion and consideration of all matters incident and related to approving and authorizing publication of notice of intention to issue up to \$9.0 million of certificates of obligation, including the adoption of a resolution pertaining thereto. This is presented as one of the funding options available to Council in conjunction with the discussion in Agenda Item No. 3-C.

Agenda Item Summary
This resolution authorizes the City of Amarillo to publish notification of the City’s intention to issue certificates of obligation not to exceed \$9,00,000. The proceeds will be used for the purpose of paying contractual obligations to be incurred for the purpose of paying contractual obligations to be incurred for (i) acquiring, constructing, improving and installing lighting for park and recreational facilities and (ii) professional services rendered in connection therewith.

Requested Action
Council consideration and approval of the resolution.

Funding Summary
N/A

Community Engagement Summary
At the January 11, 2022 City Council meeting, Council was presented costs associated with the replacement needed to existing athletic facility lighting.

Staff Recommendation
Staff recommendation is to approve the resolution authorizing the publication of a notification of the City’s intention to issue certificates of obligation.

Amarillo City Council

Agenda Transmittal Memo



E

Meeting Date	January 25, 2022	Council Pillar	Fiscal Responsibility
Department	City Manager's Office		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

CONSIDERATION OF RESOLUTION 01-25-22-3
(Contact: Laura Storrs, Assistant City Manager)

This item is the discussion and consideration of all matters incident and related to approving and authorizing publication of notice of intention to issue up to \$7.0 million of certificates of obligation, including the adoption of a resolution pertaining thereto. This is presented as one of the funding options available to Council in conjunction with the discussion in Agenda Item No. 3-C.

Agenda Item Summary

This resolution authorizes the City of Amarillo to publish notification of the City's intention to issue certificates of obligation not to exceed \$7,000,000. The proceeds will be used for the purpose of paying contractual obligations to be incurred for the purpose of paying contractual obligations to be incurred for (i) acquiring, constructing, improving and installing lighting for park and recreational facilities and (ii) professional services rendered in connection therewith.

Requested Action

Council consideration and approval of the resolution.

Funding Summary

N/A

Community Engagement Summary

At the January 11, 2022 City Council meeting, Council was presented costs associated with the replacement needed to existing athletic facility lighting.

Staff Recommendation

Staff recommendation is to approve the resolution authorizing the publication of a notification of the City's intention to issue certificates of obligation.