

AMARILLO CITY COUNCIL REGULAR MEETING VIA VIDEO CONFERENCE
NOTICE IS HEREBY GIVEN IN ACCORDANCE WITH ORDER OF THE OFFICE OF
THE GOVERNOR ISSUED MARCH 16, 2020.

A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON
TUESDAY, NOVEMBER 17, 2020 AT 1:00 P.M., CITY HALL, 601 SOUTH
BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY
HALL, AMARILLO, TEXAS BY VIDEO CONFERENCE (IN ORDER TO ADVANCE
THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS ALSO
CALLED "SOCIAL DISTANCING" TO SLOW THE SPREAD OF THE
CORONAVIRUS (COVID-19)). THERE WILL BE NO PUBLIC ACCESS TO THE
LOCATION DESCRIBED ABOVE.

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

This Agenda, and the Agenda Packet, are posted online at:
<https://www.amarillo.gov/city-hall/city-government/city-council>

The video meeting is hosted through Zoom. The meeting is broadcast on the City's
website at: www.amarillo.gov. The Zoom link to join the meeting is:
<https://amarillo.zoom.us/j/330267295> and the conference bridge number for Zoom is:
Telephone # 4086380968 when prompted for meeting ID enter: 330267295#. All callers
will be muted for the duration of the meeting.

This meeting will be recorded and the recording will be available to the public in
accordance with the Open Meetings Act upon written request.

*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: Isaac Butler

PROCLAMATION: "Floyd Anthony, National Association for the Advancement of
Colored People (NAACP)"

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 8:00 a.m. until Tuesday 12:45 p.m. at
[https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-
registration-form](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. Please call
in at 1:00 p.m. at Telephone # 4086380968 when prompted for meeting ID enter:
330267295#.

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. Coronavirus Update; and
 - C. 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:**

Approval of the City Council minutes for the regular meeting held on November 10, 2020.

B. **CONSIDERATION OF ORDINANCE NO. 7889:**

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

This item is the second and final reading to consider an ordinance rezoning a 5.04 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 Agricultural District to Amended Planned Development 375A for expansion of existing operations for a parking lot related to business operations. (Vicinity: Pilgrim Drive and Soncy Road.)

C. **CONSIDERATION OF ORDINANCE NO. 7890:**

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

This item is the second and final reading to consider an ordinance vacating a 3,928 square foot portion of North Adams Street right-of-way situated south of Northwest First Avenue, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas (Vicinity: North Adams Street and Northwest 1st Avenue.)

D. **CONSIDERATION OF ORDINANCE NO. 7891:**

(Contact: Kevin Carter, President and CEO)

This item is the second and final reading to consider an ordinance designating certain areas of the City as Reinvestment Zone No. 11 for commercial and industrial tax abatement. The zone is approximately 4.85 acres. (Vicinity: Amarillo Boulevard and Point West Parkway.)

E. **CONSIDER AWARD – SELECTRON IVR 5 YEAR AGREEMENT:**

(Contact: Ismael Rivera, Jr., Building Official)

Awarded to Selectron - \$282,917.28

This agreement is to continue using services from Selectron for Building Safety's IVR permitting activities for the next 5 years.

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

(Contact: Rich Gagnon, Information Technology Director)

Awarded to Weaver - \$188,014.92

This item represents the purchase of IT infrastructure hardware for the City's Virtual Desktop Infrastructure (VDI) as part of the Federal CARES Act grant.

G. **CONSIDER APPROVAL – APD BOMB TEAM RESPONSE VEHICLE – FY2020 HOMELAND SECURITY GRANT PROGRAM:**

(Contact: Chip Orton, Director of Emergency Management)

Grapevine Dodge Chrysler Jeep - \$249,564.00

This item is to consider the purchase of an APD Bomb Team Response Vehicle which is 100% funded as part of the FY2020 Homeland Security Grant Program. This vehicle will enhance the team's response and replace a previous truck that is at the end of useful life.

H. **CONSIDER APPROVAL – CHANGE ORDER #1, CREDIT FOR CIVIC CENTER ROOF REPLACEMENT:**

(Contact: Jerry Danforth, Director of Facilities & C.I.P.)
Northline Construction, Inc. - \$6,150,291.00
Change order #1 above contingency \$ 11,672.19
Balance amount \$6,161,963.19
Change Order #1 Credit (\$ 282,555.80)
Revised Total \$5,879,407.39

This item is to consider approval of a credit of \$282,555.80.

I. **CONSIDER APPROVAL – PROFESSIONAL SERVICES AGREEMENT WITH KSA ENGINEERS, INC. FOR RPR AND WARRANTY PHASE SERVICES – HOLLYWOOD ROAD WASTEWATER RECLAMATION FACILITY DIGESTER MIXING IMPROVEMENTS:**

(Contact: Matthew Thomas, City Engineer)
KSA Engineers, Inc. - \$142,000.00

This item is to consider approval of the professional services agreement, which includes additional services in the scope of work to provide:
1) resident project representative/inspection services, and 2) warranty phase services.

3. **NON-CONSENT ITEMS:**

A. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7892:**

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

This item is a public hearing and first reading to consider an ordinance expanding the current boundary and approving an amended final project and finance plan for Tax Increment Reinvestment Zone No. 2.

B. **CONSIDER RESOLUTION – SPECIAL MUNICIPAL ELECTION:**

(Contact: Frances Hibbs, City Secretary)

This resolution canvasses the returns and declares the results of the special election held on November 3, 2020.

C. **CONSIDER ORDINANCE NO. 7893 – BUDGET AMENDMENT:**

(Contact: Laura Storrs, Assistant City Manager)

This is the first reading of an ordinance to amend the Heritage Hills Public Improvement District 2020/2021 budget included in the City of Amarillo 2020/2021 Budget.

D. **CONSIDER RESOLUTION – AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION:**

(Contact: Laura Storrs, Assistant City Manager)

This resolution authorizes the City of Amarillo to publish notification of the City's intention to issue certificates of obligation not to exceed \$1,050,000. The proceeds will be used for costs incurred for acquiring, construction, improving and equipping park facilities at the Greenways Public Improvement District.

E. **UPDATE ON PUBLIC/PRIVATE FUNDING COMMITTEE FOR CIVIC CENTER:**

(Contact: Jared Miller, City Manager)

F. **DISCUSS AND CONSIDER ACQUISITION OF 500 SOUTH GRANT STREET, 621 SOUTH JOHNSON STREET, AND 707 SOUTH JOHNSON STREET:**

(Contact: Laura Storrs, Assistant City Manager)

Discussion and consideration of acquisition of property at 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, Amarillo, Texas, and funding options.

- G. **CONSIDER RESOLUTION – DECLARING THE EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT:**
(Contact: Laura Storrs, Assistant City Manager)
Discussion and consideration of all matters incident and related to declaring expectation to reimburse expenditures for purchasing property at 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, Amarillo, Texas, demolition of buildings, and site preparation with proceeds of future debt, including the adoption of a resolution pertaining thereto.
- H. **CONSIDER RESOLUTION – AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION:**
(Contact: Laura Storrs, Assistant City Manager)
Discussion and consideration of all matters incident and related to approving and authorizing publication of notice of intention to issue certificates of obligation, including the adoption of a resolution pertaining thereto.
- I. **CONSIDER APPROVAL – TAX ABATMENT AGREEMENT:**
(Contact: Kevin Carter, President and CEO)
Parties: City of Amarillo and NX Amarillo MOB, LLC, Physician Reliance, LLC (together, “Recipient”) and Parkwest Corporate Center, Ltd.
McKesson is considering constructing a new Regional Cancer Treatment Center in Amarillo, in addition to the current facility. This center would bring in around 48,000 patients annually from Texas, New Mexico, Oklahoma & Kansas. Ten to fifteen percent traveling from outside of Texas and forty-five from outside of the Amarillo MSA. McKesson is considering two investment opportunities – the Amarillo facility or a completely different facility in Central Ohio, requiring the same amount of capital.
Highlights of the project include:
- Construction of a new 50,000 square foot facility on 4.85 acres located in the Point West Development.
 - 27 new employees projected and 9 transferring from current location
 - \$3,300,000 new payroll projected
 - \$32,900,000 in Capital Expenditure
- AEDC is asking the City Council to approve an abatement of future taxes on the construction and equipment upgrades. The City Incentive Guidelines adopted in 2019 qualify the project for 60% for a 6-year period on the new construction and equipment.
- J. **CONSIDER APPOINTMENTS – BOARDS AND COMMISSIONS:**
(Contact: City Secretary’s Office)
Appointments are needed for the annual appointments of the following boards and commissions:
Advisory Committee for People with Disabilities
Amarillo Economic Development Corporation
Amarillo Health Facilities Corporation
Amarillo Hospital District Board of Managers
Amarillo Local Government Corporation
Amarillo-Potter Events Venue District Board of Directors
Beautification and Public Arts Advisory Board
Center City Tax Increment Reinvestment Zone #1 Board of Directors
Community Development Advisory Committee
Condemnation Appeals Commission
Construction Advisory and Appeals Board
East Gateway Tax Increment Reinvestment Zone #2
Environmental Task Force
Library Advisory Board
Parks and Recreation Board

Planning and Zoning Commission
Ports-to-Plains Board of Directors
Texas Panhandle Centers
Traffic Advisory Board
Zoning Board of Adjustments
Public Improvement Districts:
 Greenways Public Improvement District Advisory Board
 Pinnacle Public Improvement District Advisory Board
 Point West Public Improvement District Advisory Board

4. **EXECUTIVE SESSION:**

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

- 1) Section 551.087 – Deliberation regarding economic development negotiations; discussion of commercial or financial information received from an existing business or business prospect with which the city is negotiating for the location or retention of a facility, or for incentives the city is willing to extend, or financial information submitted by the same:
 - (a) Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect:
 - Project # 20-06-04 (Healthcare)
 - Project # 20-08-05 (Transportation & Warehousing)

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 South 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 378-3013 or the City TDD number at 378-4229.

Posted this 13th day of November 2020.

Regular meetings of the Amarillo City Council stream live on Cable Channel 10 and are available online at:
<http://amarillo.gov/city-hall/city-government/view-city-council-meetings>
Archived meetings are also available.

A

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 10th day of November 2020, the Amarillo City Council met at 1:00 p.m. for a regular session meeting held via conference and in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
MAYOR PRO TEM/COUNCILMEMBER NO. 4

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

JARED MILLER
KEVIN STARBUCK
FLOYD HARTMAN
LAURA STORRS
BRYAN MCWILLIAMS
STEPHANIE COGGINS
FRANCES HIBBS

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

The invocation was given by Davlyn Duesterhaus, BSA Chaplain.

A proclamation was presented for "National Bible Week."

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

PUBLIC ADDRESS: There were no comments.

ITEM 1:

- A. Review agenda items for regular meeting and attachments;
- B. Coronavirus Update;
- C. Monthly Budget Update;
- D. Sales Tax Update; and
- E. Request future agenda items and reports from City Manager.

CONSENT ACTION ITEMS:

ITEM 2: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell to approve Items B-H of the consent agenda as presented, seconded by Councilmember Hays:

Motion was made by Councilmember Powell to approve the October 27, 2020 minutes as amended, seconded by Councilmember

A. **MINUTES:**

Approval of the City Council minutes for the regular meeting held on October 27, 2020 and the work session held on November 3, 2020.

B. **ORDINANCE NO. 7888:**

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

This item is the second and final reading to consider an ordinance rezoning of a 29.75 acre tract of unplatted land in Section 160, 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 Residential District 3 to Residential District 3. (Vicinity: East Saint Francis Avenue (Loop 335) and Pavillard Drive.)

- C. **CONSIDER AWARD -- SIMMS BUILDING UPS ELECTRICAL UPGRADE PROJECT:**
 (Contact: Jerry Danforth, Facilities Director)
 Duke Electric Co., Inc -- \$68,474.00
 This award is for connecting the existing 911 and Emergency Operations Center 120/208V panels to the existing second floor UPS and provide an outdoor manual transfer switch to allow the convenient connection of a portable generator to the emergency system if the existing stationary generator should fail.
- D. **CONSIDER AWARD -- BASE BID WITH ADD ALTERNATE FOR FY 2017-2021 COMMUNITY INVESTMENT PROGRAM: 34TH AVENUE PUMP STATION SWITCHGEAR REPLACEMENT:**
 (Contact: Matthew Thomas, City Engineer)
 Total Contract Award to Brown Construction Services

Base Bid	\$ 1,962,000.00
Add Alternate	\$ 203,000.00
Total	\$2,165,000.00

 The base bid with add alternate is being awarded. The base bid includes construction services to remove and replace the existing electrical systems and switchgear at the pump station. The add alternate includes the replacement of Pump Motor No. 1.
- E. **CONSIDER AWARD -- REPAIR OF DUMPSTER BOXES:**
 (Contact: Donny Hooper, Assistant Director of Public Works)

Award to Impact Plastics	\$112,500.00	Bottom Inserts
Award to Technology Plastics	\$15,920.00	Plastic Lids
Total	\$128,420.00	

 This award is the purchase of 1,000 plastic lids and 1,000 bottom inserts.
- F. **CONSIDER APPROVAL -- VERTICAL TURBINE PUMP:**
 (Contact: Jonathan Gresham, Director of Utilities)
 Odessa Pumps -- \$117,638.42
 This item is the replacement of a vertical turbine pump at Hollywood Road Reclamation Plant for delivery of reclaimed water to the Xcel power plant.
- G. **CONSIDER APPROVAL -- AVIATION CLEAR ZONE EASEMENT:**
 (Contact: Andrew Freeman, Managing Director of Planning and Development Services)
 Consideration of an Aviation Clear Zone Easement, being 4,650 feet above mean sea level above the plat of Valley View South Unit No. 4, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 175, Block 2, A.B.&M. Survey, Randall County, Texas.
- H. **CONSIDER APPROVAL -- CHANGE ORDER #5 CONTRACT FOR THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT PARKING GARAGE REPAIRS PROJECT:**
 (Contact: Michael W. Conner, Director of Aviation)
 Mobile Enterprises, Inc. -- (\$2,524.94)
 This change order is a net credit amount and includes the following three items: ground loop replacement (due to contractor damage); CCTV component repairs (due to contractor damage); and additional concrete testing (due to a failed concrete test).

This change order	(\$2,524.94)
Previous change orders	\$99,156.50
Total of all change orders	\$96,631.56
Original contract total	\$972,400.00
New revised contract total	\$1,069,031.56

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

NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson presented the first reading of an ordinance considering rezoning a 5.04 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 Agricultural District to Amended Planned Development 375A for expansion of existing operations for a parking lot related to business operations. (Vicinity: Pilgrim Drive and Soncy Road.) This item was presented by Andrew Freeman, Managing Director of Planning and Development Services. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Powell, seconded by Councilmember Smith that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7889

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 PILGRIM DRIVE AND SONCY ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 3B: Mayor Nelson presented the first reading of an ordinance considering vacating a 3,928 square foot portion of North Adams Street right-of-way situated south of Northwest First Avenue, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas (Vicinity: North Adams Street and Northwest 1st Avenue.) This item was presented by Blair Snow, Public Works Program Manager. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Powell, seconded by Councilmember Smith that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7890

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR STREET RIGHT-OF-WAY IN THE VICINITY OF NORTH ADAMS STREET AND NORTHWEST FIRST AVENUE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED RIGHT-OF-WAY; 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, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3C: Mayor Nelson presented the first reading of an ordinance designating certain areas of the City as Reinvestment Zone No. 11 for commercial and industrial tax abatement. The zone is approximately 4.85 acres. (Vicinity: Amarillo Boulevard and Point West Parkway.) This item was presented by Kevin Carter, AEDC). Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Powell, seconded by Councilmember Hays that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7891

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS CITY COMMISSION: DESIGNATING CERTAIN AREAS AS REINVESTMENT ZONE NO. 11 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.

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

ITEM 3D: Mayor Nelson presented a resolution extending the Environmental Task Force Committee which was established by Resolution No. 06-20-17-2. The task force has been charged with researching and evaluating environmental sustainability options

for the community; and to identify, research, and propose initiatives regarding environmental concerns. The Environmental Task Force is scheduled to expire upon the completion of its assigned tasks or two years after the effective date of this Resolution, whichever is sooner. This item was presented by Blair Snow, Public Works Program Manager. Motion was made by Councilmember Powell, seconded by Councilmember Smith that the following captioned resolution be passed:

RESOLUTION NO. 11-10-20-1

A RESOLUTION OF THE AMARILLO CITY COUNCIL RE-AUTHORIZING AND APPOINTING AN ENVIRONMENTAL TASK FORCE; DEFINING ITS PURPOSE, ESTABLISHING GUIDELINES FOR APPOINTMENTS TO THE TASK FORCE; PROVIDING FOR THE TASK FORCE'S DUTIES AND RESPONSIBILITIES; PROVIDING A SUNSET DATE; PROVIDING SEVERABILITY CLAUSE; PROVIDING AND EFFECTIVE DATE.

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

Mayor Nelson advised that the meeting was adjourned.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

Amarillo City Council

Agenda Transmittal Memo



B

Meeting Date	November 17, 2020	Council Priority	Regular Agenda Item – Public Hearing
Department	Andrew Freeman – Managing Director of Planning and Development Services		

Agenda Caption

This is the second and final reading of an ordinance rezoning a 5.04 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 Agricultural District to Amended Planned Development 375A for expansion of existing operations for a parking lot related to business operations.
(Vicinity: Pilgrim Drive and Soncy Road.)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consist of Agricultural District to the south and west, and Planned Development Zoning District in all other directions.

Adjacent land uses consist of undeveloped land immediately to the west and south, and existing commercial developments in all other directions.

Proposal

The applicant is requesting a change in zoning in order to provide additional vehicle parking space related to existing operations for the Street Toyota motor vehicle dealership.

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 Suburban Residential. The Suburban Residential category calls for detached single family dwelling units as being the primary focus with the potential for planned developments to provide for other housing types. For that reason, the applicants request does not align with the Future Land Use and Character Map in that the intent of the request is to expand commercial uses.

Considering the tract is situated between existing retail activities to the east and an institutional land use to the west, the Planning and Zoning Commission believes that expansion of non-residential uses into an area not designated as such is appropriate. This belief is based on that the thought that given the tract now being considered is unlikely to develop with residential land uses given the land uses adjacent to the west and east.

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. Although the expansion is not near such an intersection, it is in a unique area given the development patterns east and west of the area proposed for expansion and as such, Planning Commissioners do not see issue with expanding the existing land uses located along the highly traveled commercial thoroughfare.

Based on 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 does not create any negative impacts to the surrounding development.

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, staff recommends **APPROVAL** as presented.

ORDINANCE NO. 7889

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 PILGRIM DRIVE AND SONCY ROAD, 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 5.04 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 Agricultural District to Amended Planned Development 375 for expansion of existing operations for a parking lot related to business operations, and being further described below, attached hereto as Exhibit A and incorporated herein:

FIELD NOTES for a 0.48 acre± tract of land situated in Section 63, Block 9, B.S. & F. Survey and being a portion of a 357.509 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2012013182 of the Official Public Records of Randall County, Texas, said 0.48 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on September 11, 2020 and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with cap stamped "HH" found at the Southeast corner of Town Square Unit No. 1, an addition to the City of Amarillo, Randall County, Texas according to the map or plat thereof, recorded under Clerk's File No. 2012017713 of the Official Public Records of Randall County, Texas, from whence the Southeast corner of said Section 63 bears South 00° 09' 28" East, 50.00 feet and South 89° 43' 53" East, 760.52 feet (per record data);

THENCE North 00° 09' 28" West, base line, 2575.90 feet to a 2 inch aluminum cap stamped "GRESHAM" found at the Southeast corner of a 5.08 acre± tract of land as surveyed by this firm simultaneously, same point being the Southwest corner of Lot 3, Block I, Soncy Estates Unit No. 4, an addition to the City of Amarillo, Randall County, Texas, according to the map or plat thereof, recorded under Clerk's File No. 2013018020 of the Official Public Records of Randall County, Texas, from whence a 2 inch aluminum cap stamped "GRESHAM" found at the Southeast corner of said Lot 3 bears South 89° 4 7' 36" East, 660.00 feet;

THENCE North 89° 4 7' 36" West, 537 .03 feet to the Southeast and BEGINNING CORNER of the herein described tract of land;

THENCE North 89° 47' 36" West, 90.18 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the Southeasterly line of Lot 1, Block I, Ascension Academy Unit No. 1, an addition to the City of Amarillo, Randall County, Texas, according to the map or plat thereof, recorded in Volume 1973, Page 371 of the Deed Records of Randall County, Texas, same point being the Southwest corner of said 5.08 acre± tract of land and also being the Southwest corner of this tract of land;

THENCE North 48° 30' 03" East, 380.28 feet to a 2 inch aluminum cap stamped "GRESHAM" found in the Southwesterly line of an existing 60 foot wide Public Drainage Easement recorded under Clerk's File No. 2015005169 of the Official Public Records of Randall County, Texas, same point being the most Easterly Southeast corner of said Lot 1 and also being the Northwest corner of this tract of land;

THENCE South 41 ° 32' 02" East, 60.00 feet to the most Southerly corner of said existing 60 foot wide Public Drainage Easement, same point being the Northeast corner of this tract of land;

THENCE South 48° 30' 03" West, 312.99 feet to the PLACE OF BEGINNING and containing a computed area of 0.48 acre 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 10th day of November, 2020 and **PASSED** on Second and Final Reading on this the 17th day of November, 2020.

Ginger Nelson, Mayor

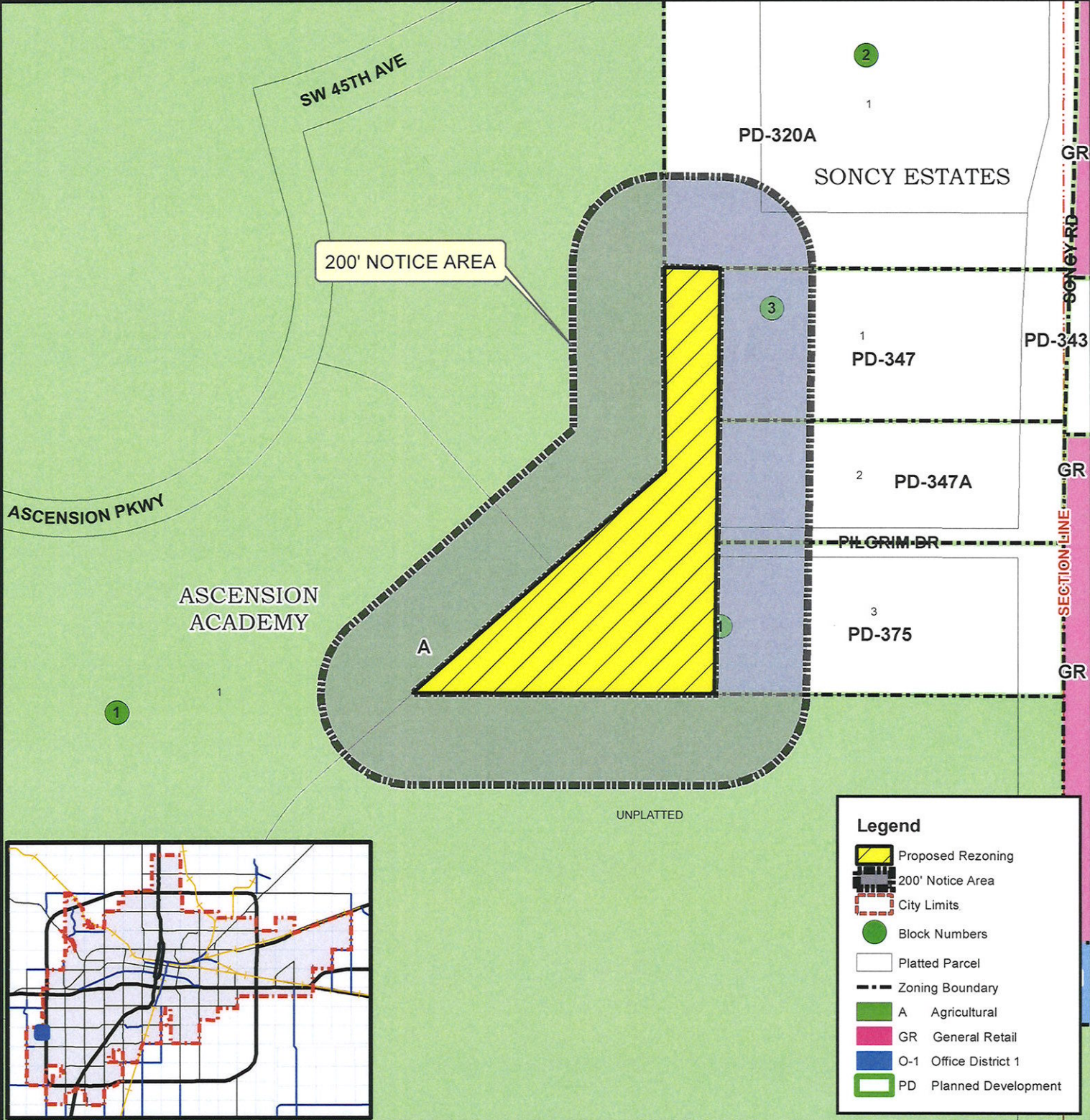
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

REZONING FROM A TO AMENDED PD



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 9/28/2020
Case No: Z-20-22



Rezoning of Lot 3, Block 1, Soncy Estates Unit No. 4, 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 Planned Development District 375 to Ammended Planned Development 375 for a parking lot.

Applicant: Joesph C & Laura M. Street.

Vicinity: Pilgrim Dr. and Soncy Rd.

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	November 17, 2020	Council Priority	Regular Agenda Item – Public Hearing
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Department	Andrew Freeman – Managing Director of Planning and Development Services
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Agenda Caption

This is the second and final reading of an ordinance vacating a 3,928 square foot portion of North Adams Street right-of-way situated south of Northwest First Avenue, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas (Vicinity: N. Adams St. & N.W. 1st Ave.)

Agenda Item Summary

The applicant is requesting abandonment of the above-mentioned portion of right-of-way due to a portion of a building on the adjacent site encroaching on the mentioned right-of-way. The site that is located on all three sides of the mentioned right-of-way is in the process of selling and this action was requested in order to address the encroachment and to create a unified development site.

The area that the applicant is requesting to be vacated is a 3,928 square foot portion of the Adams Street right-of-way immediately adjacent to the applicant's property. The building that is encroaching on the right-of-way was constructed in 2003 and is currently in the process of being sold to another buyer. The encroachment was noted and an issue that needed to be addressed as part of the sale.

Whenever a vacation request is considered, the Planning and Zoning Commission must take into account what impacts, if any, abandonment of a public right-of-way will have on adjacent property owners and/or traffic patterns. When reviewing the proposal, if approved, City Departments and external utility service companies indicated that there are no anticipated changes with existing utility service as there are no utilities located within the area proposed for vacation (water, sewer, electrical, and gas) other than a private service line that services the applicant's building on the site. In addition, this is a dead end street segment that would never be extended as well due to existing railroad right-of-way and other development to the south. This segment also does not serve as access for any other properties but the applicant's. As such, there are no impacts to traffic patterns expected.

As with any request to vacate public right-of-way, an applicant is required to either pay fair market value to acquire the right-of-way, 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 particular case, the applicant paid a fair market value of \$1,300 to acquire the right-of-way.

Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet regarding this proposed vacation. At the time of this writing, the Planning Department has received one phone call regarding this request. The caller was inquiring about what a vacation is and did not express opposition to the request once details of the request were relayed.

Considering all the above the Planning and Zoning Commission recommends approval as presented.

ORDINANCE NO. 7890

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR STREET RIGHT-OF-WAY IN THE VICINITY OF NORTH ADAMS STREET AND NORTHWEST FIRST AVENUE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED RIGHT-OF-WAY; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, Johnny Merritt for Panhandle Pure, LLC petitioned the City of Amarillo to abandon a 3,928 square foot portion of street right-of-way located in the vicinity of North Adams Street and Northwest First Avenue, Potter County, Texas; and

WHEREAS, after reviewing information presented, 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 same is no longer needed for public purposes; and

WHEREAS, the City Council further determined that this street right-of-way vacation and abandonment is not detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood and is in the best interest of the City of Amarillo's citizens.

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:

A 3,928 square foot portion of North Adams Street right-of-way situated south of Northwest First Avenue, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas being further described below:

BEGINNING at a Magnail with washer marked "GAI 1939" found at the intersection of the South line of N.W. 1st Avenue and the West line of N. Adams Street, as shown by the plat of Glidden & Sanborn Addition to the City of Amarillo, Potter County, Texas, recorded in Volume 65, Page 12-13, Deed Records of Potter County, Texas, whence the Southeast corner of Lot 5, Block 120, Glidden & Sanborn Addition bears North 09 degrees 24 minutes 08 seconds East, 40 feet;

THENCE South 80 degrees 35 minutes 52 seconds East, along the projected South line of N.W. 1st Avenue, a distance of 80.00 feet to a 60d nail with washer marked "GAI 1939" found;

THENCE South 09 degrees 24 minutes 08 seconds West, along the East line of N. Adams Street, a distance of 49.10 feet to a 60d nail with washer marked "GAI 1939" found;

THENCE North 80 degrees 35 minutes 52 seconds West, a distance of 80.00 feet to a point on the West line of N. Adams Street;

THENCE North 09 degrees 24 minutes 08 seconds East, along the West line of N. Adams Street, a distance of 49.10 feet to the POINT OF BEGINNING of this tract;

Said tract contains a computed area of 3,928 square feet of land.

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

SECTION 3: Repealer. All ordinances and resolutions or parts thereof 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 this the 10th day of November, 2020; and **PASSED** on Second and Final Reading this the 24th day of November, 2020.

Ginger Nelson, Mayor

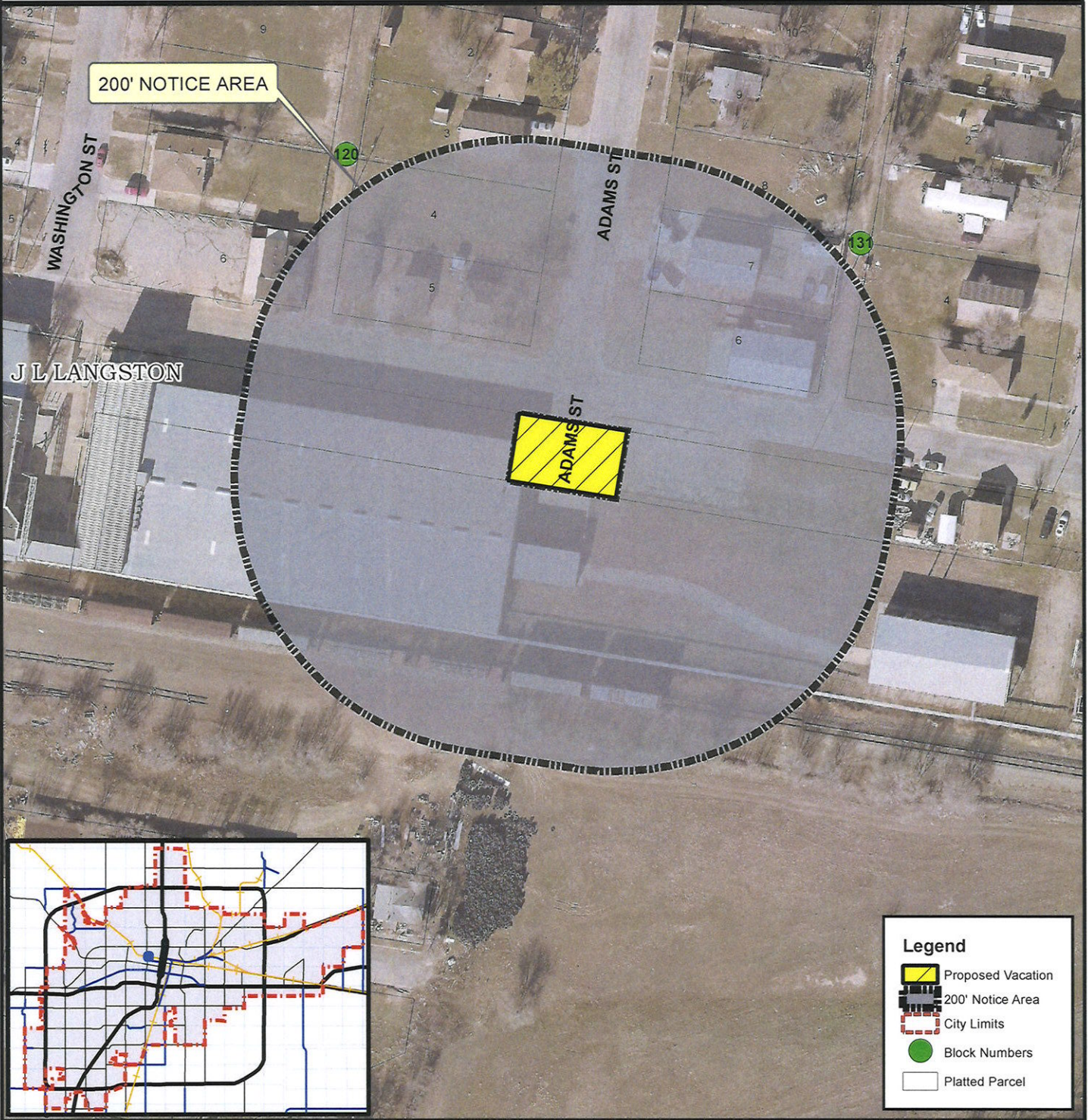
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

**CASE V-20-03
VACATION OF A 3,928 SQUARE
FOOT PORTION OF ADAMS STREET**



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1 inch = 100 feet
Date: 9/28/2020
Case No: V-20-03



Vacation of a 3,928 square foot portion of the Adams Street ROW situated south of NW 1st Avenue, in Section 169, Block 2, A.B. & M. Survey, Potter County, Texas.

Applicant: Johnny Merritt for Panhandle Pure, LLC.

Vicinity: N.W. 1st Ave. & N. Adams St.

AP: N-11

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Amarillo City Council

Agenda Transmittal Memo

AMARILLO
ECONOMIC
DEVELOPMENT



Meeting Date	November 17, 2020	Council Pillar	Economic Development
Department	AEDC		
Contact	Kevin Carter, President and CEO		

Agenda Caption

Ordinance 7891 - Consideration of Reinvestment Zone 11

Public hearing and second reading of an ordinance 7891 to consider designating certain areas of the City as Reinvestment Zone No. 11 for commercial and industrial tax abatement. The zone is approximately 4.85 acres in the vicinity of Amarillo Blvd and Point West Parkway.

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 4.85 acres proposed for Reinvestment Zone No. 11 is located at Amarillo Blvd and Point West Parkway. The reason for creating this zone is to provide Council the option to offer an economic development incentive to a prospective regional cancer treatment 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 second reading of the Ordinance on November 17, 2020. The first reading was November 10, 2020.

Funding Summary

N/A

Staff Recommendation

AEDC staff is recommending approval of the ordinance.

ORDINANCE NO. 7891

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS
CITY COMMISSION: DESIGNATING CERTAIN AREAS
AS REINVESTMENT ZONE NO. 11 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;

WHEREAS, City has elected by Resolution No. 08-20-19-2 to become eligible to participate in tax abatements;

WHEREAS, a public hearing in a regularly scheduled meeting before the City Council was held on November 10, 2020, 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 zones; and
- b) That the boundaries of the area to be known as City of Amarillo Reinvestment Zone No. 11 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. 11 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. 11 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. 08-20-19-2.

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. 11 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. 11 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 10th day of November, 2020, and PASSED on Second and Final Reading on this the 17th day of November, 2020.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

EXHIBIT A
LEGAL DESCRIPTION OF REINVESTMENT ZONE

A 4.845 acre tract of land lying in Section 43, Block 9, B.S. & F. Survey, Potter County Texas and being further described by metes and bounds as follows:

Commencing at an "X" cut in curbing found in the East line of Gentry Drive for the Southwest corner of Lot 1, Block 2, Point West Business Campus Unit No. 1 as recorded in Volume 3405, Page 441 of the Deed Records of Potter County, Texas;

Thence S89°48'38"E, along the South line of said Lot 1, a distance of 328.34 feet to a 1/2" x 24" iron rod set with cap stamped "Gresham PLS 1939" for the Northwest corner and Point of Beginning of this tract;

Thence continue S89°48'38"E, along the South line of said Lot 1, a distance of 332.17 feet to an "X" cut in curbing set in the West line of Point West Parkway for the Southeast corner of said Lot 1, same being the Northeast corner of this tract and being in a curve to the left, the center of which bears S84°19'50"E, 873.00 feet;

Thence Southerly along said curve to the left and along the west line of said Point West Parkway, an arc distance of 83.49 feet (L.C. 83.46') to an "X" cut in curbing set in the West line of Point West Parkway, end of said curve to the left;

Thence S00°11'22"W, along the West line of said Point West Parkway, a distance of 559.34 feet to an "X" cut in curbing found in the North line of Loop 552 (US Highway No. 66, Amarillo Blvd West), the Southeast corner of this tract;

Thence N89°48'38"W (base bearing), along the North line of said Loop 552 (US Highway No. 66, Amarillo Blvd West), a distance of 328.18 feet to a 1/2" x 24" iron rod set with cap stamped "Gresham PLS 1939" for the Southwest corner of this tract, from whence a 1/2" iron rod with cap stamped "RPLS 4664" found at the intersection of the North line of said Loop 552 (US Highway No. 66, Amarillo Blvd West) and the East line of said Gentry Drive bears N89°48' 38"W (base bearing), a distance of 328.34 feet;

Thence N00°11'22"E, a distance of 642.71 feet to the **Point of Beginning** of this tract;
Said tract contains a computed area of 4.845 acres.

Amarillo City Council

Agenda Transmittal Memo



E

Meeting Date	, 2020	Council Priority	Fiscal Responsibility
Department	Building Safety		
Contact	Ismael "Izzy" Rivera Jr., Building Official		

Agenda Caption

Consider Award – Selectron – IVR 5 Year Agreement

Award to:
Selectron: \$282,917.28

Agenda Item Summary

This agreement is to continue using services from Selectron for Building Safety’s IVR permitting activities for the next 5 years.

Requested Action

Consider, approval and award of Selectron – Five Year Service Agreement

Funding Summary

Funding for this award is available the using departments account. This will be paid in increments.

Community Engagement Summary

Selectron IVR allows permit holders to request inspections and monitor their permit activity by phone.

Staff Recommendation

Staff recommends award of this contract.

Bid No. 6907 Voice Permits and Relay Permits Software
Opened 4:00 p.m. September 25, 2020

To be awarded as one lot SELECTRON TECHNOLOGIES, INC.

Line 1 Contract 5 year renewal for ivr
services, per specifications

1 ea		
Unit Price	\$282,917.280	
Extended Price		282,917.28
Bid Total		282,917.28
Awarded by Vendor	282,917.28	

Amarillo City Council

Agenda Transmittal Memo



F

Meeting Date	November 17, 2020	Council Priority	N/A
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Department	Information Technology – Rich Gagnon
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Agenda Caption

Award – IT Infrastructure Hardware:
Weaver -- \$188,014.92

This item represents the purchase of IT infrastructure hardware for the City’s Virtual Desktop Infrastructure (VDI) as part of the Federal CARES Act grant.

Agenda Item Summary

Three Dell VxRail servers to support the City’s VDI environment will be purchased. Performance, capacity, and business continuity services will be enhanced with this product.

Requested Action

Approval of award to Weaver Technologies in the amount of \$188,014.92.

Funding Summary

The servers will be funded from the Federal CARES Act grant.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

Bid No. 6939 Dell VxRail Nodes for VDI Expansion									
Opened 4:00 p.m., November 13, 2020									
To be awarded by line item.		Weaver Technologies							
Line 1 VxRail P570d/V570d H/F									
3	ea								
	Unit Price	\$62,512.400							
	Extended Price		187,537.20						
Line 2 Dell Networking Cable									
SFP +o SP +10 GbE Copper Twinax Direct Attach Cable									
6	ea								
	Unit Price	\$79.620							
	Extended Price		477.72						
	Bid Total		188,014.92						
	Award by Vendor		\$188,014.92						
	City	Fredericksburg, Texas							

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	November 17, 2020	Council Priority	Public Safety
Department	Office of Emergency Management		
Contact	Chip Orton, Director of Emergency Management		

Agenda Caption

CONSIDER APPROVAL – APD Bomb Team Response Vehicle – FY2020 Homeland Security Grant Program

(Contact: Chip Orton, Director of Emergency Management)

Consider the purchase of an APD Bomb Team Response Vehicle which is 100% funded as part of the FY2020 Homeland Security Grant Program in the amount of \$249,564.00.

Agenda Item Summary

This item will purchase a Bomb Squad Response Vehicle for APD which will enhance the team's response and replace a previous truck that is at the end of useful life.

Requested Action

To approve the purchase of the APD Bomb Squad Response Vehicle through the Buyboard Contract (#601-19) as part of the FY2020 Homeland Security Grant Program.

Funding Summary

This item will be 100% funded by the FY2020 Homeland Security Grant Program in the amount of \$249,564.00.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends that the City Council approve this purchase.

Bid No. 6936 BOMB TEAM RESPONSE VEHICLE
Opened 4:00 p.m. NOVEMBER 4, 2020

	GRAPEVINE DODGE CHRYSLER
To be awarded as one lot	JEEP

Line 1 2021 Dodge Ram 5500 Response
Vehicle, per specifications

1 ea		
Unit Price	\$249,564.000	
Extended Price		249,564.00
Award Total	249,564.00	



Amarillo City Council

Agenda Transmittal Memo



H

Meeting Date	11/17/2020	Council Priority	Infrastructure
Department	Facilities		
Contact	Jerry Danforth		

Agenda Caption

Change Order Credit for Civic Roof Replacement bid # 6498 Job # 440608 with North Line Construction

Agenda Item Summary

Change order to approve credit of \$282,555.80

Requested Action

Approval

Funding Summary

Job # 440608		
Contract Amount		\$6,150,291.00
Change order #1 above contingency	\$11,672.19	
Balance amount		\$6,161,963.19
Change Order #2 Credit	\$282,555.80	
Balance to Complete		<u>\$5,879,407.39</u>

Community Engagement Summary

N/A

Staff Recommendation

Approval and acceptance of credit for \$282,555.80

Bid No. 6498 Emergency repair for Civic Center Roof Replacement
Opened 4:00 p.m., June 6, 2019

To be awarded as one lot

Northline Construction Inc

Line 1 Roofing, Gutters and Downspouts Maintenance
and repair, This requisition is for a contract to make

1 ea

Unit Price

\$6,150,291.000

Extended Price

\$ 6,150,291.00

Bid Total

\$ 6,150,291.00

Award by Vendor

\$ 6,150,291.00

Change order #1 above contingency

\$ 11,672.19

Balance amount

\$ 6,161,963.19

Change Order #1 Credit

\$ (282,555.80)

Revised Total

\$ 5,879,407.39



Amarillo City Council

Agenda Transmittal Memo



I

Meeting Date	November 17, 2020	Council Priority	Infrastructure Initiative
Department	Capital Projects & Development Engineering		
Contact	Matthew Thomas		

Agenda Caption

CONSIDER –Professional Services Agreement with KSA Engineers, Inc. for RPR and Warranty Phase Services – Hollywood Road Wastewater Reclamation Facility Digester Mixing Improvements in the amount of \$142,000.00

Agenda Item Summary

This item is to consider approval of the professional services agreement, which includes additional services in the scope of work to provide: 1) resident project representative/inspection services, and 2) warranty phase services. KSA was previously selected under RFQ 14-17 for the design phase professional services of this project.

Requested Action

Consider approval of agreement with KSA Engineers, Inc. in the amount of \$142,000.00 for execution by the City Manager.

Funding Summary

Funding for this project is available in Project Budget Numbers 530017. The project was approved in the FY 17/18 Community Investment Program. This project is funded with water and sewer revenue bonds.

Community Engagement Summary

The work is located within the boundaries of the Hollywood Road Wastewater Reclamation Facility. As the project progresses through construction, coordination will occur with Hollywood Road WRF personnel.

Staff Recommendation

City Staff is recommending approval of the contract.

Bid No. RFQ 14-17 FY 2017-2021 COMMUNITY INVESTMENT PROGRAM: HOLLYWOOD RD WRF DIGESTER MIXING IMI
Opened 4:00 p.m. NOVEMBER 4, 2020

To be awarded as one lot

KSA ENGINEERS, INC.

Line 1 2021 Professional Service
Agreement, per specifications

1 ea

Unit Price \$142,000.000

Extended Price 142,000.00

Award Total 142,000.00



Amarillo City Council

Agenda Transmittal Memo



A

Meeting Date	November 17, 2020	Council Priority	Economic Development and Redevelopment
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Department	Planning and Development Services	Contact Person	Andrew Freeman, Managing Director - Planning and Development Services
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Agenda Caption

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7892:

This item is a public hearing and first reading to consider an ordinance expanding the current boundary and approving an amended final project and finance plan for Tax Increment Reinvestment Zone No. 2.

Agenda Item Summary

Over the past year, the TIRZ #2 Board has been researching the possibility of expanding the current boundary to encompass additional vacant and/or under developed land directly adjacent to the existing Zone. This was initially due to specific interest from developers, but went further to identify other property that meets the criteria to be included in a reinvestment zone. The main criteria met per Chapter 311 of the Tax Increment Financing Act is that the properties be predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the municipality.

The additional area to be considered would increase the Zone from 940 acres to 1,389 acres, or a difference of 449 acres. Over 1,000 acres of the Zone is identified as vacant undeveloped land.

The taxable base value for the zone would increase from \$39,981,487 to \$41,431,055 or a difference of \$1,449,568.

The final project and finance plan has been amended to show an additional \$30 million in possible commercial, industrial, and residential activity that may occur due to support from the TIRZ. Key goals were adjusted to add development of new residential units to help spur new retail development, and development of new commercial/industrial businesses in the area. It is also worth noting the plan has been revised to reflect the recreation and athletic facilities to be developed as either public or private.

Requested Action

Approve as presented

Funding Summary

N/A

Community Engagement Summary

This expansion and amendments were discussed during multiple TIRZ #2 Board meetings over the past year. The board is in favor of the expansion and also voted to approve the amendments to the final project and finance plan during their September 17, 2020 meeting. The item passed unanimously.

Staff Recommendation

Staff recommends approval as presented

ORDINANCE NO. 7892

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: EXPANDING THE CURRENT BOUNDARY AND APPROVING AN AMENDED FINAL PROJECT AND FINANCE PLAN FOR TAX INCREMENT REINVESTMENT ZONE NO. 2; APPROVING CITY PARTICIPATION IN THE EXPANDED AREA; PROVIDING RATIFICATION, SEVERABILITY, AND REPEALER; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Amarillo City Council (the "City Council") desires to continue promoting the process of development or redevelopment of a certain contiguous geographic area in the City of Amarillo (the "City"), which as described in Ordinance No. 7627, enacted on November 8, 2016, which created Tax Increment Reinvestment Zone #2 (the "Zone") in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, the City Council enacted Ordinance No. 7698, on December 12, 2017, which adopted the Final Project and Financing Plan (the "Plan"), modifying the Board's composition and project approval procedure, and agreement to participate in the Zone; and

WHEREAS, pursuant to Texas Tax Code, Section 311.007, the City Council now desires to expand the current boundary to include additional contiguous acreage to benefit the Zone, as identified by Exhibit A; and,

WHEREAS, notice of the public hearing to expand the boundary was published in a newspaper of general circulation in the City on November 9, 2020, which satisfies the requirement of Section 311.003(c) of the Texas Tax Code and that publication of the notice occurred not later than the seventh day before the date of the public hearing; and,

WHEREAS, pursuant to Texas Tax Code, Section 311.011, the board of directors for the Zone has prepared an amended "Plan" to incorporate changes related to the expanded boundary, which is attached to this ordinance as Exhibit B, and now submits same for approval by the governing body of the municipality which created the zone; and,

WHEREAS the City Council finds that the proposed amended Plan: (i) is as consistent as possible with the previous Plan approved by the Board and City Council; (ii) is feasible; (iii) conforms to the master plan of the municipality; and, (iv) finds that the amended Plan continues to meet all the findings of fact found in Section 1 of Ordinance No. 7627; and,

WHEREAS, on November 17, 2020 a public hearing was conducted by the City Council

on amending the boundary of the Zone and the Plan, and its benefits to the city and to property in the Zone, and afforded a reasonable opportunity for (i) all interested persons to speak for or against the creation of the Zone, its boundaries or the concept of tax increment financing (ii) owners of real property in the Zone to protest inclusion of their property in the Zone, as required by Sections 311.003(c) and (d) of the Texas Tax Code;;

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

SECTION 1. That the amended boundary in Exhibit A and Amended Final Project and Finance Plan attached as Exhibit B be and hereby is approved and adopted for Tax Increment Reinvestment Zone #2, City of Amarillo, Texas.

SECTION 2. That the City hereby agrees to participate in the Zone's expanded boundary by depositing each year during the term of the Zone to the credit of the TIF Fund, beginning with the 2020 tax year an amount equal to 100% of the Tax Increment produced from the annual ad valorem tax rate levied by the participating entity on the Captured Appraised Value times Collection Rate, upon the same terms and conditions stated in the Participation Agreements with other participating entities, which are hereby incorporated by reference.

SECTION 3. That Ordinance No. 7698, Section 5, is hereby amended in part, to read as follows:

Section 5. Determination of Tax Increment Base

The Tax Increment Base for the Zone is \$41,431,055 which is the sum of the original boundary's tax base of \$39,981,487 as of January 1, 2016 and the additional acreage value of \$1,449,568 as of October 1, 2020, which is the total appraised value of all taxable real property located in the reinvestment zone in the year of the Zone's original and amended designations.

SECTION 4. All other terms and provisions of Ordinance No. 7627 and Ordinance No. 7698 not specifically amended herein are hereby ratified and same shall remain in full force and effect as adopted on November 8, 2016 and December 12, 2017.

SECTION 5. 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 6. All ordinances, parts of ordinances, resolutions, and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 7. This ordinance shall be published and become effective according to law.
INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 17th day of November, 2020; and PASSED on Second and Final Reading the 8th day of December, 2020.

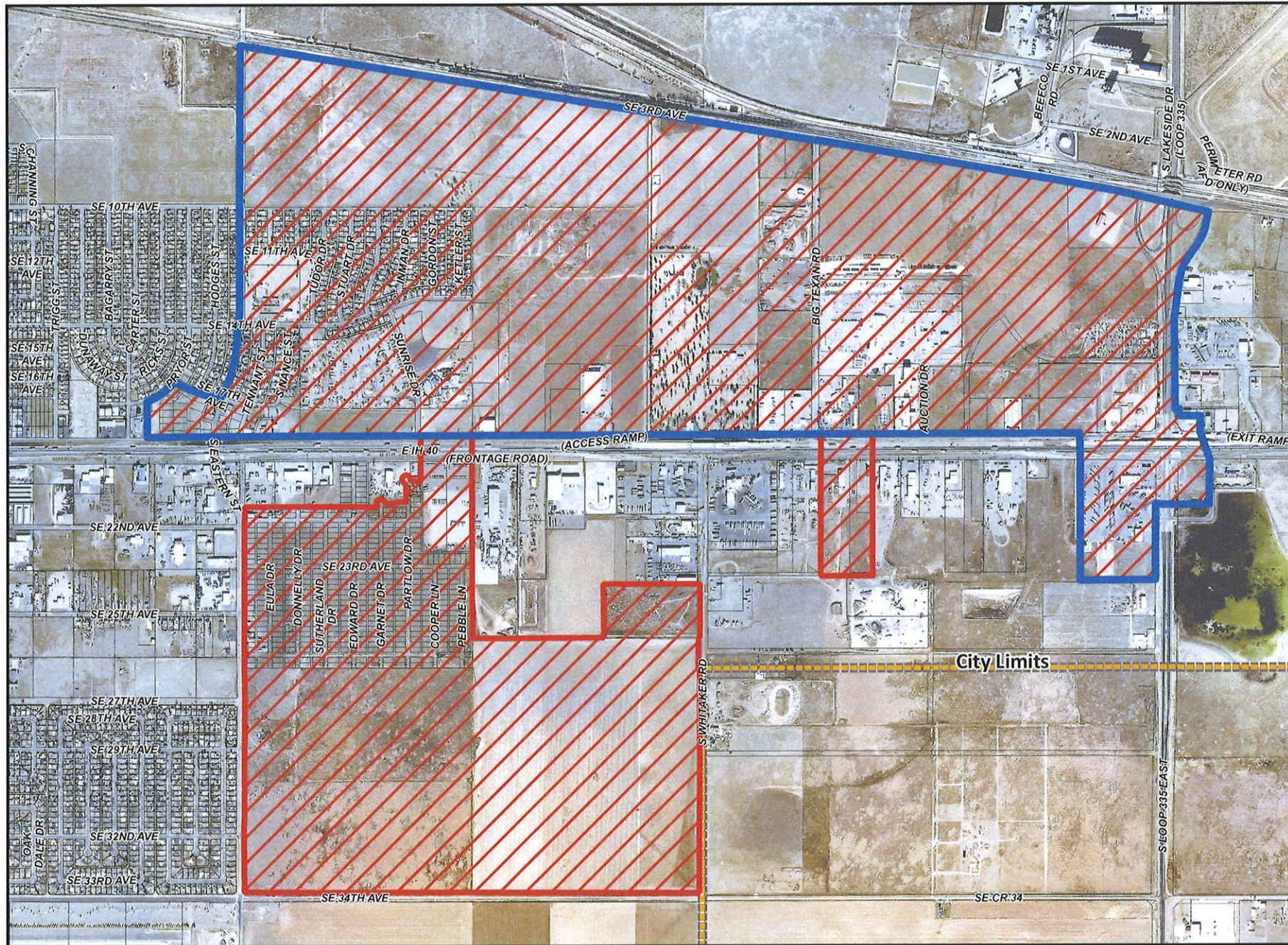
Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

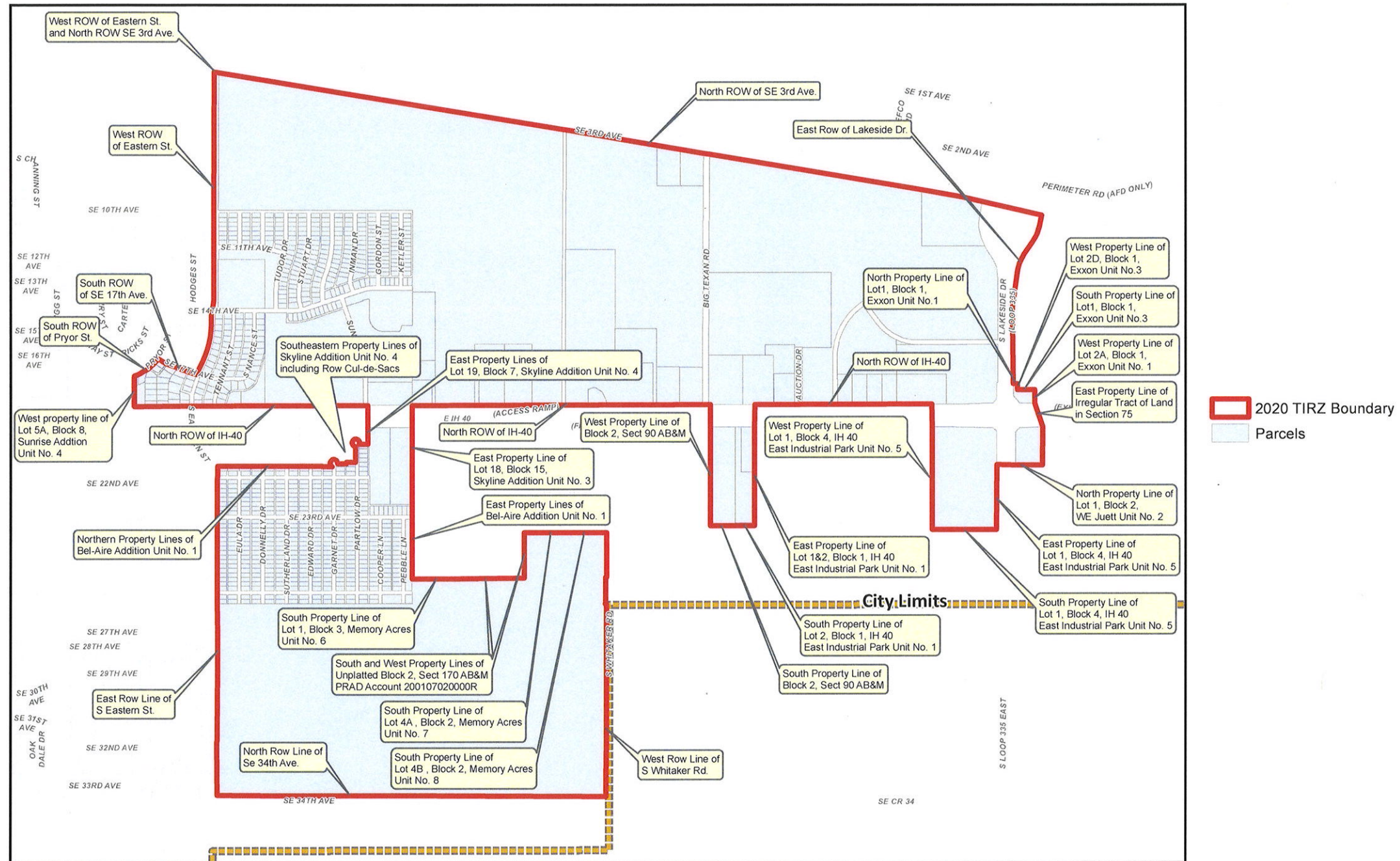
APPROVED AS TO FORM:

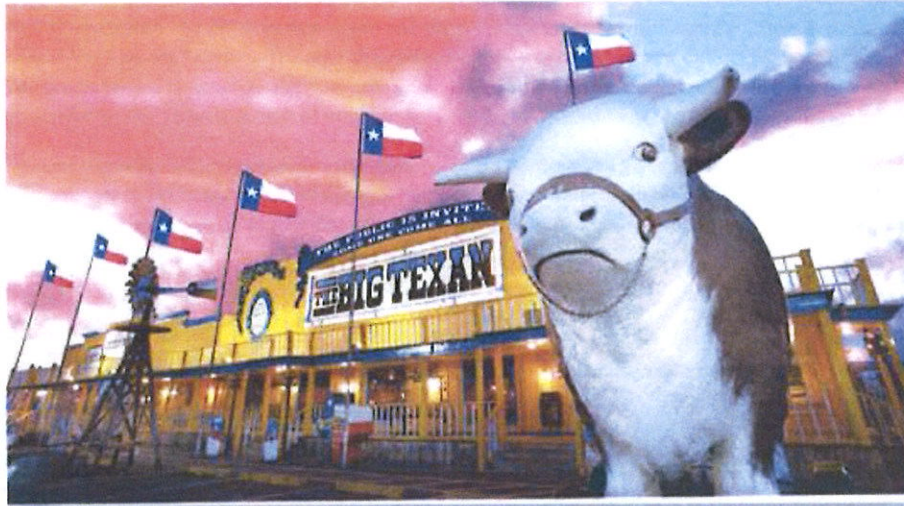
Bryan McWilliams, City Attorney



 2016 TIRZ Boundary
 2020 TIRZ Boundary

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East Gateway Tax Increment Reinvestment Zone Final Project and Financing Plan Amarillo, Texas

October 2020

Inserted new logo

Overview of the TIRZ and Project Objectives

The Interstate 40/Loop 335 intersection will one day represent a major gateway into the City of Amarillo. The area is currently blessed with major attractions and economic generators including the world-famous Big Texan Steakhouse and several truck service facilities. The area also however, is the site of numerous vacant tracts of land, closed businesses, blighted conditions, poor drainage, and undersized infrastructure. With the assistance of strategic public investments the area is poised for substantial private investment and economic growth. Opportunities include the relocation and expansion of the Big Texan Steakhouse, development of several limited service hotels, development of a full-service hotel and related recreation facilities, redevelopment of truck service facilities, redevelopment of a recreation vehicle park and introduction of a public or private competitive indoor athletic facility.

The East Gateway TIRZ as envisioned celebrates Amarillo's heritage as a place where travelers are introduced to the hospitality and opportunities of the Panhandle, where they are able to rest from their journey, enjoy a meal unlike any they have ever experienced and participate in unique recreation and entertainment opportunities. Through these activities and the economic growth associated with them, area residents will realize increased tax revenues, an attractive eastern gateway into Potter County and the City of Amarillo and new economic, recreation, and entertainment opportunities.

The objectives of the East Gateway TIRZ include:

Redevelopment of key economic generators –

Opportunities exist within the TIRZ to redevelop; the Big Texan Steakhouse, underperforming fueling stations into contemporary auto and truck service facilities, and an underperforming RV park into a modern high-quality RV park.

Introduction of new economic opportunities –

Opportunities exist within the TIRZ to introduce new residential, retail outlets, hotels, ~~and~~ restaurants, and commercial/industrial businesses where currently either vacant land or underperforming or closed businesses exist.

Introduction of new entertainment and recreation opportunities –

Opportunities exist within the TIRZ to introduce new public or private athletic facilities (indoor and outdoor) to accommodate competitive tournament play, new aquatic facilities, and new ~~entertainment~~ facilities geared toward family entertainment.

Address Infrastructure challenges –

Opportunities exist with the TIRZ to address several long-standing infrastructure challenges including reconstruction of the I40/Loop 335 intersection to enhance capacity, drainage of and through the area, wastewater collection capacity, increased water service, and completion of a collector and arterial street network.

Key Performance Measures for the TIRZ include:

Restaurant, Retail and Entertainment

It is projected that within the timeframe of the TIRZ there will be several new hotels, a number of new retail outlets, and new entertainment venues representing a projected \$100 Million in new construction value.

Timing/Phasing:

It is projected development will occur as infrastructure (both public and private) is developed. The first phases of development will likely be those readily served by existing infrastructure or infrastructure that is readily expanded or constructed. These first phases are likely to include the construction of hotels fronting on the I40 access roads, the Big Texan Steakhouse relocation, and the relocation and redevelopment of the existing RV park. This first phase of development is likely to be followed by the construction of additional hotels (including a planned full-service hotel), retail outlets, entertainment venues, auto and truck fueling facilities, etc. This phase of development is dependent upon the completion of extensive public and private infrastructure and the development of ~~the~~ public or private recreation facility.

The public or private recreation facility is anticipated to be constructed between the first phase of development and the second phase as described earlier. ~~A~~The public version of the facility would ~~will~~ not be constructed until the cash flow from the tax increment is sufficient to support debt service needed to construct the facility. The facility is critical to the success of the area by both meeting a local demand for additional recreation opportunities but also hosting regional tournaments thereby creating additional demand in the area for lodging, dining, and entertainment.

Implementation

To realize the potential of the TIRZ area implementation of key public improvements are necessary and are noted in the following:

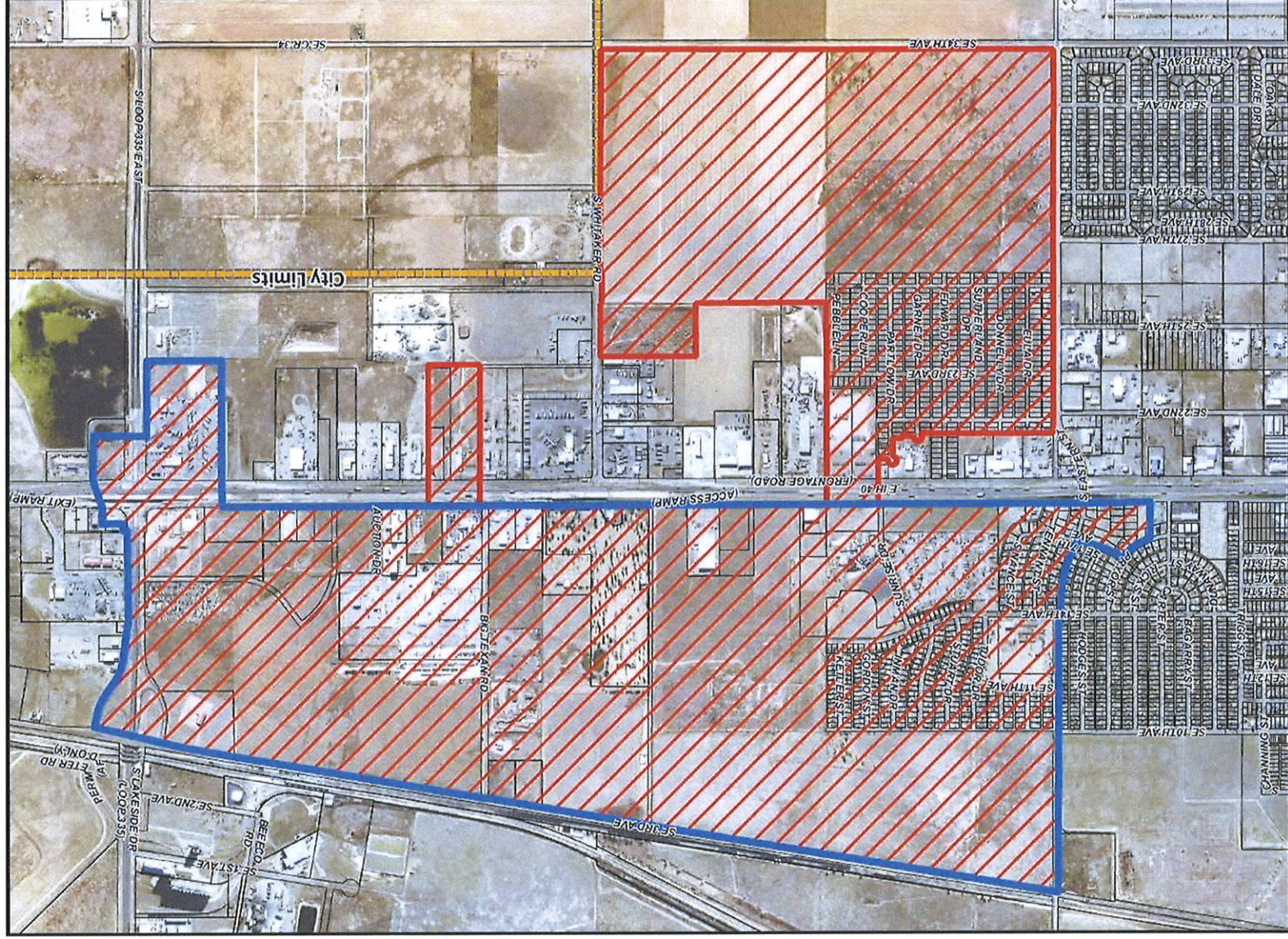
- Participation in 380 economic development agreements
- TxDOT I40/Loop 335 intersection construction
- City lift station and force main replacement and upgrade
- City water main extensions
- City participation in arterial and collector street construction
- City participation in street drainage construction
- Construction of an indoor athletic facility
- Aesthetic enhancements and landscaping of the primary gateway
- TIRZ related project costs per Section 311 of the Texas Tax Code

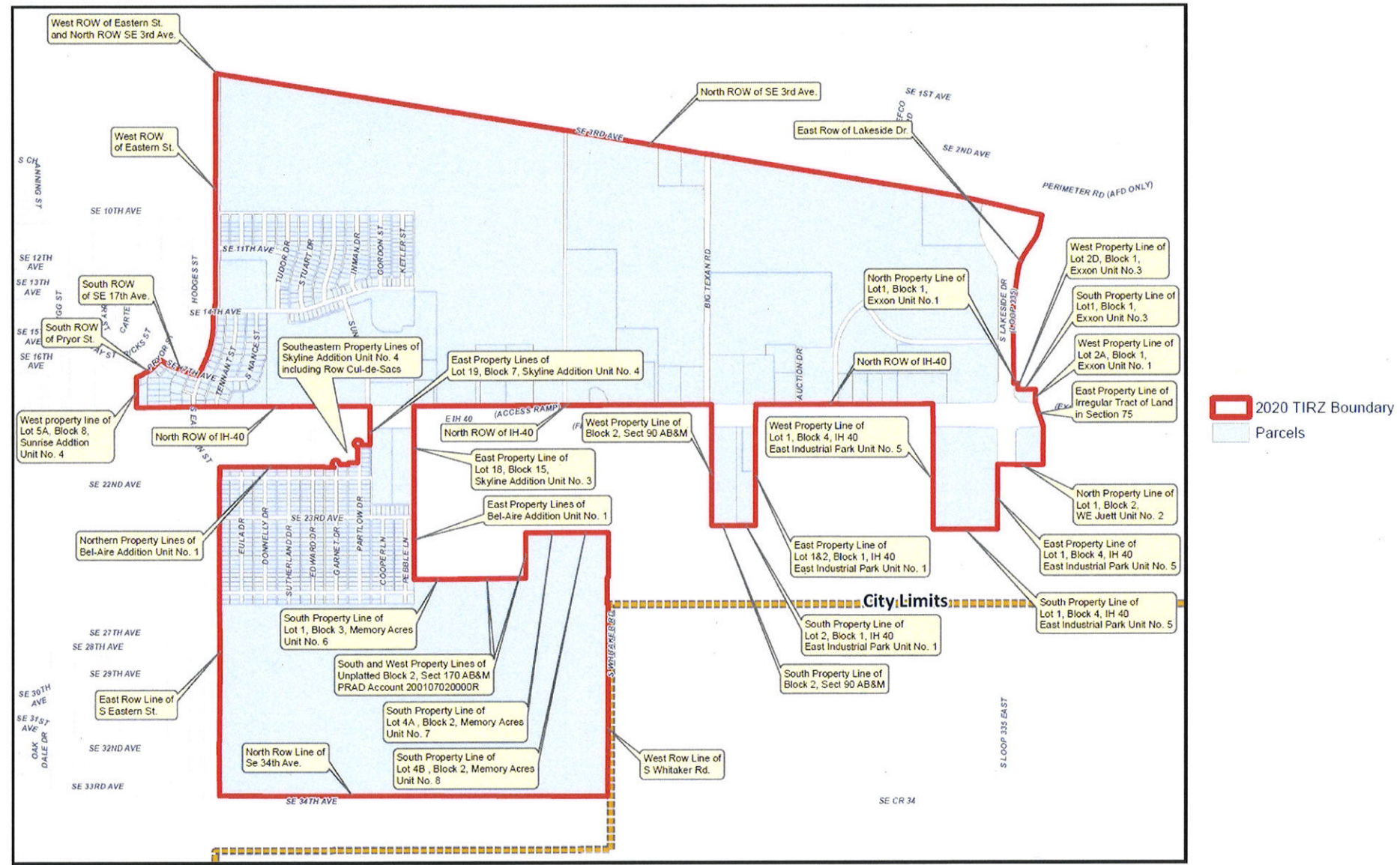
Total estimated costs of the above public initiatives to be financed by the proposed TIRZ:

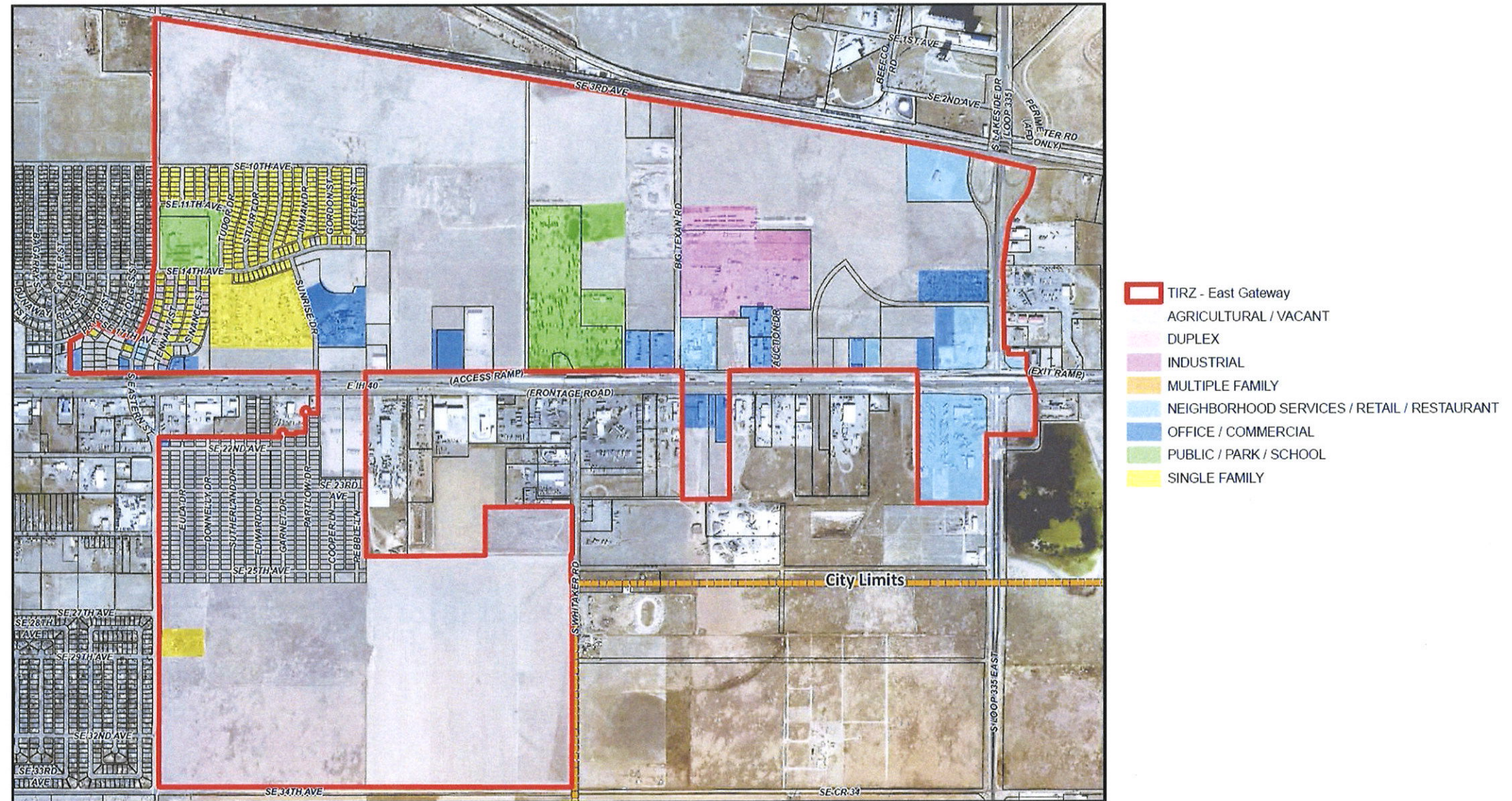
- Projected TIRZ Revenue Available for Infrastructure Reimbursement - \$10 Million
- Projected TIRZ Revenue Available for Public Athletic Facility Construction Debt Service - \$22.4 Million (assumes \$15 Million debt for 20 years at 3% interest rate)
- Projected TIRZ Revenue Available for Aesthetic and Landscaping Improvements - \$2.2 Million
- Any TIRZ Revenues generated in excess of that projected would be used to continue to reimburse the City for Infrastructure expenditures

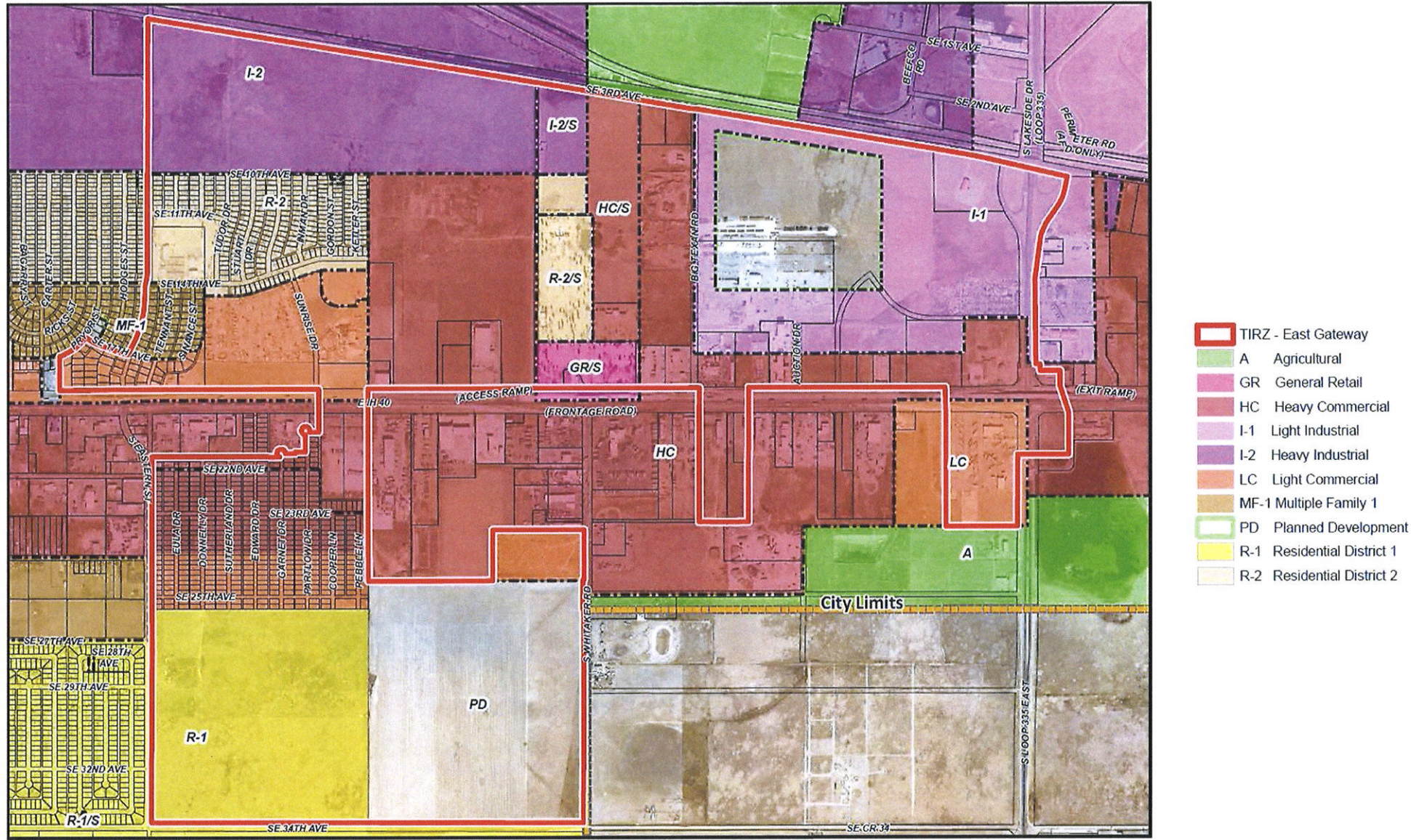
Boundaries

2016 TIRZ Boundary
2020 TIRZ Boundary

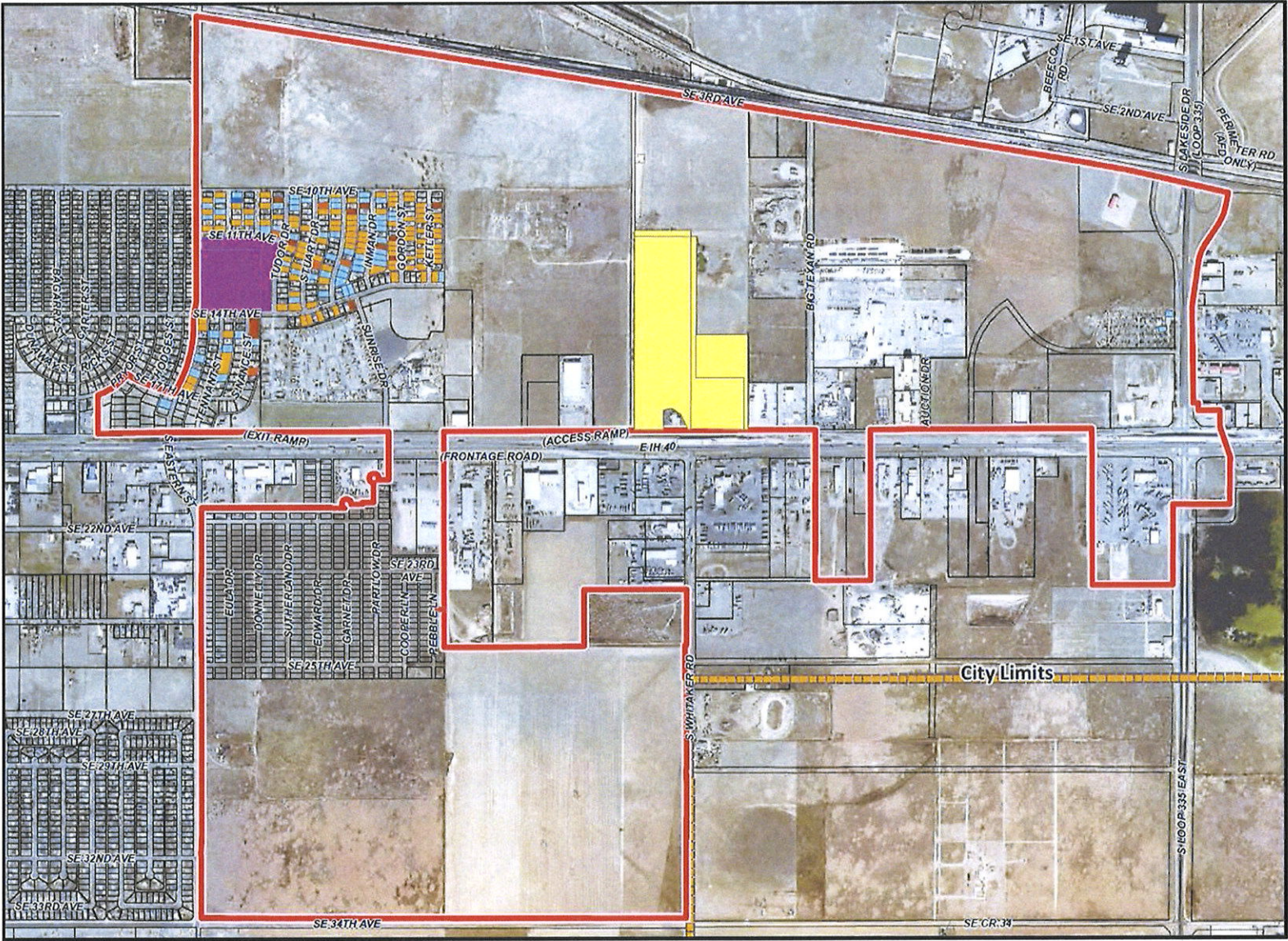




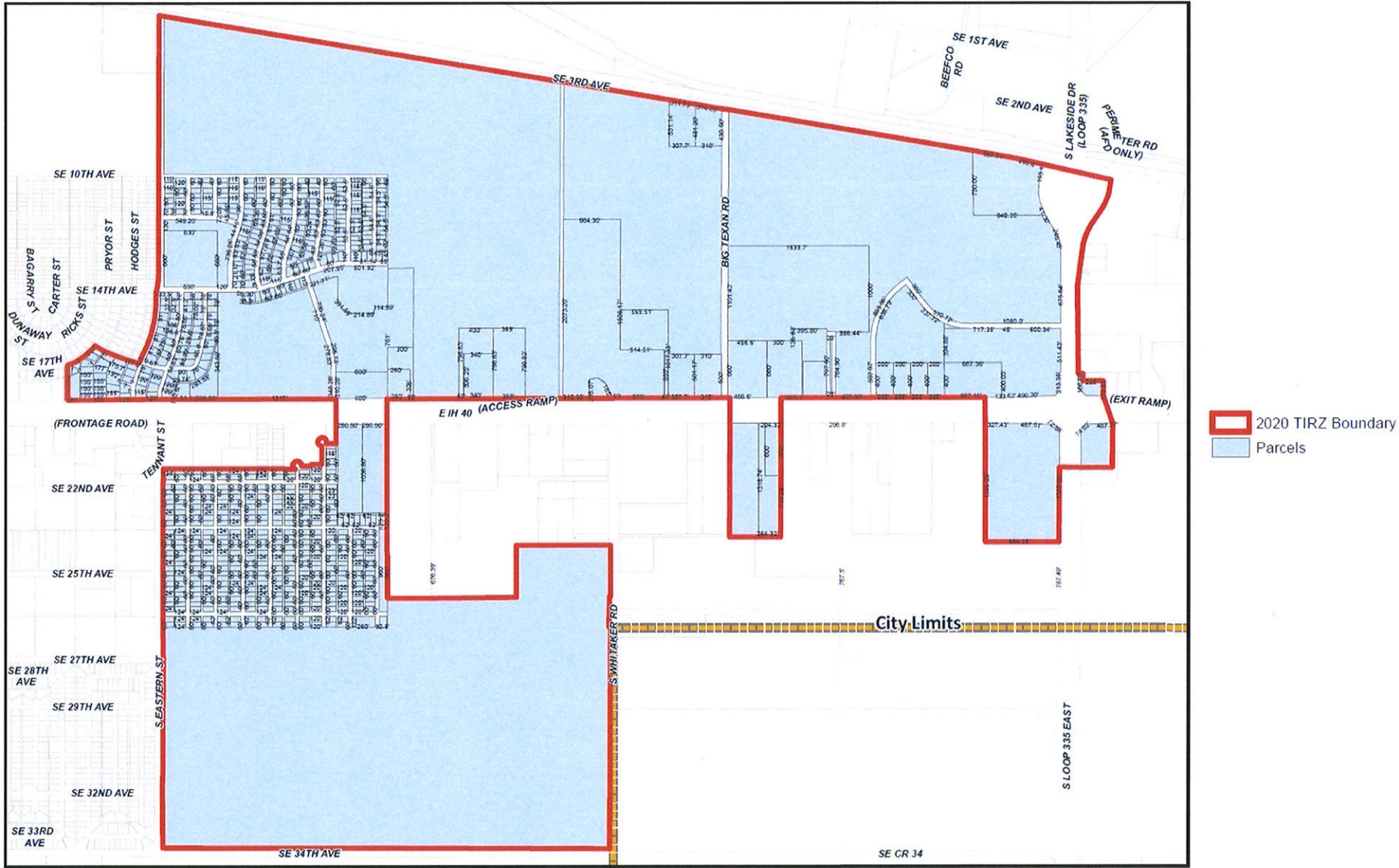


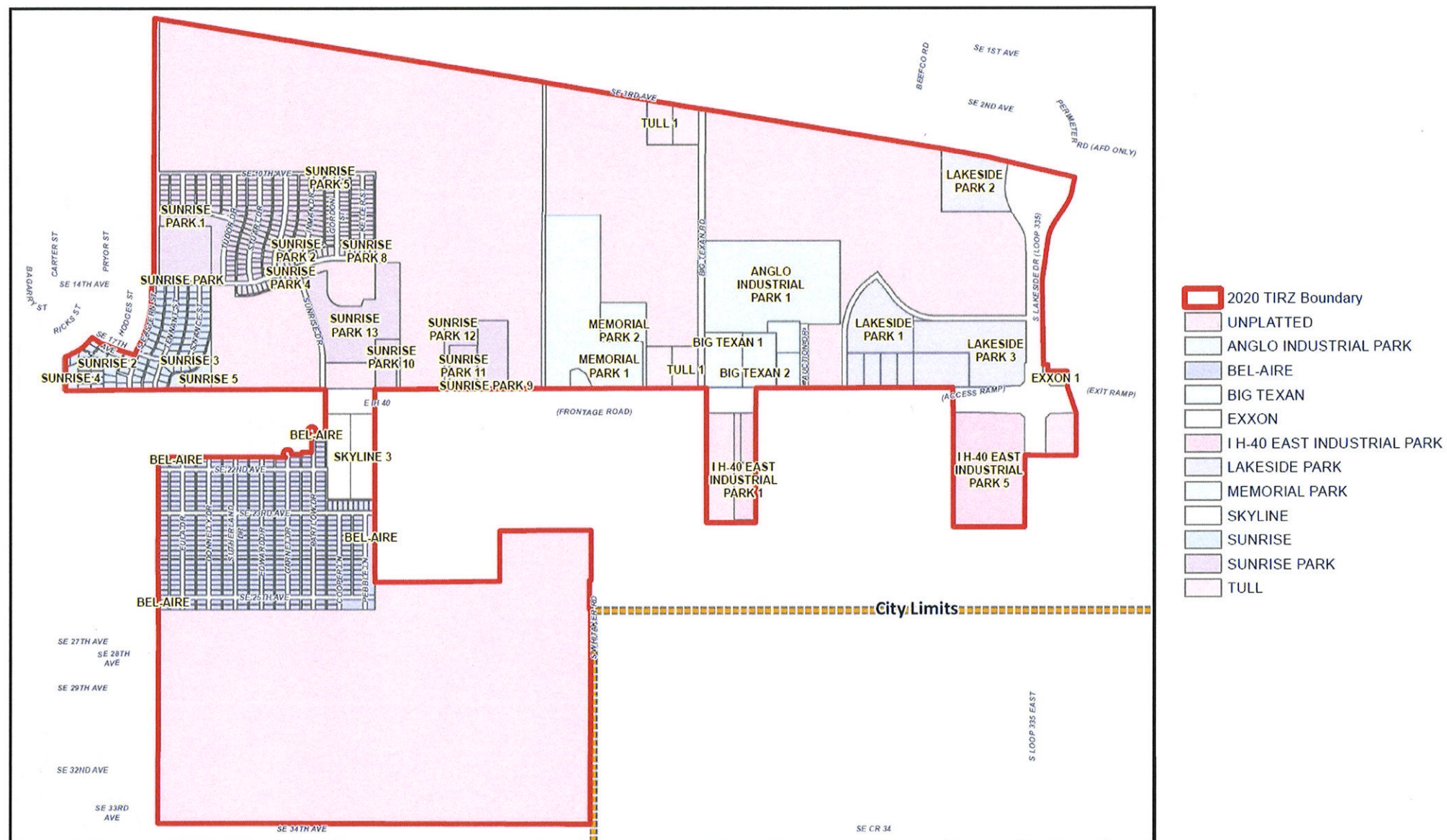


Existing Tax Exemptions



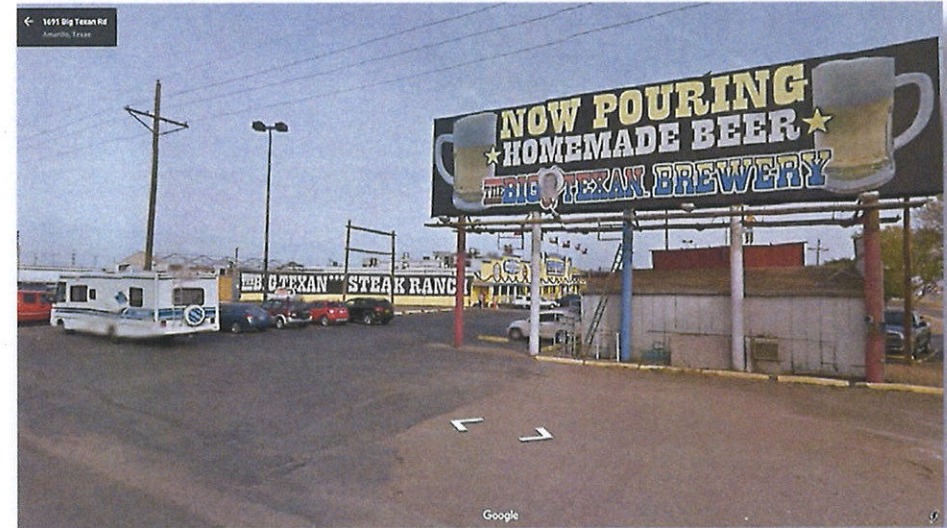
- TIRZ - East Gateway
- Disability / Veteran
- Government
- Homestead
- Homestead / Age
- Homestead / Age / Veteran
- Homestead / Disability
- Homestead / Disability / Veteran
- Institute





Current Development Characteristics

The TIRZ area currently is a mix of vacant undeveloped land, retail and restaurant uses and limited residential development. The TIRZ area encompasses approximately 1,389 940 acres in total and includes approximately 300 single family homes on approximately 52 acres of land, two RV parks, approximately a dozen businesses, a private cemetery, and approximately 1,024 575 acres of vacant undeveloped land.



Key Objectives and Goals of the East Gateway TIRZ

The objectives of the East Gateway Tax Increment Reinvestment Zone (TIRZ #2) are as follow:

- Establish a dedicated revenue stream used to:
 - facilitate the development of needed public infrastructure in the area
 - facilitate the development of needed public **or private** athletic facilities in the area

All in an effort to:

- stimulate and facilitate new private investment resulting in the redevelopment of an area suffering from underdevelopment and blighted conditions

Key Goals:

- Development of new retail and entertainment venues contributing additional property and sales tax revenue
- Relocation and expansion of the Big Texan Steakhouse resulting in increased customer attraction contributing additional property and sales tax revenue
- Redevelopment of the existing Big Texan Steakhouse resulting in the retention of customers and continuing to contribute property and sales tax revenues
- RV Park contributing additional property and sales tax revenue
- Retail outlets contributing additional property and sales tax revenue
- Entertainment venues contributing additional property and sales tax revenue
- Auto and truck service outlets contributing additional property and sales tax revenue
- Full-service hotel contributing additional property and HOT tax revenue
- Limited-service hotels contributing additional property and HOT tax revenue
- Development of new **public or private** recreation and athletic facilities
- **Development of new residential units to help spur new retail development**
- **Development of new commercial/industrial businesses in the area**



Partnerships and Development Strategies

The eastern portion of the city of Amarillo, in the vicinity of I40 and Loop 335 has significant potential for development and economic growth but for the limitations and constraints associated with public infrastructure and facilities. Proximity to I40 and its tens of thousands of vehicle trips each day, the presence of the Big Texan Steakhouse and the intersection of Amarillo's Loop are all positive attributes. The potential for a large mixed use development area catering to the traveling public and serving as a recreation, entertainment, and hospitality destination is significant if these limitations and constraints can be overcome.

To achieve the success of this area a number of partnerships need to be forged along with a series of strategic actions taken:

- Partnerships between the private property owners/developers/businesses and the City of Amarillo is critical for the success of this area. Partnerships include timely extensions of public infrastructure by the City, land dedications by the property owners for the development of infrastructure and an athletic facility, and significant private development.
- Partnership between the local taxing entities is critical for the success of this area. The willingness of the City of Amarillo, Potter County, Amarillo College and the Panhandle Groundwater District to consent that the incremental increase in property tax revenues be placed within the TIRZ fund and reinvested within the TIRZ in the manner noted in the adopted Project and Financing Plan is critical for the success of this area. Through this mutual investment all taxing entities (including those not directly participating in the TIRZ) will benefit from new growth and development of this area through increased investments, increased property tax revenue, increased sales tax revenue, increased employment, etc.

The strategic actions necessary to realize the objectives of the East Gateway TIRZ are straightforward yet critical.

- Once the TIRZ is established the City will begin to immediately address deficient infrastructure in the area by extending streets and utilities as necessary in coordination with planned private development. Concurrent with these public investments private parties in the area will initiate new development – first with the construction and operation of new limited service hotels, the relocation and redevelopment of the existing RV park, and the relocation and development of the Big Texan Steakhouse. As incremental tax revenue is generated it will be used to reimburse the City for the costs associated with the extension of necessary streets and utilities.
- The next strategic actions include the donation of land by private parties to the City to enable the construction of a public athletic facility which will be built and operated by the City and used to meet local recreation demands and host tournaments. In addition to meeting local recreation need this facility is anticipated to generate additional economic opportunities for the properties in close proximity and throughout the area through attracting visitors participating and attending athletic tournaments. The activities in the athletic facility are expected to generate additional retail, restaurant, entertainment, and hotel demand which in turn will generate additional property tax revenue, sales tax revenue, hotel occupancy tax revenue and employment. This action is dependent on there being enough annual incremental tax revenue generated to sustain debt service on any debts issued by the City to finance the construction of the athletic facility. An alternative to the public facility would be identifying and encouraging private sector investment to build and operate the new facility.
- The final strategic actions include continued extension (and reimbursement) of needed streets and infrastructure, private hotel, retail, and entertainment, residential, and commercial/industrial development. Specific notable projected private development associated with this action includes a full service hotel, a large truck service facility, and various retail and entertainment outlets closely associated with the relocated Big Texan Steakhouse. Further public improvements that may be undertaken with this action if funds exist may include aesthetic enhancements at the primary entrance to this gateway including landscaping, decorative signage, etc.

It is anticipated that the majority of infrastructure investment and private development will occur within the first ten years of the TIRZ, with the proposed athletic facility occurring within the first five years of the TIRZ and the aesthetic improvements occurring in the latter years of the TIRZ.

Historic Tax Values

City of Amarillo Taxable Value
Analysis

Year	2010	2011	2012	2013	2014	2015	2016
Total	\$ 10,055,707,732	\$ 10,257,946,329	\$ 10,456,402,589	\$ 10,760,454,171	\$ 11,100,054,718	\$ 11,542,059,264	\$ 12,065,465,099
Increment		\$ 202,238,597	\$ 198,456,260	\$ 304,051,582	\$ 339,600,547	\$ 442,004,546	\$ 523,405,835
% Change		2.01%	1.93%	2.91%	3.16%	3.98%	4.53%

TIRZ Original Area Taxable Value Analysis

Year	2010	2011	2012	2013	2014	2015	2016
Total	\$ 38,651,958	\$ 39,475,611	\$ 40,525,858	\$ 40,812,525	\$ 41,256,940	\$ 41,441,870	\$ 39,981,487
Increment		\$ 823,653	\$ 1,050,247	\$ 286,667	\$ 444,415	\$ 184,930	\$ (1,460,383)
% Change		2.13%	2.66%	0.71%	1.09%	0.45%	-3.52%

TIRZ New Expanded Area Taxable Value Analysis

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total	\$1,238,898	\$1,236,829	\$1,318,019	\$1,226,621	\$1,207,262	\$1,204,699	\$1,449,568	\$1,300,389	\$1,303,101	\$1,448,992	\$1,449,568
Increment		\$(2,069)	\$81,190	\$(91,398)	\$(19,359)	\$(2,563)	\$244,869	\$(149,179)	\$2,712	\$145,891	\$576
% Change		-0.17%	6.56%	-6.93%	-1.58%	-0.21%	20.33%	-10.29%	0.21%	11.20%	0.04%

Comparative Taxable Values

	2010-2015 % Growth	2015-2016 % Growth
City of Amarillo	14.78%	4.53%
TIRZ Original Area	7.22%	-3.52
TIRZ New Expanded Area	#DIV/0!	1.03

This information helps illustrate how the TIRZ area taxable value and increases in that value compare to the same for the City of Amarillo as a whole. This information helps yield an understanding in the growth trends for both the City and the TIRZ area and helps to serve as a baseline for future comparisons to determine the effectiveness of the TIRZ and associated public investments.

Tax Increment Projections

The Project and Financing Plan details investments projected to occur over the thirty year term of the TIRZ. These investments and related public improvements would not occur without strategic public/private partnerships facilitated by the TIRZ and the related implementation steps. The TIRZ will be a key part of attracting new restaurants, retail outlets, entertainment venues, hotels, and other uses. These investments result in \$34.6 Million of tax increment financing revenue (\$17.7 Million NPV).

TIRZ Participation

Four taxing entities have agreed to participate in the East Gateway TIRZ contributing 100% of the new incremental ad valorem revenue for the full term of the TIRZ.

- City of Amarillo
- Potter County
- Amarillo College
- Panhandle Groundwater District

All participating jurisdictions will continue to receive business personal property tax revenues

No sales taxes will be contributed to the TIRZ

No school districts will participate in the TIRZ

For the purposes of preparing a financial model it was assumed that development will occur in phases with revenues increasing year over year. It is anticipated that the majority of development will be complete and fully contributing to the TIRZ revenue by Year 5 when a projected \$100 Million in new construction value is projected to be complete.

A financial model was built with the assumption that 2016 represents the Base Year, the TIRZ remains in effect for 30 years, that all participating entities participate at a level of 100% of the available increment and that \$100 Million of new construction value was added during the TIRZ period – see details regarding the assumption on the next page. Using these assumptions a financial model was built which projects total TIRZ revenue of approximately \$34.6 Million (NPV of \$17.7 Million) with annual revenues ranging from approximately \$8000 in Year 1 to \$1.6 Million by Year 30. It is anticipated the annual revenues will be dedicated to reimburse the City for expenditures on the construction of infrastructure up until the point where the annual cash flow generates revenue sufficient to support annual debt service associated with the costs to construct the public athletic facility (estimated at \$15 Million requiring an annual debt service of approximately \$1 Million). Annual revenues above that necessary to support the annual debt service will be used to continue to reimburse the City for infrastructure expenditures and for aesthetic and landscaping improvements at the primary entrance to the gateway – see details regarding the financial model on the following pages.

- Projected TIRZ Revenue Available for Infrastructure Reimbursement - \$10 Million
- Projected TIRZ Revenue Available for Athletic Facility Construction Debt Service - \$22.4 Million (assumes \$15 Million debt for 20 years at 3% interest rate)
- Projected TIRZ Revenue Available for Aesthetic and Landscaping Improvements - \$2.2 Million
- Any TIRZ Revenues generated in excess of that projected would be used to continue to reimburse the City for Infrastructure expenditures

Assumptions

TIF Created:	FY 2016/2017
TIF Expanded:	FY 2020/2021
TIF Original Base:	39,981,487
Taxable Base Year:	2016 and 2020
TIF New Base:	41,431,055
Taxing Entities:	All Except School
TIF Expiration:	12/31/2046

Real Property Tax (when originally created)

		Participation	
City of Amarillo	0.35072	100%	0.35072
Potter County	0.66402	100%	0.66402
Panhandle Groundwater District	0.00790	100%	0.00790
Amarillo College	0.20750	100%	0.20750
Amarillo ISD	1.18000	0%	0.00000
	2.41014		1.23014

Source Name	Description	SF	New Construction Value	New Taxable Value (assumption of 75% of construction values)
TIRZ Area				
Revenue #1	Hotels and RV Park		69,500,000	52,125,000
Revenue #2	Retail		28,500,000	21,375,000
Revenue #3	Restaurants		2,000,000	1,500,000
Revenue #4	Other (i.e. Commercial, Industrial, Residential)		30,000,000	22,500,000
Total			130,000,000	97,500,000

Source Name	Description	SF	Base Taxable Value
Revenue A	1.5% Base Growth in TIRZ Core Area		41,431,055

Development Assumptions and Summary

A financial model was created in order to determine potential revenue streams for purposes of capturing tax increment.

Base value assumptions includes a 201620 taxable value of \$39,981,48741,431,055.

The 30-year term assumes accruing tax increment through five years from the following:

Real Property Increment (100%) All tax jurisdictions except the school district
New Development- Hotels and RV Park development in the TIRZ

New Development - Retail	New Investment:	\$69.5 million
New Development - Restaurants	New Investment:	\$28.5 million
	New Investment:	\$2.0 million

New Development - Other (i.e. Commercial, Industrial, Residential)

New Investment: \$30.0 million

Annual growth on base property values

\$41.4 million

Project Plan and Estimated Costs

To attract the projects and investments outlined in the previous section of this Plan it will be necessary to carry out the following public improvements and initiatives:

- Participation in 380 economic development agreements
- TxDOT I40/Loop 335 intersection construction
- City lift station and force main replacement and upgrade
- City water main extensions
- City participation in arterial and collector street construction
- City participation in street drainage construction
- Construction of an indoor athletic facility
- Aesthetic Enhancements and Landscaping of the primary gateway
- TIRZ related project costs per Section 311 of the Texas Tax Code (see below)

Total estimated costs of the above public initiatives to be financed by the proposed TIRZ:

- Projected TIRZ Revenue Available for Infrastructure Reimbursement - \$10 Million
- Projected TIRZ Revenue Available for Athletic Facility Construction Debt Service - \$22.4 Million (assumes \$15 Million debt for 20 years at 3% interest rate)
- Projected TIRZ Revenue Available for Aesthetic and Landscaping Improvements - \$2.2 Million
- Any TIRZ Revenues generated in excess of that projected would be used to continue to reimburse the City for Infrastructure expenditures



Section 311.002 Definitions related to TIRZ related project costs

~~Sec. 311.002. DEFINITIONS.~~ In this chapter:

- (1) "Project costs" means the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred by the municipality or county designating a reinvestment zone that are listed in the project plan as costs of public works, public improvements, programs, or other projects benefiting the zone, plus other costs incidental to those expenditures and obligations. "Project costs" include:
 - (A) capital costs, including the actual costs of the acquisition and construction of public works, public improvements, new buildings, structures, and fixtures; the actual costs of the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and fixtures; the actual costs of the remediation of conditions that contaminate public or private land or buildings; the actual costs of the preservation of the facade of a public or private building; the actual costs of the demolition of public or private buildings; and the actual costs of the acquisition of land and equipment and the clearing and grading of land;
 - (B) financing costs, including all interest paid to holders of evidences of indebtedness or other obligations issued to pay for project costs and any premium paid over the principal amount of the obligations because of the redemption of the obligations before maturity;
 - (C) ~~real property assembly costs~~;
 - (D) ~~professional service costs~~, including those incurred for architectural, planning, engineering, and legal advice and services;
 - (E) ~~imputed administrative costs~~, including reasonable charges for the time spent by employees of the municipality or county in connection with the implementation of a project plan;
 - (F) ~~relocation costs~~;
 - (G) ~~organizational costs~~, including the costs of conducting environmental impact studies or other studies, the cost of publicizing the creation of the zone, and the cost of implementing the project plan for the zone;
 - (H) ~~interest before and during construction and for one year after completion of construction, whether or not capitalized~~;
 - (I) the cost of operating the reinvestment zone and project facilities;
 - (J) ~~the amount of any contributions made by the municipality or county from general revenue for the implementation of the project plan~~;
 - (K) the costs of school buildings, other educational buildings, other educational facilities, or other buildings owned by or on behalf of a school district, community college district, or other political subdivision of this state; and
 - (L) ~~payments~~ made at the discretion of the governing body of the municipality or county that the governing body finds necessary or convenient to the creation of the zone or to the implementation of the project plans for the zone.
- (2) "Project plan" means the project plan for the development or redevelopment of a reinvestment zone approved under this chapter, including all amendments of the plan approved as provided by this chapter.
- (3) "Reinvestment zone financing plan" means the financing plan for a reinvestment zone described by this chapter.
- (4) "Taxing unit" has the meaning assigned by Section 1.04.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Amended by: Acts 2005, 79th Leg., Ch. 1094 (H.B. 2120), Sec. 35, eff. September 1, 2005. Acts 2011, 82nd Leg., R.S., Ch. 1032 (H.B. 2853), Sec. 1, eff. June 17, 2011.

Sec. 311.010. POWERS AND DUTIES OF BOARD OF DIRECTORS. (a) The board of directors of a reinvestment zone shall make recommendations to the governing body of the municipality or county that created the zone concerning the administration of this chapter in the zone. The governing body of the municipality by ordinance or resolution or the county by order or resolution may authorize the board to exercise any of the municipality's or county's powers with respect to the administration, management, or operation of the zone or the implementation of the project plan for the zone, except that the governing body may not authorize the board to:

- (1) issue bonds;
- (2) impose taxes or fees;
- (3) exercise the power of eminent domain; or
- (4) give final approval to the project plan.

(b) The board of directors of a reinvestment zone and the governing body of the municipality or county that creates a reinvestment zone may each enter into agreements as the board or the governing body considers necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes. An agreement may provide for the regulation or restriction of the use of land by imposing conditions, restrictions, or covenants that run with the land. An agreement may during the term of the agreement dedicate, pledge, or otherwise provide for the use of revenue in the tax increment fund to pay any project costs that benefit the reinvestment zone, including project costs relating to the cost of buildings, schools, or other educational facilities owned by or on behalf of a school district, community college district, or other political subdivision of this state, railroad or transit facilities, affordable housing, the remediation of conditions that contaminate public or private land or buildings, the preservation of the facade of a private or public building, the demolition of public or private buildings, or the construction of a road, sidewalk, or other public infrastructure in or out of the zone, including the cost of acquiring the real property necessary for the construction of the road, sidewalk, or other public infrastructure. An agreement may dedicate revenue from the tax increment fund to pay the costs of providing affordable housing or areas of public assembly in or out of the zone.

(c) Subject to the approval of the governing body of the municipality that created the zone, the board of a zone designated by the governing body of a municipality under Section 311.005(a)(4) may exercise the power granted by Chapter 211, Local Government Code, to the governing body of the municipality that created the zone to restrict the use or uses of property in the zone. The board may provide that a restriction adopted by the board continues in effect after the termination of the zone. In that event, after termination of the zone the restriction is treated as if it had been adopted by the governing body of the municipality.

(d) The board of directors of a reinvestment zone may exercise any power granted to a municipality or county by Section 311.008, except that:

- (1) the municipality or county that created the reinvestment zone by ordinance, resolution, or order may restrict any power granted to the board by this chapter; and
- (2) the board may exercise a power granted to a municipality or county under Section 311.008(b)(2) only with the consent of the governing body of the municipality or county.

(e) After the governing body of a municipality by ordinance or the governing body of a county by order creates a reinvestment zone under this chapter, the board of directors of the zone may exercise any power granted to a board under this chapter.

(f) The board of directors of a reinvestment zone and the governing body of the municipality or county that created the zone may enter into a contract with a local government corporation or a political subdivision to manage the reinvestment zone or implement the project plan and reinvestment zone financing plan for the term of the agreement. In this subsection, "local government corporation" means a local government corporation created by the municipality or county under Chapter 431, Transportation Code.

(g) Chapter 252, Local Government Code, does not apply to a dedication, pledge, or other use of revenue in the tax increment fund for a reinvestment zone under Subsection (b).

(h) Subject to the approval of the governing body of the municipality or county that designated the zone, the board of directors of a reinvestment zone, as necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes, may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the zone, eliminating unemployment and underemployment in the zone, and developing or expanding transportation, business, and commercial activity in the zone, including programs to make grants and loans from the tax increment fund of the zone in an aggregate amount not to exceed the amount of the tax increment produced by the municipality and paid into the tax increment fund for the zone for activities that benefit the zone and stimulate business and commercial activity in the zone. For purposes of this subsection, on approval of the municipality or county, the board of directors of the zone has all the powers of a municipality under Chapter 380, Local Government Code. The approval required by this subsection may be granted in an ordinance, in the case of a zone designated by a municipality, or in an order, in the case of a zone designated by a county, approving a project plan or reinvestment zone financing plan or approving an amendment to a project plan or reinvestment zone financing plan.

(i) The board of directors of a reinvestment zone or a local government corporation administering a reinvestment zone may contract with the municipality that created the zone to allocate from the tax increment fund for the zone an amount equal to the tax increment produced by the municipality and paid into the tax increment fund for the zone to pay the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of the land in the zone, regardless of whether the costs of those services are identified in the project plan or reinvestment zone financing plan for the zone.

Terms & Conditions of East Gateway TIRZ #2

Consideration of Additional Projects:

Additional projects will require approval from the City of Amarillo, Potter County, Amarillo College Board of Regents, and the Panhandle Groundwater District.

Length of TIRZ in Years:

The TIRZ has a 30 year term and is thus scheduled to end on November 8, 2046

Powers and Duties of Board of Directors:

The Board shall have the powers granted to it by Chapter 311 of the Texas Tax Code, including powers of a municipality under Chapter 380, Local Government Code. The Board shall not be authorized to:

- Issue Bonds;
- Impose taxes or fees;
- Exercise the power of eminent domain; or
- Give final approval to the Zone's Project and Financing Plan

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Amarillo City Council

Agenda Transmittal Memo



B

Meeting Date	November 17, 2020	Council Priority	
Department	City Secretary's Office		
Contact	Frances Hibbs, City Secretary		

Agenda Caption

CONSIDER RESOLUTION – SPECIAL MUNICIPAL ELECTION:

(Contact: Frances Hibbs, City Secretary)

This resolution canvasses the returns and declares the results of the special election held on November 3, 2020.

Agenda Item Summary

This item canvasses the election held on November 3, 2020.

Requested Action

Approval of attached Resolution

Funding Summary

None.

Community Engagement Summary

Early voting and election was held on November 3, 2020.

Staff Recommendation

Approval of the attached Resolution.

RESOLUTION NO. 11-17-20-_____

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD NOVEMBER 3, 2020.

WHEREAS, an election was held in the City of Amarillo, Texas on the 3rd day of November, 2020, for the purpose of submitting a certain proposition for the issuance of bonds to the resident electors of the City; and

WHEREAS, the election also included two proposed amendments to the Amarillo City Charter which would have lengthen and staggered Councilmember's terms of office, and for Council to meet not less than twenty-four times per calendar year; and

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the returns of said election have been duly and legally made and submitted to the City Council for canvassing, and a tabulation of the returns for the polling place and for early voting, as canvassed and tabulated by this governing body and shown in Exhibit A attached hereto, reflect that the total sum of votes counted "FOR" and "AGAINST" the propositions submitted is as follows:

CITY OF AMARILLO, TEXAS PROPOSITION A

"THE ISSUANCE OF \$275,000,000 GENERAL OBLIGATION BONDS FOR CONVENTION CENTER FACILITIES AND EXPANSION AND IMPROVEMENT AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS"

"FOR" 26,494 votes

"AGAINST" 42,766 votes

CITY OF AMARILLO, TEXAS PROPOSITION B

"TO AMEND ARTICLE V, SECTION 2 OF THE AMARILLO CITY CHARTER TO PROVIDE FOR A 4-YEAR TERM OF OFFICE FOR MAYOR AND EACH CITY COUNCILMEMBER WITH THOSE TERMS BEING STAGGERED AS PROVIDED BY ORDINANCE AND CONFORMING AMENDMENTS AS REQUIRED BY STATE LAW"

"FOR" 33,066 votes

"AGAINST" 35,270 votes

CITY OF AMARILLO, TEXAS PROPOSITION C

"TO AMEND ARTICLE V, SECTION 12(A) OF THE AMARILLO CITY CHARTER TO PROVIDE FOR THE MAYOR AND COUNCILMEMBERS TO MEET TO QUALIFY FOR OFFICE ON THE DAY OF THE ELECTION CANVASS AND THEREAFTER MEET NOT LESS THAN TWENTY-FOUR TIMES PER CALENDAR YEAR"

"FOR" 38,389 votes

"AGAINST" 29,046 votes

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

SECTION 1: All of the recitals contained in the preamble of this resolution are found to be true and are adopted as findings of fact by this governing body and as part of its judgment.

SECTION 2: It is further found and determined that the results of the election are as canvassed and tabulated in the preamble hereof and in Exhibit A attached hereto, and a majority of the electors voting at said election voted against Proposition A; the City Council is not authorized to issue bonds of the City.

SECTION 3: The City Secretary is hereby authorized and directed to make the appropriate entries of information appearing in the tabulation of precinct results shown in Exhibit A attached hereto in the election register maintained by the City in accordance with provisions of Section 67.006 of the Election Code.

SECTION 4. That said election was duly called; that notice of said election was given and held in accordance with law; and that said election and the returns thereof have been duly canvassed by the City Council.

SECTION 5. That said election AGAINST Proposition A received a majority of the votes cast.

SECTION 6. That said election AGAINST Proposition B received a majority of the votes cast.

SECTION 7. That said election FOR Proposition C received a majority of the votes cast.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas on this 17th day of November, 2020.

CITY OF AMARILLO, TEXAS

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

(City Seal)

EXHIBIT A

TABULATION OF VOTES
RE: SPECIAL ELECTION
HELD NOVEMBER 3, 2020

City of Amarillo Proposition A									
Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
For		1,560	52.67%	7,145	39.10%	1,383	29.22%	10,088	38.85%
Against		1,402	47.33%	11,127	60.90%	3,350	70.78%	15,879	61.15%
Cast Votes:		2,962	100.00%	18,272	100.00%	4,733	100.00%	25,967	100.00%
Undervotes:		328		946		400		1,674	
Overvotes:		0		0		0		0	

City of Amarillo Proposition B									
Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
For		1,957	67.14%	8,871	49.12%	2,067	44.60%	12,895	50.35%
Against		958	32.86%	9,189	50.88%	2,568	55.40%	12,715	49.65%
Cast Votes:		2,915	100.00%	18,060	100.00%	4,635	100.00%	25,610	100.00%
Undervotes:		375		1,158		498		2,031	
Overvotes:		0		0		0		0	

City of Amarillo Proposition C									
Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
For		2,244	77.38%	10,212	57.49%	2,425	53.25%	14,881	59.01%
Against		656	22.62%	7,550	42.51%	2,129	46.75%	10,335	40.99%
Cast Votes:		2,900	100.00%	17,762	100.00%	4,554	100.00%	25,216	100.00%
Undervotes:		390		1,456		579		2,425	
Overvotes:		0		0		0		0	

*** End of report ***

City of Amarillo

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POTTER COUNTY, TEXAS

JOINT GENERAL & SPECIAL ELECTIONS

11/3/2020

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Official Results

Registered Voters
27641 of 57759 = 47.86%

Precincts Reporting
29 of 29 = 100.00%

City of Amarillo Proposition A

Precinct	For	Against	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
121	598	771	1,369	50	0	151	1,109	159	1,419	1,991	71.27%
122	648	952	1,600	90	0	253	1,149	288	1,690	2,861	59.07%
123	1,057	1,235	2,292	80	0	225	1,771	376	2,372	3,569	66.46%
124	649	978	1,627	49	0	182	1,294	200	1,676	2,333	71.84%
125	1,016	1,183	2,199	107	0	451	1,489	366	2,306	3,661	62.99%
126	519	923	1,442	84	0	146	1,070	310	1,526	2,742	55.65%
221	247	448	695	70	0	60	467	238	765	1,811	42.24%
222	241	406	647	168	0	74	517	224	815	1,999	40.77%
223	280	553	833	81	0	114	584	216	914	2,141	42.69%
224	465	949	1,414	90	0	132	1,055	317	1,504	2,993	50.25%
225	253	484	737	72	0	75	588	146	809	1,869	43.29%
323	145	370	515	17	0	46	389	97	532	747	71.22%
324	1,154	1,586	2,740	108	0	391	2,211	246	2,848	3,661	77.79%
325	668	988	1,656	88	0	289	1,207	248	1,744	2,690	64.83%
326	422	1,157	1,579	59	0	141	1,170	327	1,638	2,535	64.62%
327	145	319	464	23	0	28	308	151	487	943	51.64%
421	201	359	560	64	0	59	383	182	624	1,700	36.71%
422	638	937	1,575	117	0	237	1,037	418	1,692	4,179	40.49%
424	250	423	673	58	0	106	458	167	731	1,559	46.89%
425	266	495	761	129	0	76	538	276	890	2,000	44.50%

City of Amarillo Proposition A

	For	Against	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
Precinct											
426	113	192	305	25	0	31	216	83	330	770	42.86%
427	113	171	284	45	0	23	208	98	329	941	34.96%
Totals	10,088	15,879	25,967	1,674	0	3,290	19,218	5,133	27,641	49,695	55.62%

Registered Voters
27641 of 57759 = 47.86%

Precincts Reporting
29 of 29 = 100.00%

JOINT GENERAL & SPECIAL ELECTIONS

11/3/2020

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City of Amarillo Proposition B

Precinct	For	Against	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
121	739	613	1,352	67	0	151	1,109	159	1,419	1,991	71.27%
122	820	758	1,578	112	0	253	1,149	288	1,690	2,861	59.07%
123	1,207	1,048	2,255	117	0	225	1,771	376	2,372	3,569	66.46%
124	769	843	1,612	64	0	182	1,294	200	1,676	2,333	71.84%
125	1,180	1,005	2,185	121	0	451	1,489	366	2,306	3,661	62.99%
126	662	764	1,426	100	0	146	1,070	310	1,526	2,742	55.65%
221	326	346	672	93	0	60	467	238	765	1,811	42.24%
222	332	303	635	180	0	74	517	224	815	1,999	40.77%
223	415	404	819	95	0	114	584	216	914	2,141	42.69%
224	633	748	1,381	123	0	132	1,055	317	1,504	2,993	50.25%
225	363	366	729	80	0	75	588	146	809	1,869	43.29%
323	208	308	516	16	0	46	389	97	532	747	71.22%
324	1,438	1,276	2,714	134	0	391	2,211	246	2,848	3,661	77.79%
325	857	768	1,625	119	0	289	1,207	248	1,744	2,690	64.83%
326	619	936	1,555	83	0	141	1,170	327	1,638	2,535	64.62%
327	198	260	458	29	0	28	308	151	487	943	51.64%
421	290	264	554	70	0	59	383	182	624	1,700	36.71%
422	834	713	1,547	145	0	237	1,037	418	1,692	4,179	40.49%
424	341	317	658	73	0	106	458	167	731	1,559	46.89%
425	368	390	758	132	0	76	538	276	890	2,000	44.50%

City of Amarillo Proposition B

	For	Against	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
Precinct											
426	162	144	306	24	0	31	216	83	330	770	42.86%
427	134	141	275	54	0	23	208	98	329	941	34.96%
Totals	12,895	12,715	25,610	2,031	0	3,290	19,218	5,133	27,641	49,695	55.62%

City of Amarillo

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POTTER COUNTY, TEXAS

JOINT GENERAL & SPECIAL ELECTIONS

11/3/2020

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Official Results

Registered Voters
27641 of 57759 = 47.86%

Precincts Reporting
29 of 29 = 100.00%

City of Amarillo Proposition C

Precinct	For	Against	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
121	827	502	1,329	90	0	151	1,109	159	1,419	1,991	71.27%
122	905	667	1,572	118	0	253	1,149	288	1,690	2,861	59.07%
123	1,387	817	2,204	168	0	225	1,771	376	2,372	3,569	66.46%
124	919	676	1,595	81	0	182	1,294	200	1,676	2,333	71.84%
125	1,346	801	2,147	159	0	451	1,489	366	2,306	3,661	62.99%
126	804	612	1,416	110	0	146	1,070	310	1,526	2,742	55.65%
221	382	284	666	99	0	60	467	238	765	1,811	42.24%
222	369	254	623	192	0	74	517	224	815	1,999	40.77%
223	462	338	800	114	0	114	584	216	914	2,141	42.69%
224	747	621	1,368	136	0	132	1,055	317	1,504	2,993	50.25%
225	423	299	722	87	0	75	588	146	809	1,869	43.29%
323	261	241	502	30	0	46	389	97	532	747	71.22%
324	1,660	1,014	2,674	174	0	391	2,211	246	2,848	3,661	77.79%
325	945	651	1,596	148	0	289	1,207	248	1,744	2,690	64.83%
326	765	769	1,534	104	0	141	1,170	327	1,638	2,535	64.62%
327	245	203	448	39	0	28	308	151	487	943	51.64%
421	320	224	544	80	0	59	383	182	624	1,700	36.71%
422	954	559	1,513	179	0	237	1,037	418	1,692	4,179	40.49%
424	387	253	640	91	0	106	458	167	731	1,559	46.89%
425	434	319	753	137	0	76	538	276	890	2,000	44.50%

City of Amarillo Proposition C

	For	Against	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
Precinct											
426	176	122	298	32	0	31	216	83	330	770	42.86%
427	163	109	272	57	0	23	208	98	329	941	34.96%
Totals	14,881	10,335	25,216	2,425	0	3,290	19,218	5,133	27,641	49,695	55.62%

Registered Voters

27641 of 57759 = 47.86%

Precincts Reporting

29 of 29 = 100.00%

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JOINT GENERAL & SPECIAL ELECTIONS

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*** End of report ***

City of Amarillo Cumulative

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RANDALL COUNTY, TEXAS

2020 General Election

11/3/2020

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Official Results

Registered Voters

44636 of 93286 = 47.85%

Polling Places Reporting

19 of 19 = 100.00%

Proposition A - Vote FOR or AGAINST

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		2,103	52.80%	12,738	37.69%	1,565	28.38%	16,406	37.90%
AGAINST		1,880	47.20%	21,057	62.31%	3,950	71.62%	26,887	62.10%
Cast Votes:		3,983	100.00%	33,795	100.00%	5,515	100.00%	43,293	100.00%
Undervotes:		243		926		173		1,342	
Overvotes:		1		0		0		1	

Proposition B - Vote FOR or AGAINST

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		2,539	64.04%	15,348	46.05%	2,284	42.03%	20,171	47.21%
AGAINST		1,426	35.96%	17,979	53.95%	3,150	57.97%	22,555	52.79%
Cast Votes:		3,965	100.00%	33,327	100.00%	5,434	100.00%	42,726	100.00%
Undervotes:		262		1,394		254		1,910	
Overvotes:		0		0		0		0	

Proposition C - Vote FOR or AGAINST

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		2,989	76.35%	17,836	54.15%	2,683	50.03%	23,508	55.68%
AGAINST		926	23.65%	15,105	45.85%	2,680	49.97%	18,711	44.32%
Cast Votes:		3,915	100.00%	32,941	100.00%	5,363	100.00%	42,219	100.00%
Undervotes:		312		1,780		325		2,417	
Overvotes:		0		0		0		0	

*** End of report ***

Proposition A - Vote FOR or AGAINST

Precinct	FOR	AGAINST	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
111 CITY	903	1,804	2,707	99	0	178	2,142	486	2,806	4,950	56.69%
112 CITY	617	1,516	2,133	73	0	158	1,601	447	2,206	4,070	54.20%
114 CITY	672	1,485	2,157	66	0	183	1,676	364	2,223	3,544	62.73%
208 CITY	1,617	2,501	4,118	170	0	307	3,455	526	4,288	5,806	73.85%
220 CITY	473	933	1,406	35	0	183	1,074	184	1,441	2,071	69.58%
222 CITY	1,305	1,854	3,159	84	0	393	2,523	327	3,243	4,396	73.77%
227 CITY	1,668	2,215	3,883	109	0	444	3,163	385	3,992	5,387	74.10%
228 CITY	1,619	2,038	3,657	92	0	484	2,867	398	3,749	5,028	74.56%
230 CITY	901	1,373	2,274	58	0	249	1,870	213	2,332	3,057	76.28%
324 CITY	1,314	2,336	3,650	92	0	348	2,997	397	3,742	4,983	75.10%
325 CITY	30	42	72	4	0	10	49	17	76	177	42.94%
415 CITY	1,219	2,217	3,436	121	0	191	2,819	547	3,557	5,116	69.53%
418 CITY	1,354	2,155	3,509	109	0	400	2,766	452	3,618	5,406	66.93%
421 CITY	695	1,441	2,136	85	0	234	1,697	290	2,221	3,575	62.13%
426 CITY	701	1,391	2,092	57	0	162	1,688	299	2,149	2,938	73.14%
429 CITY	1,318	1,586	2,904	88	1	303	2,334	356	2,993	4,515	66.29%
Totals	16,406	26,887	43,293	1,342	1	4,227	34,721	5,688	44,636	65,019	68.65%

Proposition B - Vote FOR or AGAINST

Precinct	FOR	AGAINST	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
111 CITY	1,221	1,414	2,635	171	0	178	2,142	486	2,806	4,950	56.69%
112 CITY	855	1,248	2,103	103	0	158	1,601	447	2,206	4,070	54.20%
114 CITY	907	1,218	2,125	98	0	183	1,676	364	2,223	3,544	62.73%
208 CITY	2,107	1,962	4,069	219	0	307	3,455	526	4,288	5,806	73.85%
220 CITY	595	792	1,387	54	0	183	1,074	184	1,441	2,071	69.58%
222 CITY	1,485	1,620	3,105	138	0	393	2,523	327	3,243	4,396	73.77%
227 CITY	1,964	1,870	3,834	158	0	444	3,163	385	3,992	5,387	74.10%
228 CITY	1,896	1,711	3,607	142	0	484	2,867	398	3,749	5,028	74.56%
230 CITY	1,045	1,211	2,256	76	0	249	1,870	213	2,332	3,057	76.28%
324 CITY	1,646	1,969	3,615	127	0	348	2,997	397	3,742	4,983	75.10%
325 CITY	35	35	70	6	0	10	49	17	76	177	42.94%
415 CITY	1,471	1,908	3,379	178	0	191	2,819	547	3,557	5,116	69.53%
418 CITY	1,645	1,833	3,478	140	0	400	2,766	452	3,618	5,406	66.93%
421 CITY	939	1,185	2,124	97	0	234	1,697	290	2,221	3,575	62.13%
426 CITY	898	1,173	2,071	78	0	162	1,688	299	2,149	2,938	73.14%
429 CITY	1,462	1,406	2,868	125	0	303	2,334	356	2,993	4,515	66.29%
Totals	20,171	22,555	42,726	1,910	0	4,227	34,721	5,688	44,636	65,019	68.65%

Proposition C - Vote FOR or AGAINST

Precinct	FOR	AGAINST	Cast Votes	Undervotes	Overvotes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
111 CITY	1,434	1,174	2,608	198	0	178	2,142	486	2,806	4,950	56.69%
112 CITY	1,014	1,064	2,078	128	0	158	1,601	447	2,206	4,070	54.20%
114 CITY	1,058	1,049	2,107	116	0	183	1,676	364	2,223	3,544	62.73%
208 CITY	2,418	1,599	4,017	271	0	307	3,455	526	4,288	5,806	73.85%
220 CITY	717	661	1,378	63	0	183	1,074	184	1,441	2,071	69.58%
222 CITY	1,721	1,346	3,067	176	0	393	2,523	327	3,243	4,396	73.77%
227 CITY	2,238	1,556	3,794	198	0	444	3,163	385	3,992	5,387	74.10%
228 CITY	2,148	1,408	3,556	193	0	484	2,867	398	3,749	5,028	74.56%
230 CITY	1,260	968	2,228	104	0	249	1,870	213	2,332	3,057	76.28%
324 CITY	1,898	1,679	3,577	165	0	348	2,997	397	3,742	4,983	75.10%
325 CITY	41	29	70	6	0	10	49	17	76	177	42.94%
415 CITY	1,800	1,546	3,346	211	0	191	2,819	547	3,557	5,116	69.53%
418 CITY	1,908	1,526	3,434	184	0	400	2,766	452	3,618	5,406	66.93%
421 CITY	1,101	995	2,096	125	0	234	1,697	290	2,221	3,575	62.13%
426 CITY	1,051	988	2,039	110	0	162	1,688	299	2,149	2,938	73.14%
429 CITY	1,701	1,123	2,824	169	0	303	2,334	356	2,993	4,515	66.29%
Totals	23,508	18,711	42,219	2,417	0	4,227	34,721	5,688	44,636	65,019	68.65%

OFFICIAL

Run Time 8:56 AM
Run Date 11/12/2020

RANDALL COUNTY, TEXAS

2020 General Election
11/3/2020
Page 4

Official Results

Registered Voters
44636 of 93286 = 47.85%
Polling Places Reporting
19 of 19 = 100.00%

*** End of report ***

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	November 17, 2020	Council Priority	Fiscal Responsibility
Department	City Manager		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

Ordinance – City of Amarillo 2020/2021 Budget Amendment

This is the first reading of an ordinance to amend the Heritage Hills Public Improvement District 2020/2021 Budget included in the City of Amarillo 2020/2021 Budget.

Agenda Item Summary

This is the first reading of an ordinance to amend the Heritage Hills Public Improvement District 2020/2021 Budget included in the City of Amarillo 2020/2021 Budget. This Budget Amendment specifically amends the 2020/2021 fiscal year budget for the following fund:

- Heritage Hills Public Improvement District (PID) Fund - \$430,000

Requested Action

Approval of the ordinance to amend the City of Amarillo 2020/2021 Budget.

Funding Summary

N/A

Community Engagement Summary

The Heritage Hills PID Board met on November 9, 2020 and voted to recommend approval of the above budget amendment.

Staff Recommendation

Staff recommendation is to approve the 2020/2021 fiscal year budget amendment.



INTERDEPARTMENTAL MEMO

Date: November 10, 2020
To: Jared Miller, City Manager
From: Kelley Shaw, Development Customer Service Coordinator
Through: Floyd Hartman, Development Services ACM
Laura Storrs, Chief Financial Officer ACM

RE: Heritage Hills Public Improvement District (PID) Budget Amendment

Pega Development (the Developer) representatives have requested to be reimbursed for costs incurred relating to a completed PID improvement project (Bid 6221) within the Heritage Hills PID boundary. The reimbursement for the improvement project, which consists of landscaped medians, is proposed to come from the Heritage Hills PID's surplus funds. As a result of discussions between the Developer and appropriate City staff, it was determined that to move forward with the reimbursement request, a Heritage Hills PID budget amendment will be needed. To that end, the Developer has submitted a formal, written request for reimbursement.

Staff convened the Heritage Hills PID Advisory Board on November 9th to discuss the reimbursement request. After consideration of the request, the Board unanimously recommended approval of the reimbursement request with the reimbursement coming from the surplus funds mentioned above. City staff have also considered the request and believe the reimbursement, if approved, would not negatively affect the current or future Heritage Hills PID fund balance.

Given State law allows for reimbursement agreements for public improvement costs and the Heritage Hills PID Advisory Board has unanimously recommended approval of the Developer's reimbursement request, City staff recommends the reimbursement process move forward with the necessary preparation of a Heritage Hills PID budget amendment and subsequent City Council action.

If you have any questions or require additional information, please let me know.

11/13/20

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO,
ADOPTING THE BUDGET AMENDMENTS PERTAINING TO THE FISCAL
YEAR 2020-2021 BUDGET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City ordinance requires City Council to approve a budget amendment and upon approval such amendment shall become an attachment to the original budget; and

WHEREAS, a budget amendment has been prepared for certain appropriations and expenditures in the 2020-2021 budget and submitted to the City Council for approval and a true and correct copy is attached hereto as Exhibit “A”.

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

SECTION 1. Pursuant to City ordinance, a budget amendment attached as Exhibit “A” is hereby authorized and approved for the fiscal year 2020-2021.

SECTION 2. That this ordinance shall be effective on and after its adoption;

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the _____ day of November 2020; and PASSED on Second and Final Reading the _____ day of December 2020.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

EXHIBIT "A"

1. Heritage Hills PID Expenditure Budget, Account 27110.83200 Improvements - Parks = \$430,000 addition

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	November 17, 2020	Council Pillar	Fiscal Responsibility
Department	City Manager		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

RESOLUTION –AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

(Contact: Laura Storrs, Assistant City Manager)

Discussion and consideration of all matters incident and related to approving and authorizing publication of notice of intention to issue certificates of obligation, including the adoption of a resolution pertaining thereto.

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 \$1,050,000. The proceeds will be used for costs incurred for acquiring, construction, improving and equipping park facilities.

Requested Action

Council consideration and approval of the resolution.

Funding Summary

The Greenways PID has sufficient assessments to cover current debt service, operating and maintenance costs, and debt service associated with this debt issuance.

Community Engagement Summary

The Greenways PID Board met on November 9, 2020 and voted to recommend the City Council issue \$1,050,000 in certificates of obligation.

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.



INTERDEPARTMENTAL MEMO

Date: November 10, 2020
To: Jared Miller, City Manager
From: Kelley Shaw, Development Services Coordinator
Through: Floyd Hartman, Development Services ACM
Laura Storrs, Public Safety & Organizational Services ACM

RE: Greenways Public Improvement District (PID) Developer Reimbursement

Mr. Eddie Scott (the Developer), who is the developer of the Greenways residential subdivision, has formally requested reimbursement of the remaining expenses related to the construction of certain PID improvements within the Greenways PID boundary. A reimbursement of \$1,000,000 would be necessary to cover said expenses. To fund this reimbursement, City GO bond proceeds are being proposed as the funding mechanism with debt service payments for this issuance being paid by property owner PID assessments.

Staff convened the Greenways PID Advisory Board on November 9th to discuss the reimbursement request. After consideration of the request, the Board unanimously recommended approval of the reimbursement request. City staff have also considered the request and believe the reimbursement, if approved, would not negatively affect the current or future Greenways PID fund balance as current assessment rates adequately cover PID maintenance and administrative expenses and debt service payments.

Given State law allows for reimbursement agreements for public improvement costs and the Greenways PID Advisory Board has unanimously recommended approval of the Developer's reimbursement request, City staff recommends the reimbursement process move forward with the preparation of the necessary documents and subsequent City Council action.

If you have any questions or require additional information, please let me know.

RESOLUTION NO. _____

A RESOLUTION OF THE AMARILLO CITY COUNCIL, APPROVING AND
AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION.

WHEREAS, the City Council of the City of Amarillo, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended, and in one or more series for the purpose of paying contractual obligations to be incurred for (i) acquiring, constructing, improving and equipping park facilities and (ii) professional services rendered in connection therewith; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the City Council proposes to pay the Certificates; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. The City Secretary is hereby authorized and directed to cause notice to be published of the City Council's intention to issue certificates of obligation, in one or more series, in the principal amount not to exceed \$1,050,000 for the purpose of paying contractual obligations to be incurred for (i) acquiring, constructing, improving and equipping park facilities and (ii) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the City's Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be (i) published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation and (ii) posted continuously on the City's website for at least forty-five (45) days before the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation. By consideration of this Resolution and the publication of the aforesaid notice, the City expresses its intention, but not an obligation, to issue the certificates of obligation.

SECTION 3: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

PASSED AND ADOPTED, this the 17th day of November, 2020.

Mayor, City of Amarillo, Texas

ATTEST:

City Secretary, City of Amarillo, Texas

(City Seal)

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF AMARILLO, TEXAS CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Amarillo, Texas, shall convene a regular meeting to be held on January 26, 2021 at 1:00 p.m., City Hall, 601 South Buchanan Street, Council Chamber on the Third Floor of the City Hall, Amarillo, Texas by video conference (in order to advance the public health goal of limiting face-to-face meetings also called "social distancing" to slow the spread of the coronavirus (COVID-19)). There will be no public access to the location described above. The video meeting is hosted through Zoom. The meeting is broadcast on the City's website at: www.amarillo.gov. The Zoom link to join the meeting will be available on the City's website at least 72 hours before the start of the meeting. During such meeting, the City Council will consider the passage of one or more ordinances authorizing the issuance of certificates of obligation, in one or more series, in an amount not to exceed ONE MILLION FIFTY THOUSAND DOLLARS (\$1,050,000) for the purpose of paying contractual obligations to be incurred for (i) acquiring, constructing, improving and equipping park facilities and (ii) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the City's Waterworks and Sewer System. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is \$148,578,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes on time and in full is \$184,666,671.42; (iii) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$1,314,000; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is February 15, 2041. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

Frances Hibbs
City Secretary, City of Amarillo, Texas

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	November 17, 2020	Council Priority	Fiscal Responsibility
Department	City Manager		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

DISCUSS AND CONSIDER ACQUISITION OF 500 SOUTH GRANT STREET, 621 SOUTH JOHNSON STREET, AND 707 SOUTH JOHNSON STREET (Contact: Laura Storrs, Assistant City Manager)

Discussion and consideration of acquisition of property at 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, Amarillo, Texas and funding options.

Agenda Item Summary

This agenda item is to discuss and consider purchasing property at 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, Amarillo, Texas and potential funding options for the purchase.

Requested Action

Council consideration and approval of the acquisition costs with the purchase of property.

Funding Summary

N/A

Community Engagement Summary

At the September 8, 2020 City Council meeting, Council authorized a contract for the purchase of 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street.

Staff Recommendation

Staff recommends Council consideration and approval of the purchase of property.

Amarillo City Council

Agenda Transmittal Memo



G

Meeting Date	November 17, 2020	Council Priority	Fiscal Responsibility
Department	City Manager		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption
RESOLUTION – DECLARING THE EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT (Contact: Laura Storrs, Assistant City Manager) Discussion and consideration of all matters incident and related to declaring expectation to reimburse expenditures for purchasing property at 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, Amarillo, Texas, demolition of buildings, and site preparation with proceeds of future debt, including the adoption of a resolution pertaining thereto.

Agenda Item Summary
This resolution declares the expectation to reimburse expenditures for purchasing property at 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, Amarillo, Texas, demolition of buildings, and site preparation with proceeds of future debt. This resolution authorizes the City to reimburse from bond proceeds amounts spent on the purchase of 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, demolition of buildings, and site preparation with a future bond issue.

Requested Action
Council consideration and approval of the resolution declaring the expectation to reimburse expenditures with proceeds of future debt.

Funding Summary
N/A

Community Engagement Summary
At the September 8, 2020 City Council meeting, Council authorized a contract for the purchase of 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street.

Staff Recommendation
Staff recommends Council consideration and approval of the resolution declaring the expectation to reimburse expenditures with proceeds of future debt.

RESOLUTION NO. _____

A RESOLUTION OF THE AMARILLO CITY COUNCIL, DECLARING
EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF
FUTURE DEBT.

WHEREAS, the City of Amarillo, Texas (the "Issuer") intends to issue debt for (i) the acquisition, construction, improvement and equipment of a municipal government complex and the acquisition of land therefor, including the demolition of any existing structures on the site to be acquired and (ii) professional services rendered in connection therewith; (the "Project") and further intends to make certain capital expenditures with respect to the Project and currently desires and expects to reimburse the capital expenditures with proceeds of such debt;

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the Issuer must declare its expectation to make such reimbursement; and

WHEREAS, the Issuer desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE ISSUER THAT the Issuer reasonably expects to reimburse capital expenditures with respect to the Project with proceeds of debt hereafter to be incurred by the Issuer, and that this resolution shall constitute a declaration of official intent under the Regulation. The maximum principal amount of obligations expected to be issued for the Project is \$5,570,000.

PASSED AND APPROVED this the 17th day of November, 2020.

CITY OF AMARILLO, TEXAS

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

Amarillo City Council

Agenda Transmittal Memo



H

Meeting Date	November 17, 2020	Council Pillar	Fiscal Responsibility
Department	City Manager		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

RESOLUTION –AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

(Contact: Laura Storrs, Assistant City Manager)

Discussion and consideration of all matters incident and related to approving and authorizing publication of notice of intention to issue certificates of obligation, including the adoption of a resolution pertaining thereto.

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 \$5,570,000. The proceeds will be used for costs incurred for the purchase of the property at 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, Amarillo, Texas, demolition of buildings, and site preparation.

Requested Action

Council consideration and approval of the resolution.

Funding Summary

N/A

Community Engagement Summary

At the September 8, 2020 City Council meeting, Council authorized a contract for the purchase of 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street.

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.

RESOLUTION NO. _____

A RESOLUTION OF THE AMARILLO CITY COUNCIL, APPROVING AND
AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION.

WHEREAS, the City Council of the City of Amarillo, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended, and in one or more series for the purpose of paying contractual obligations to be incurred for (i) the acquisition, construction, improvement and equipment of a municipal government complex and the acquisition of land therefor, including the demolition of any existing structures on the site to be acquired and (ii) professional services rendered in connection therewith; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the City Council proposes to pay the Certificates; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. The City Secretary is hereby authorized and directed to cause notice to be published of the City Council's intention to issue certificates of obligation, in one or more series, in the principal amount not to exceed \$5,570,000 for the purpose of paying contractual obligations to be incurred for (i) the acquisition, construction, improvement and equipment of a municipal government complex and the acquisition of land therefor, including the demolition of any existing structures on the site to be acquired and (ii) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the City's Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be (i) published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation and (ii) posted continuously on the City's website for at least forty-five (45) days before the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation. By consideration of this Resolution and the publication of the aforesaid notice, the City expresses its intention, but not an obligation, to issue the certificates of obligation.

SECTION 3: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

PASSED AND ADOPTED, this the 17th day of November, 2020.

Mayor, City of Amarillo, Texas

ATTEST:

City Secretary, City of Amarillo, Texas

(City Seal)

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF AMARILLO, TEXAS CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Amarillo, Texas, shall convene a regular meeting to be held on January 26, 2021 at 1:00 p.m., City Hall, 601 South Buchanan Street, Council Chamber on the Third Floor of the City Hall, Amarillo, Texas by video conference (in order to advance the public health goal of limiting face-to-face meetings also called "social distancing" to slow the spread of the coronavirus (COVID-19)). There will be no public access to the location described above. The video meeting is hosted through Zoom. The meeting is broadcast on the City's website at: www.amarillo.gov. The Zoom link to join the meeting will be available on the City's website at least 72 hours before the start of the meeting. During such meeting, the City Council will consider the passage of one or more ordinances authorizing the issuance of certificates of obligation, in one or more series, in an amount not to exceed FIVE MILLION FIVE HUNDRED SEVENTY THOUSAND DOLLARS (\$5,570,000) for the purpose of paying contractual obligations to be incurred for (i) the acquisition, construction, improvement and equipment of a municipal government complex and the acquisition of land therefor, including the demolition of any existing structures on the site to be acquired and (ii) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the City's Waterworks and Sewer System. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is \$148,578,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes on time and in full is \$184,666,671.42; (iii) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$6,965,336; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is February 15, 2041. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

Frances Hibbs
City Secretary, City of Amarillo, Texas

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	November 17, 2020	Council Pillar	Economic Development
Department	AEDC		
Contact	Kevin Carter, President and CEO		

Agenda Caption

CONSIDER APPROVAL – TAX ABATMENT AGREEMENT:

Parties: City of Amarillo and NX Amarillo MOB, LLC, Physician Reliance, LLC (together, “Recipient”) and Parkwest Corporate Center, Ltd.

Agenda Item Summary

McKesson is considering constructing a new Regional Cancer Treatment Center in Amarillo, in addition to the current facility. This center would bring in around 48,000 patients annually from Texas, New Mexico, Oklahoma & Kansas. Ten to fifteen percent traveling from outside of Texas and forty-five from outside of the Amarillo MSA. McKesson is considering two investment opportunities – the Amarillo facility or a completely different facility in Central Ohio, requiring the same amount of capital.

Highlights of the project include:

- **Construction of a new 50,000 square foot facility on 4.85 acres located in the Point West Development.**
- **27 new employees projected and 9 transferring from current location**
- **\$3,300,000 new payroll projected**
- **\$32,900,000 in Capital Expenditure**

AEDC is asking the City Council to approve an abatement of future taxes on the construction and equipment upgrades. The City Incentive Guidelines adopted in 2019 qualify the project for 60% for a 6-year period on the new construction and equipment.

Requested Action

Approval of the Tax Abatement Agreement as presented.

Funding Summary

n/a

Staff Recommendation

AEDC staff is recommending approval of the Tax Abatement Agreement

**TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF AMARILLO,
PARKWEST CORPORATE CENTER, LTD., NX AMARILLO MOB LLC, AND
PHYSICIAN RELIANCE, LLC**

STATE OF TEXAS §
 §
COUNTY OF POTTER §

This Tax Abatement Agreement ("**Agreement**"), is entered into as of this 17th day of August, 2020 ("**Effective Date**"), by and between the City of Amarillo, Texas ("**City**"), a home rule city and municipal corporation located in Potter and Randall Counties, Texas, duly acting herein by and through its City Manager or other designated representative, Parkwest Corporate Center, Ltd., a Texas limited partnership ("**Parkwest**"), NX Amarillo MOB LLC, a Delaware limited liability company ("**NXAM**"), and Physician Reliance, LLC, a Delaware limited liability company ("**PR**").

WITNESSETH:

WHEREAS, the City Council of the City of Amarillo, Texas ("**City Council**") indicated its election to be eligible to participate in Tax Abatements in the Resolution Adopting Guidelines and Criteria for Tax Abatement in the City of Amarillo ("**Policy Statement**"), by the passage of Resolution No. 7-26-88-1 on the 21st day of July, 1988; and

WHEREAS, on the 20th day of August, 2019, the City Council readopted the Policy Statement by the passage of Resolution No. 08-20-19-2; and

WHEREAS, the City's current Policy Statement entitled:

RESOLUTION ADOPTING GUIDELINES
AND CRITERIA FOR TAX ABATEMENT WITHIN REINVESTMENT ZONES
FOR THE
CITY OF AMARILLO

Is attached as Exhibit A hereto; and

WHEREAS, the Policy Statement constitutes appropriate "guidelines and criteria" governing tax abatement agreements which may be entered into by the City as contemplated by the Texas Tax Code ("**Tax Code**"), and provides for the availability of tax abatement for both new facilities and structures and for the contemplated expansion or modernization of existing facilities or structures; and

WHEREAS, entering into this Agreement will produce public benefits:

- 1) enhancing and diversifying the economic and industrial bases of the Amarillo area;
- 2) contributing to the retention and expansion of primary employment; and

- 3) attracting major investment that will be of benefit to the Premises (as hereafter defined) and that will contribute to the economic development of the City; and

WHEREAS, on the 17th day of November, 2020, the City Council adopted Ordinance No. [REDACTED] establishing City of Amarillo Reinvestment Zone No. 11 ("**Zone**") for commercial/industrial tax abatement, as authorized by Tax Code Chapter 312; and

WHEREAS, Parkwest currently holds title to the Premises, but NXAM expects to receive title to the Premises under a real estate purchase contract between Parkwest and NXAM ("**Purchase Agreement**"); and

WHEREAS, NXAM and PR expect PR to lease the Premises from NXAM after the closing of the Purchase Agreement; and

WHEREAS, the contemplated uses of the Premises (a cancer treatment center), the contemplated improvements to the Premises as set forth in this Agreement, the contemplated equipment, and other business personal property, and the other terms of this Agreement will encourage development of the Zone, are in accordance with the purposes for its creation, and are in compliance with the Policy Statement, the Ordinance, and all applicable laws; and

WHEREAS, PR's use of the Premises is expected to favorably influence the economic and employment base of the City, to wit: within 24 months to provide 27 new full time physician, medical, and administrative positions by December 31, 2025; and

WHEREAS, the City Council finds that the improvements sought are feasible and practical and will be of benefit to the Premises, the Zone, and to the City after expiration of this Agreement; and

WHEREAS, the City Council finds that the terms of this Agreement and the proposed Qualified Facilities and Qualified Personal Property (as hereafter defined) subject to this Agreement meet the applicable guidelines and criteria previously adopted by the City Council; and

WHEREAS, a copy of this Agreement has been furnished, in the manner prescribed by the law, to the presiding officers of the governing bodies of each of the taxing units in which the Premises subject to the Agreement is located;

NOW, THEREFORE, the City for good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, which consideration includes the attraction of major investment to the Zone and business activity which contributes to the overall economic development of the City and enhancement of the tax base in the City; Parkwest, NXAM, and PR for good and valuable consideration, the adequacy and receipt of which is hereby acknowledged by each, which consideration includes the tax abatement set forth below, as authorized by Tax Code Chapter 312, Subchapter B, do hereby contract and agree as follows:

1. Definitions

Wherever used in this Agreement, the following terms shall have the meanings ascribed to them:

- 1) "Tax Code" means the relevant provisions of Texas Tax Code.
- 2) "Eligible Property Value" shall mean the value of NXAM's Qualified Facilities and PR's Qualified Personal Property that:
 - a) is eligible for tax abatement under Tax Code Chapter 312 (which shall not include the real property's current value – only increase in value of the real property may be exempted); and
 - b) has taxable situs in the Zone on January 1 of the first tax year as set forth in Section 3 or on January 1 of any subsequent tax year as set forth in Section 3.

However, pursuant to Tax Code Section 312.204, tangible personal property that was located on the Premises before the beginning date of the abatement period shall not be eligible for tax abatement. Supplies and inventory located in the Zone at any time shall not be eligible for tax abatement.

- 3) "Qualified Facilities" shall mean the buildings and other improvements constructed by or for the benefit of NXAM for design, assembly, manufacturing, storage, training, repair, or other purposes in the Zone, consisting of an approximately 50,000 ft² cancer treatment facility expected to cost approximately \$24,700,000.
- 4) "Qualified Personal Property" shall mean PR's machinery, equipment, furniture, fixtures, and other tangible personal property that are eligible for tax abatement under Tax Code Chapter 312, consisting of cancer treatment furniture, fixtures, and equipment sufficient to carry on cancer treatment operations and expected to cost \$6,400,000, and that:
 - a) is owned by PR or a third party as described in Section 2(11)(b);
 - b) is located in the Zone; and
 - c) but for this Agreement would be subject to appraisal by the Potter County Appraisal District or its successor for the applicable tax year.
- 5) "Premises" shall mean the parcel of land owned by Parkwest and to be owned by NXAM under the Purchase Agreement in Amarillo, Potter County, Texas, as described on Exhibit B, which is attached hereto and incorporated by reference, and is located within the Zone.
- 6) "Abatement" shall mean the tax abatement rate in those percentages set forth in Section 5 for each applicable year.

2. General Provisions

- 1) NXAM and PR agree that their use of the Premises will be in accordance with applicable state and local laws and regulations.
- 2) The parties agree that the periods of abatement under this Agreement are directly proportional to the capital expenditures for improvements and the number of permanent full-time jobs created by PR.
- 3) The procedures followed by the City in the enforcement and administration of this Agreement will conform to the requirements of the Tax Code and other applicable law. To the extent possible, these procedures will be undertaken in coordination with PR's corporate, public, employee, and business relations requirements.
- 4) The Premises are presently owned by Parkwest and are to be owned by NXAM under the Purchase Agreement. Parkwest joins herein solely as an accommodation party currently owning the Premises which are to be transferred to NXAM under such Purchase Agreement; provided, however, that all parties hereto agree that the Purchase Agreement is the sole agreement between Parkwest and NXAM with respect to the purchase and sale of the Property, and this Agreement does not create, and shall not be construed to create, an independent obligation of Parkwest to convey the Property to NXAM. The Premises are located solely within the corporate limits of the City and within the Zone.
- 5) The Premises and Qualified Facilities are not an improvement project financed by tax increment bonds.
- 6) This Agreement is entered into subject to the rights of the holders of outstanding bonds of the City.
- 7) The Premises and Qualified Personal Property are not owned or leased by any member of the Amarillo City Council or any member of the Planning and Zoning Commission of the City or a member of the governing body of any taxing units joining in or adopting this Agreement.
- 8) The City has adopted guidelines and criteria governing tax abatement agreements and it has the authority to enter into this Agreement.
- 9) This Agreement is intended to comply with the requirements of law and is authorized by the Texas Property Redevelopment and Tax Abatement Act, Tax Code Chapter 312, Policy Statement, and by resolution of the City Council of the City of Amarillo authorizing execution of this Agreement.
- 10) During the period of tax abatement herein authorized, NXAM and PR shall be subject to taxation on all real and personal property not abated or otherwise exempted.

- 11) This Agreement shall apply to Qualified Facilities and Qualified Personal Property which is owned by:
 - a) NXAM or PR; or
 - b) A third party when
 - i) NXAM or PR is contractually obligated to pay taxes on said personal property; and
 - ii) NXAM or PR renders said personal property for taxation.
- 12) The construction and development of the Qualified Facilities and Qualified Personal Property contemplated by this Agreement will be diligently pursued by NXAM and PR and may occur in Phases. Each Phase will be created as set forth in Section 4 of this Agreement.

3. Term and Abatement Period

A six (6) year tax abatement is hereby granted to NXAM and PR subject to meeting the conditions herein. For each Phase (as hereafter defined), the six (6) year abatement period commences beginning on January 1 of the first tax year for which NXAM or PR files an approved abatement application with the Potter County Appraisal District. For each subsequent Phase, the six (6) year abatement period commences on January 1 of the first tax year for which NXAM or PR timely files an approved abatement application for that Phase with the Potter County Appraisal District.

4. Construction May Occur in Phases

At its option, NXAM or PR may elect to stage development of the Qualified Facilities and Qualified Personal Property to occur at different times within the Zone. If NXAM or PR chooses to make this election, each individual Phase shall be eligible for Abatement under the terms of this Agreement for a period of six (6) years.

NXAM and PR will designate each Phase by metes and bounds or by description of the improvement or property sought to be abated, to be submitted with the first Tax Abatement application filed on each Qualified Facility or Qualified Personal Property in that Phase. Each Phase so designated will be sequentially numbered as Phase 1, Phase 2, and so forth. Thereafter, the Qualified Facilities and Qualified Personal Property in each Phase shall be the subject of a separate Tax Abatement application as may be required by law. For purposes of identifying property within a Phase, it shall be sufficient to generally identify the improvement or property by its use or purpose and relative geographic location to other existing improvements.

The deadline for designating a Phase under Section 4 of this Agreement coincides with the expiration of the Zone, being the fifth (5th) anniversary of the establishment of the Zone, unless renewed or extended to a later date by the City.

5. Rate of Abatement

The rate and scope of tax abatement shall be as follows:

- 1) Scope of Abatement. The annual rate of abatement will be applied as set forth below to the Eligible Property Value.
- 2) Annual Rate of Abatement. The following shall be the annual rate of tax abatement. The rate of abatement shall be applied separately to the Eligible Property Value in each Phase created under this Agreement for each applicable tax year.

<u>Year of Abatement</u>	<u>Rate of Abatement on Incremental Increase</u>
1	60%
2	60%
3	60%
4	60%
5	60%
6	60%

6. Records and Audits

- 1) At all times throughout the term of this Agreement, the City and the Potter County Appraisal District shall have reasonable access to the Premises by their employees or agents, accompanied by NXAM or PR personnel, for the purpose of inspecting the Premises to ensure the Qualified Facilities and Qualified Personal Property are maintained in accordance with the conditions of this Agreement and shall have access to the books and records of NXAM and PR for purposes of determining compliance with state law and this Agreement.
- 2) Before December 31 of each year, NXAM and PR must certify in writing to the governing body of each participating taxing unit that it is in compliance with each term of this Agreement; provided, however, that NXAM and PR shall not be considered in default hereunder until the applicable party has received notice of non-compliance, and has had a period of time (not to exceed 30 days) to provide the required certification.

7. Performance Requirement

NXAM and PR shall not be entitled to any Eligible Property Value tax abatement under this Agreement for any tax year during which NXAM or PR is in default of this Agreement.

8. Breach and Default

In the event that NXAM or PR:

- 1) fails or refuses to comply with Section 7 of this Agreement;
- 2) allows *ad valorem* taxes on the Premises, Qualified Facilities, or Qualified Personal Property subject to abatement to become delinquent and fails to timely and properly follow the legal procedures for the protest and/or appeal of such *ad valorem* taxes,

- 3) fails or refuses to timely file required documents with the State Comptroller or local tax appraisal district; or,
- 4) breaches any of the terms or conditions of this Agreement;

then NXAM and PR shall be in default of this Agreement.

If NXAM or PR defaults in its performance of 1, 2, 3, or 4 above, the City shall give NXAM and PR written notice of default. If NXAM or PR, as appropriate, has not cured such default within ninety (90) days of receipt of written notice, or, if such default cannot be cured by the payment of money or posting of a bond or other collateral, NXAM and PR shall be in default for that tax year. However, if such default is not reasonably susceptible of cure within such ninety (90) day period, whether or not due to causes within the control of NXAM or PR, and NXAM and PR, as appropriate, has begun efforts to cure the default, then after first advising the City of its efforts, NXAM or PR may utilize an additional one hundred eighty (180) days to cure the default. Time in addition to the foregoing two hundred seventy (270) day cure period may be authorized by the City, in its sole and absolute discretion.

Failure to timely cure any default will result in the cancellation of this Agreement and the retroactive loss of the tax abatement. Additionally after the expiration of the applicable notice and cure periods, all taxes which would have otherwise been paid to the City during the tax year in which the default occurs without the benefit of abatement plus ten percent (10%) interest beginning on the date of expiration of the cure period will be owed by NXAM or PR, as appropriate, to the City as liquidated damages. This amount shall be due and owing to the City within sixty (60) days of the expiration of the above referenced cure period, subject to all lawful offsets, settlements, deductions, or credits to which NXAM or PR may be entitled. The parties acknowledge that actual damages in the event of default would be speculative and difficult to determine.

If the default is cured after the expiration of the two hundred seventy (270) day cure period provided but no later than three hundred sixty-five (365) days after default, then the terms and conditions of this Agreement may be reinstated for the remaining number of years available under Section 3 in which an abatement has not yet been enjoyed.

9. Sale, Assignment, or Lease of Property; Termination

- 1) This Agreement may be assigned by NXAM or PR to an entity controlling, controlled by, or under common control with NXAM or PR without further consent of the City.
- 2) This Agreement may be assigned by NXAM or PR to any other entity only with the consent of the City, which consent shall not be unreasonably withheld.
- 3) This Agreement shall terminate in the event that either Parkwest or NXAM notifies City that NXAM has not acquired the Property pursuant to the terms and conditions of the Purchase Agreement.

10. Indemnity

It is understood and agreed among the parties that NXAM and PR, in performing their obligations hereunder, are acting independently of City and Parkwest. City and Parkwest assume no responsibilities or liabilities in connection therewith to NXAM, PR, or third parties, and City agrees that Parkwest has no responsibility or liability under this Agreement with respect to the obligations of NXAM or PR. NXAM and PR agree to indemnify and hold City and Parkwest and their agents, employees, and officers harmless from penalties, fines, damages of every kind, attorney fees, costs, and interest that arise out of or relate to NXAM's or PR's acts or omissions relating to the Premises, Qualified Facilities, Qualified Personal Property, or the performance or benefits of this Agreement.

11. Notice

Any notice called for or required by this Agreement shall be considered delivered when actually received by a party at the following address, or at such other address as may be designated in writing.

For PR:

Physician Reliance, LLC

Attn: _____

Telephone: _____

Email: _____

with a copy to (which shall not constitute notice):

Attn: _____

Telephone: _____

Email: _____

For NXAM:

NX Amarillo MOB LLC

Attn: _____

Telephone: _____

Email: _____

with a copy to (which shall not constitute notice):

Attn: _____

Telephone: _____

Email: _____

For City of Amarillo, Texas:

City Manager

City of Amarillo

P.O. Box 1971

Amarillo, Texas 79186-1971

Fax (806) 378-8394

12. City Authorization

This Agreement was authorized by Resolution of the Amarillo City Council approved by a majority of the City Council at a regularly scheduled meeting in accordance with applicable

provisions of the Tax Code. The resolution authorized the City Manager, or designee, to execute this Agreement on behalf of the City.

13. NXAM, PR, and Parkwest Authorization

This Agreement was entered into by NXAM, PR, and Parkwest pursuant to proper authority whereby an authorized executive officer of NXAM, PR, and Parkwest, each signing below, were authorized to execute this Agreement on behalf of each entity as shown.

14. Severability

If any section, subsection, paragraph, sentence, phrase, or word of this Agreement is held invalid, illegal, or unconstitutional, the balance of this Agreement shall be enforceable and read as if the parties intended at all times to delete the invalid section, subsection, paragraph, sentence, phrase, or word.

15. Estoppel Certificate

Any party hereto may request an estoppel certificate from another party if the certificate is requested in connection with a bona fide business purpose. The estoppel certificate will be addressed as requested by the party, and shall include, but not necessarily be limited to, statements that this Agreement is in full force and effect without default (or if default exists, the nature of default and curative action, which should be undertaken to cure same), the remaining term of this Agreement, the levels of primary Abatement in effect, and such other matters reasonably requested by the party.

16. NXAM and PR Standing

NXAM and PR shall be deemed a proper and necessary party in any litigation questioning or challenging the validity of this Agreement or any of the underlying ordinances, resolutions, or City Council actions authorizing same and NXAM and PR shall be entitled to intervene in said litigation.

17. Applicable Law

This Agreement shall be construed under the laws of the State of Texas. Venue for any action under this Agreement shall be the State District Court of Potter County, Texas. This Agreement is performable in Potter County, Texas.

18. Recordation of Agreement

A certified copy of this Agreement in recordable form shall be recorded in the Deed Records of Potter County, Texas.

19. Entire Agreement

This Agreement contains the entire agreement of the parties on the subject matter herein. This Agreement supersedes any prior written or oral tax abatement agreements or representations between the parties. It may only be modified by written instrument signed by the parties.

Notwithstanding the foregoing provisions, this Agreement does not modify, alter, or amend any other agreement or instrument between the City, NXAM, and/or PR relating to matters other than the abatement of ad valorem taxes on the Eligible Property Value. This Agreement is being executed in multiple originals which are being distributed for execution to NXAM, PR, Parkwest, and the City. Each party agrees that its sole execution of an original shall constitute its consent to, and acceptance of the Agreement, without the necessity of a single copy being executed by all parties.

{Signature Pages Follow}

Executed to be effective as of the Effective Date.

CITY OF AMARILLO, TEXAS

By: _____
Jared Miller, City Manager

Attest:

Frances Hibbs, City Secretary

Approved as to form:

Bryan S. McWilliams, City Attorney

City's Acknowledgment

STATE OF TEXAS §
 §
COUNTY OF POTTER §

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Jared Miller, City Manager of the City of Amarillo, Texas, a municipal corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the City of Amarillo, Texas, a municipal corporation, that he was duly authorized to perform the same by appropriate resolution of the City Council of the City of Amarillo, and that he executed the same as the act of the said City for purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2020.

Notary Public, State of Texas

NX AMARILLO MOB LLC

By: _____
Printed Name: _____
Title: _____

NXAM Acknowledgment

NX AMARILLO MOB LLC

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared _____, as _____ of NX Amarillo MOB LLC, a Delaware limited liability company, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said NX Amarillo MOB LLC, that he/she was duly authorized to perform the same by appropriate resolution of such corporation, and that he/she executed the same as the act of the said corporation for purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2020.

Notary Public, State of _____

PHYSICIAN RELIANCE, LLC

By: _____
Printed Name: _____
Title: _____

PR Acknowledgment

PHYSICIAN RELIANCE, LLC

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared _____, as _____ of Physician Reliance, LLC, a Delaware limited liability company, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Physician Reliance, LLC, that he/she was duly authorized to perform the same by appropriate resolution of such corporation, and that he/she executed the same as the act of the said corporation for purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2020.

Notary Public, State of _____

PARKWEST CORPORATE CENTER, LTD.

By: _____
Printed Name: Jack E. Neely
Title: General Partner

Parkwest Acknowledgment

PARKWEST CORPORATE CENTER, LTD.

STATE OF TEXAS §
 §
COUNTY OF POTTER §

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Jack E. Neely, as General Partner of Parkwest Corporate Center, Ltd., a Delaware corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Parkwest Corporate Center, Ltd., that he was duly authorized to perform the same by appropriate resolution of such corporation, and that he executed the same as the act of the said corporation for purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2020.

Notary Public, State of Texas

EXHIBIT A POLICY STATEMENT

RESOLUTION NO. 08-20-19- 2

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS
CITY COUNCIL: ADOPTING GUIDELINES AND
CRITERIA FOR TAX ABATEMENT WITHIN
REINVESTMENT ZONES FOR THE CITY OF
AMARILLO; PROVIDE A SEVERANCE CLAUSE;
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Amarillo desires to participate in tax abatements from time to time as the City Council may find appropriate, in accordance with the criteria and guidelines herein adopted;

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

SECTION 1. That for tax abatements in reinvestment zones adopted by the City of Amarillo, the fundamental purpose is to stimulate growth and create jobs, and the following guidelines and general criteria will apply:

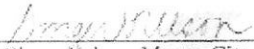
- A. Tax abatements may be provided for both new facilities and structures and for the expansion or modernization of existing facilities and structures. Each project proposed for tax abatement shall be considered individually on its own merits, benefit to the public, and in context of any other economic incentives for the project or existing in the reinvestment zone.
- B. The developer, property owner, project owner, or other recipient of a tax abatement must annually certify in writing to the governing body of each participating taxing unit that the developer, owner or recipient is in compliance with each applicable term of the agreement.
- C. Only the taxable value of improvements to real property or tangible personal property that is brought to the real property after the execution of a tax abatement agreement will qualify for tax abatement.
- D. A tax abatement agreement must ensure that the periods of abatement are directly proportional to the capital expenditures for improvements and the number of permanent full-time jobs created.
- E. Expansion or modernization of existing facilities qualifies for tax abatement if the expansion meets the qualifications for capital expenditures and retention of or creation of new jobs nets new jobs. The number of jobs created must be new jobs and not replacement of jobs which were in the payroll within the year immediately prior to application for tax abatement. A tax abatement shall not be granted if the facility has been the subject of or included in a prior tax abatement agreement.
- F. If a new facility is constructed to replace an existing facility, and the existing facility is abandoned by the developer, property owner, project owner, or other recipient of a tax abatement, only the difference in taxable value of the new facility over the existing facility will qualify for tax abatement.
- G. An agreement will be executed by the developer, property owner, project owner, or other recipient of a tax abatement which incorporates the terms of this resolution and includes any other site and development specific terms which might be found applicable at the time.
- H. The tax abatement agreement will require, among other things, that the City of Amarillo will have the right of access to the site and books and records of the applicant for tax abatement to determine compliance with statutory requirements and the agreement. Failure to fulfill any of the requirements of the agreement will result in cancellation of the agreement and retroactive loss of tax abatement.

SECTION 2. 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 resolution 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 resolution, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

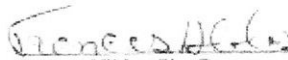
SECTION 3. This Resolution is immediately effective upon passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this the 20th day of August, 2019.

CITY OF AMARILLO


Ginger Nelson, Mayor, City of Amarillo

ATTEST:


Frances Hibbs, City Secretary

APPROVED AS TO FORM:

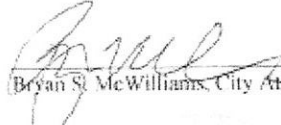

Bryan St. McWilliams, City Attorney

EXHIBIT B

Property Description

A 4.845 acre tract of land lying in Section 43, Block 9, B.S. & F. Survey, Potter County Texas and being further described by metes and bounds as follows:

Commencing at an "X" cut in curbing found in the East line of Gentry Drive for the Southwest corner of Lot 1, Block 2, Point West Business Campus Unit No. 1 as recorded in Volume 3405, Page 441 of the Deed Records of Potter County, Texas;

Thence S89°48'38"E, along the South line of said Lot 1, a distance of 328.34 feet to a 1/2" x 24" iron rod set with cap stamped "Gresham PLS 1939" for the Northwest corner and Point of Beginning of this tract;

Thence continue S89°48'38"E, along the South line of said Lot 1, a distance of 332.17 feet to an "X" cut in curbing set in the West line of Point West Parkway for the Southeast corner of said Lot 1, same being the Northeast corner of this tract and being in a curve to the left, the center of which bears S84°19'50"E, 873.00 feet;

Thence Southerly along said curve to the left and along the west line of said Point West Parkway, an arc distance of 83.49 feet (L.C. 83.46') to an "X" cut in curbing set in the West line of Point West Parkway, end of said curve to the left;

Thence S00°11'22"W, along the West line of said Point West Parkway, a distance of 559.34 feet to an "X" cut in curbing found in the North line of Loop 552 (US Highway No. 66, Amarillo Blvd West), the Southeast corner of this tract;

Thence N89°48'38"W (base bearing), along the North line of said Loop 552 (US Highway No. 66, Amarillo Blvd West), a distance of 328.18 feet to a 1/2" x 24" iron rod set with cap stamped "Gresham PLS 1939" for the Southwest corner of this tract, from whence a 1/2" iron rod with cap stamped "RPLS 4664" found at the intersection of the North line of said Loop 552 (US Highway No. 66, Amarillo Blvd West) and the East line of said Gentry Drive bears N89°48' 38"W (base bearing), a distance of 328.34 feet;

Thence N00°11'22"E, a distance of 642.71 feet to the **Point of Beginning** of this tract;
Said tract contains a computed area of 4.845 acres.