AGENDA

FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, SEPTEMBER 28, 2021 AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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

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

INVOCATION: Jason Craft, Messiah's House

PROCLAMATION: "World Teacher's Day"

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

AGENDA

1. **City Council will discuss or receive reports on the following current matters or projects:**
   - A. Review agenda items for regular meeting and attachments
   - B. Discuss Update on Mayor's Leadership Initiative;
   - C. Discuss Public Arts and Beautification Plan;
   - D. Discuss Hike and Bike Master Plan;
   - E. Discuss Recap of 2021 National Cleanup Day;
   - F. Discuss updates from Councilmembers serving on outside Boards and Commissions:
     - a. Beautification and Public Arts Advisory Board;
   - G. Discuss North Heights Rezoning Initiative, Part II; and
   - H. Request future agenda items and reports from City Manager.

2. **CONSENT ITEMS**:
   It is recommended that the following items by 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 September 14, 2021.

   B. **CONSIDERATION OF ORDINANCE NO. 7927**
   (Contact: Kevin Carter, Amarillo Economic Development Corporation)

   This is a second and final reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 14 for commercial and

industrial tax abatement. The zone is approximately 7.29 acres in the vicinity of Wallace Blvd and Gentry Drive.

C. **CONSIDERATION OF ORDINANCE NO. 7928**
(Contact: Brady Kendrick, Planner II)

This is a second and final reading to consider the vacation of a 24,000 square foot portion of Public Right-of-way (SW 14th Avenue), lying between Blocks 182 and 197, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas. (Applicant: Chris Sharp for Amarillo Junior College, Vicinity SW 14th Avenue & South Tyler Street)

D. **CONSIDERATION OF ORDINANCE NO. 7929**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Town Square Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. The Town Square PID Advisory Board met June 15, 2021, to review the proposed FY 2021/22 budget and service plan. The Town Square PID budget projects total maintenance and operation expenses for FY 2021/22 to be $89,494. The Board recommends property owner assessment rates remain at $0.1111 per square foot. This will result in assessments totaling $166,164. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Town Square PID. Attached is the Town Square Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit

E. **CONSIDERATION OF ORDINANCE NO. 7930**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Point West Public Improvement District (PID), which is allocated based on the percentage of total square footage owned within the PID, which must be approved on an annual basis. The Point West PID Advisory Board met on June 2, 2021, to review the proposed FY 2021/22 budget and service plan. The Point West PID budget projects total maintenance and operation expenses for FY 2021/22 to be $53,208. The Board believes that last year's assessment rate is adequate and recommends no assessment increase for the 2021/22 budget and service plan. As mentioned above, the current assessment level remains adequate for all expenses and operating reserve and totals $52,000.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Point West PID. Attached is the Point West Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

F. **CONSIDERATION OF ORDINANCE NO. 7931**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Vineyards Public Improvement District (PID), determined by a flat value per lot, which must be approved on an annual basis. The Vineyards PID Advisory Board met June 3, 2021, to review the proposed FY 2021/22 budget and service plan. The Vineyards PID budget projects total maintenance and operation expenses for FY 2021/22 to be $10,389. The Board

recommends keeping property owner assessment rates at $50 per lot. This will result in assessments totaling $10,450. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Vineyards PID. Attached is the Vineyards Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

G. **CONSIDERATION OF ORDINANCE NO. 7932**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Quail Creek Public Improvement District (PID), determined by a flat value per lot, which must be approved on an annual basis. The Quail Creek PID Advisory Board met May 25, 2021, to review the proposed FY 2021/22 budget and service plan. The Quail Creek PID budget projects total maintenance and operation expenses for FY 2021/22 to be $10,856. The Board recommends keeping property owner assessment rates at $350 per lot. This will result in assessments totaling $10,150. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Quail Creek PID. Attached is the Quail Creek Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

H. **CONSIDERATION OF ORDINANCE NO. 7933**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Tutbury Public Improvement District (PID), determined by a flat value per lot, which must be approved on an annual basis. The Tutbury PID Advisory Board met May 18, 2021, to review the proposed FY 2021/22 budget and service plan. The Tutbury PID budget projects total maintenance and operation expenses for FY 2021/22 to be $20,543. The Board recommends keeping property owner assessment rates at $679 per lot. This will result in assessments totaling $16,296. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Tutbury PID. Attached are the Tutbury Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

I. **CONSIDERATION OF ORDINANCE NO. 7934**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Colonies Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. The Colonies PID Advisory Board met June 24, 2021, to review the proposed FY 2021/22 budget and service plan. The Colonies PID budget projects total maintenance, operation and debt service expenses for FY 2021/22 to be $1,096,531 The Board recommended unanimously to maintaining the property owner assessment rates at $0.10 per square foot. This will result in assessments totaling $1,029,895. This decision

was made in order to continue to cover all operating costs as well as an additional $460,063 annual debt service payment.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Colonies PID. Attached is the Colonies Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

J. **CONSIDERATION OF ORDINANCE NO. 7935**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Greenways Public Improvement District (PID), determined by the placement of the lot within the neighborhood, which must be approved on an annual basis. The Greenways PID Advisory Board met June 16, 2021, to review the proposed FY 2021/22 budget and service plan. The Greenways PID budget projects total maintenance, operation, and debt service expenses for FY 2021/22 to be $761,074. The Board recommends maintaining property owner assessment rates at $750 for type A lots, $625 for type B lots, $900 for type D lots, and $1,875 per acre for commercial property. This will result in assessments totaling $671,219. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Greenways PID. Attached is the Greenways Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

K. **CONSIDERATION OF ORDINANCE NO. 7936**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Pinnacle Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. The Pinnacle PID Advisory Board met May 21, 2021, to review the proposed FY 2021/22 budget and service plan. The Pinnacle PID budget projects total maintenance and operation expenses for FY 2021/22 to be $54,800. The Board recommends maintaining property owner assessment rates of $0.07 per square foot. This will result in assessments totaling $85,823. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Pinnacle PID. Attached is the Pinnacle Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

L. **CONSIDERATION OF ORDINANCE NO. 7937**
(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Heritage Hills Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Heritage Hills PID Advisory Board met June 16, 2021, to review the proposed FY 2021/22 budget and service plan. The Heritage Hills PID budget projects total maintenance and operation expenses for FY 2021/22 to be $140,247. The Board recommends maintaining property owner assessment rates of $0.08 per square foot. This will result in

assessments totaling $427,364. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Heritage Hills PID. Attached is the Heritage Hills Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

M. **CONSIDERATION OF RESOLUTION 09-28-21-1**:
(Contact: Laura Storrs, Assistant City Manager/CFO)

This item considers a resolution by the City of Amarillo, Texas ("city) denying Southwestern Public Service Company's proposed rate increase request in connection with its Statement of Intent submitted on about February 8, 2021; requiring reimbursement of reasonable legal and consultant expenses; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject.

N. **CONSIDERATION OF RESOLUTION 09-28-21-2**:
(Contact: Chip Orton, Director of Emergency Management)

This item considers a resolution designating Assistant City Manager Laura Storrs as the Authorized Official for FY20 State Homeland Security Program and Criminal Justice grant projects.

O. **CONSIDERATION OF RESOLUTION 09-28-21-3**:
(Contact: Michael Kashuba, Director of Parks and Recreation)

This item considers a resolution authorizing the City Manager to apply for the Texas Parks and Wildlife Department's Local Grant Program on behalf of the City of Amarillo.

P. **CONSIDER APPROVAL – COVID VACCINE ROUND 4 GRANT FUNDING**:
(Contact: Casie Stoughton, Director of Public Health)
Grant Amount: $8,572,024
Grantor: Texas Department of State Health Services

This item accepts the award from the Texas Department of State Health Services from September 1, 2021 thru June 30, 2024 to fund COVID-19 vaccination efforts.

Q. **CONSIDER APPROVAL - 2021-2022 INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND POTTER COUNTY**:
(Contact: Martin Birkenfeld – Chief of Police)

This item approves the 2021-2022 Interlocal Agreement between the City of Amarillo and Potter County to file joint application with the Motor Vehicle Crime Prevention Authority (MVCPA) of the State of Texas for funding to support the Panhandle Auto Burglary Theft Unit (PABTU).

R. **CONSIDER APPROVAL – GOLF CART LEASES**:
(Contact: George Priolo, General Manager of Golf Operations)
Award to: Club Car | DLL Financing LLC – $1,029,873.96

This item approves a 54-month lease to provide the city with two-hundred forty-five (245) Tempo Li Electric Golf Cars, including one (1) Carryall 300 Gasoline Range Car with cage at each golf complex at no charge. The new lease will replace the current golf cars at Ross Rogers (125) cars and Comanche Trail (120). Club Car will accept the city's current models 2018 Tempo Electric Golf Cars as trade-in value applied to the lease.

S. **CONSIDER APPROVAL – KRONOS SUPPORT RENEWAL**:
(Contact: Rich Gagnon, Managing Director of Information Technology)
Award to: Kronos, Incorporated – $68,903.34

This item approves a one-year support and maintenance renewal for Kronos hardware and software.

T. **CONSIDER APPROVAL – CONTRACT AGREEMENT BETWEEN THE CITY OF AMARILLO AND AREA AGENCY ON AGING OF THE PANHANDLE**:
(Contact: Marita Wellage-Reiley, Transit Director)

This item is the consideration of a Contract Agreement between the City of Amarillo and Panhandle Regional Planning Commission (PRPC), Area Agency on Aging of the Panhandle (AAA) to provide Amarillo City Transit (ACT)-Connect service to AAA clients until September 30, 2023.

3. **NON-CONSENT ITEMS**:

A. **CONSIDERATION OF ORDINANCE NO. 7938**:
(Contact: Anthony Spanel, Director of Environmental Health)

Consideration of a Variance to distance regulations prohibiting the sale of alcoholic beverages within 300' of a public school. The City Council, as the governing body of the City of Amarillo, Texas and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, may grant a Variance to Section 14-3-5 of the City of Amarillo Municipal Code (enacted pursuant to Section 109.33(a)(1) of the Texas Alcoholic Beverage Code) for alcohol sales at 3420 SW 15th. (Applicant: Marcus Schwartz representing GoBrands Texas LLC; Vicinity 15th and Dixie St)

B. **CONSIDERATION OF RESOLUTION 09-28-21-4**:
(Contact: Jared Miller, City Manager)

This item considers a resolution approving and ratifying the Meet and Confer Labor Agreement between the City of Amarillo and the Amarillo Police Officer's Association.

C. **CONSIDERATION OF RESOLUTION 09-28-21-5**:
(Contact: Michael Kashuba, Director of Parks and Recreation)

This resolution approves the Parks Master Plan as the official document for the Amarillo Parks & Recreation Department, its appointed board and City administration as a guideline for future growth, development, and redevelopment of the City of Amarillo's parks system.

D. **CONSIDER APPROVAL – TAX ABATMENT AGREEMENT**:
(Contact: Kevin Carter, President and CEO of Amarillo Economic Development Corporation)

This item is to consider a Tax Abatement Agreement between City of Amarillo and Encompass Health Texas Real Estate, LLC, Encompass Health Rehabilitation Hospital of Amarillo, LLC (together, "Recipient") and Parkwest Corporate Center, Ltd.

E. **CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT – ENGINEERING SERVICES – PROJECT #411739 PARTNERSHIP FOR DEVELOPMENT PROGRESS**:
(Contact: Kyle Schniederjan, P.E., Director of Capital Projects & Development Engineering)
Award to: Kimley Horn and Associates, Inc. – $166,400

This item is to consider award of a Contract for Engineering Services for Phase I of the Partnership for Development Progress Project.

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

A. Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect:
    a. Project # 21-04-02 (Manufacturing)
    b. Project # 21-09-03 (Manufacturing)

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 24th day of September 2021.

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 14th of September 2021 the Amarillo City Council met at 1:00 p.m. for a regular meeting held in Council Chambers, located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

FREDA POWELL	MAYOR PRO TEM
COLE STANLEY	COUNCILMEMBER NO. 1
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	COUNCILMEMBER NO. 4

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

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

The invocation was given by Brian Everett. Mayor Pro Tem Powell led the Pledge of Allegiance.

Proclamations were presented for "National Clean-Up Day" and "Voter Registration Month".

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

PUBLIC ADDRESS:

Michael Ford, Amarillo, Texas spoke to the Public Address section of the agenda. Babji Yalamanchili, 62 Prestwick Lane, Amarillo, Texas spoke to the "National Clean-Up Day" proclamation. There were no further comments.

Jared Miller announced Glenn Lavender, Fleet Superintendent, was named "2021 Professional of the Year" by the Texas Chapter of Fleet Pros. He also announced the promotion of Cris Valverde to Director of Planning and Emily Koller to Assistant Director of Planning.

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

A. Review agenda items for regular meeting and attachments;
B. Update on Parks Master Plan;
C. Discuss Board and Commissions Appointment Process;
D. Discuss Current and Alternative Locations Considered/to be Considered for City Hall; and
E. Request future agenda items and reports from City Manager

ITEM 2 – CONSENT ITEMS:
Mayor Pro Tem Powell presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Mr. Miller stated the minutes for Item 2A were revised and provided to Council on the dais. Motion was made by Councilmember Sauer to approve the consent agenda as presented, including the revisions presented for the minutes of the August 24, 2021 meeting, seconded by Councilmember Smith.

A. **CONSIDER APPROVAL – MINUTES**:
Approval of the City Council minutes for the regular meeting held on August 24, 2021.

B. **CONSIDERATION FOR ACCEPTANCE – TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT – STEP CMV**:
(Contact: Wes Hill, Police Sergeant; Kenneth Funtek, Assistant Police Chief)
Grant Amount: $49,952.00
Match Amount: $13,042.34
Total Awarded: $62,994.34
Grantor: Texas Department of Transportation

This item accepts the Fiscal Year 2021 Texas Traffic Safety Program Grant. The Texas Department of Transportation provides funding to the Amarillo Police Department to focus additional resources to fund patrol and enforcement of speed enforcement, occupant protection (seatbelt and child safety seats) distracted driving and Driving While Intoxicated (DWI) offenses.

C. **CONSIDERATION FOR ACCEPTANCE – TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT – COMPREHENSIVE GRANT**:
(Contact: Wes Hill, Police Sergeant; Kenneth Funtek, Assistant Police Chief)
Grant Amount: $157,975.00
Match Amount: $ 41,348.67
Total Awarded: $199,323.67
Grantor: Texas Department of Transportation

This item accepts the Fiscal Year 2021 Texas Traffic Safety Program Grant. The Texas Department of Transportation provides funding to the Amarillo Police Department to focus additional resources to fund patrol and enforcement of speed enforcement, occupant protection (seatbelt and child safety seats) distracted driving and Driving While Intoxicated (DWI) offenses.

D. **CONSIDERATION FOR APPROVAL – SALE OF CITY OWNED PROPERTY TO XCEL ENERGY**:
(Contact: Chris Ray, Resource Administrator)

This item authorizes the City Manager to execute a contract and other necessary documents for the sale of the 2.3-acre tract of land on the corner of Echo Street and Lindberg Avenue in northeast Amarillo. The sales price for this property is $24,000.

E. **CONSIDERATION OF RESOLUTION NO. 09-14-21-1**:
(Contact: Laura Storrs, Assistant City Manager)

This resolution approves the 2021/2022 Budget for the Amarillo-Potter Events Venue District. This budget is funded through a 5% car rental tax and a 2% hotel occupancy tax. The Amarillo-Potter Events Venue District operates and maintains voter approved entertainment venues within the City. This budget is recommended for approval by the Amarillo Potter Events Venue District Board.

F. **CONSIDERATION OF RESOLUTION NO. 09-14-21-2**:
(Contact: Andrew Freeman, Assistant City Manager)

This resolution approves the 2021/2022 fiscal year budget for the Center City Tax Increment Reinvestment Zone Number One. This budget is recommended for approval by the TIRZ #1 Board of Directors.

G. **CONSIDERATION OF RESOLUTION NO. 09-14-21-3**:
(Contact: Andrew Freeman, Assistant City Manager)

This resolution approves the 2021/2022 fiscal year budget for the Tax Increment Reinvestment Zone Number Two (East Gateway TIRZ). This budget is recommended for approval by the TIRZ #2 Board of Directors.

H. **CONSIDERATION OF RESOLUTION NO. 09-14-21-4**:
(Contact: Kashion Smith, Executive Director)

This resolution approves the 2021/2022 Budget for the Convention and Visitor Bureau which is funded through a tax levied upon hotel occupancy.

I. **CONSIDER AWARD – LEASE/PURCHASE OF LANDFILL MOTORGRADER**:
(Contact: Donny Hooper, Director of Public Works)
Awarded using Buy Board Contract #517-19 to:
Warren CAT/Caterpillar Financial $6,273.50 per month
Total award based on 60-month lease: $376,410
Purchase Option at end of lease: $122,640.00, total obligation if option used $499,050

This item awards the scheduled replacement of unit 7624, 2013 Volvo Landfill Motorgrader. New equipment will be leased for a sixty (60) month period with full service factory recommended service and all repairs under normal usage, including full machine 5yr - 10,000 hour warranty. Lease does not include fuel. Equipment will be used at City of Amarillo Landfill for daily operational requirements under TCEQ permits

J. **CONSIDER AWARD – LEASE/PURCHASE OF LANDFILL D6 DOZER**:
(Contact: Donny Hooper, Director of Public Works)
Awarded using Buy Board Contract #517-19 to:
Warren CAT/Caterpillar Financial $9,303.63 per month
Total award based on 60-month lease: $558,217.80
Purchase Option at end of Lease $145,320.00, total obligation if option used $703,537.80

This item awards the scheduled replacement of unit 7613, 2011 Caterpillar D6 Dozer. New equipment will be leased for a sixty (60) month period with full service factory recommended service and all repairs under normal usage, including full machine 5yr - 10,000 hour warranty. Lease does not include fuel. Equipment will be used at City of Amarillo Landfill for daily operational requirements under TCEQ permits

K. **CONSIDER AWARD – BID NO. 7066 STREET DIVISION ROCK SALT ANNUAL CONTRACT**:
(Contact: Donny Hooper, Director of Public Works)
Award: Salt Pointe, LLC – Amount not to exceed $92,500

This item is to consider award of a contract for the purchase of up to 1,000 tons of rock salt, used by the Street Division for de-icing arterial streets and intersections during the fall and winter seasons.

L. **CONSIDER AWARD – FLEET PARTS AND SUPPLIES MANAGEMENT CONTRACT**:
(Contact: Donny Hooper, Director of Public Works)
Award: Catlett Automotive/NAPA IBS – Amount not to exceed $1,800,000 annually

This item is to award a Requested Parts and Supply Management contract to provide Fleet Services Division with in-house parts management, maintaining sufficient parts on hand to manage 1,150 fleet vehicles ranging from Police, Refuse, Construction, Landfill, Street, Water, Traffic, and multiple support and service vehicles.

M. **CONSIDER AWARD – BID NO. 7069/PROJECT NO. 523200 TO INSTALL FORCE MAIN AND CASING NEAR LIFT STATION 19**:

(Contact: Matt Thomas, City Engineer)
Award: Amarillo Utility Contractors, Inc. - $338,160

This item is to consider the award of a construction contract for the abandonment of an existing sanitary sewer line and installation of a new sanitary sewer line, with a force main and steel casing, underneath Burlington Northern Santa Fe railroad tracks.

N. **CONSIDER AWARD – BID NO. 7074/PROJECT NO. 530014 – FY 2017-2021 COMMUNITY INVESTMENT PROGRAM: AERATION BASINS AT RIVER ROAD WATER RECLAMATION FACILITY**:
(Contact: Matt Thomas, City Engineer)
Award: Stolz Mechanical Contractors LLC - $1,875,000

This item is to award a project that includes upgrades and improvements to the aeration basins at the River Road Water Reclamation Facility, which include new diffusers, thermal mass flow meters, dissolved oxygen probes, and butterfly valves.

O. **CONSIDER AWARD – ROOF REPAIR AND REPLACEMENT FOR CITY OF AMARILLO SERVICE CENTER NORTH BUILDING**:
(Contact: Jerry Danforth, Facilities Director)
Award: Red Oak Roofing DBA Top Notch Foam - $674,000

This item awards the roof repair and replacement for the City of Amarillo Service Center North Building located at 2100 N. Spruce Amarillo, Texas

P. **CONSIDER AWARD – INFORMATION TECHNOLOGY SECURITY MAINTENANCE SUBSCRIPTION**:
(Contact: Missy Tucker, Assistant Director of Information Technology)
Award: Dell Technologies - $224,853.10

This item awards renewal of the annual vendor-provided support and maintenance for security systems utilized by the city.

Q. **CONSIDER AWARD – ANNUAL OFFICE SUPPLIES CONTRACT**:
(Contact: Trent Davis, Purchasing Agent)
Awarded off the TexBuy Purchasing Cooperative RFO #018-001 to:
Officewise/Navajo Office Products – Not to exceed $275,000

This item is the award of an annual contract for office supplies to be used by various city departments in their daily office duties.

R. **CONSIDER APPROVAL – DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION OTHER TRANSACTION AGREEMENT (OTA) NO. 70T04021T7672N025**:
(Contact: Mike Conner, Director of Aviation)
Transportation Security Administration - $1,174,877.15

This item approves Other Transaction Agreement No. 70T04021T7672N025 with the Department of Homeland Security Transportation Security Administration for 100% reimbursement funding for the construction phase of the Checked Baggage Inspection System (CBIS) recapitalization project at the Rick Husband Amarillo International Airport and grants the City Manager the authority to execute the OTA on behalf of the City of Amarillo and Rick Husband Amarillo International Airport.

S. **CONSIDER APPROVAL – EAST GATEWAY TAX INCREMENT REINVESTMENT ZONE #2 DEVELOPER AGREEMENT FOR JAMAL ENTERPRISES, LP**:
(Contact: Emily Koller, Economic Development and Neighborhood Revitalization Manager)

This item approves a Tax Increment Reinvestment Zone (TIRZ) #2 Developer Agreement for the Jamal Enterprises, LP Toot'n Totum Convenience Store project to be located at 1701 S. Eastern. The agreement is for a 50% annual property tax rebate for ten years. The rebate is contingent upon receiving a certificate of occupancy by August 2022.

T. **CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENT**:
(Contact: Brady Kendrick, Planner II)

Consideration of an Aviation Clear Zone Easement being 3,750 feet above mean sea level above the plat of Bruckner Subdivision Unit No. 2, an addition to the City of Amarillo, being a replat of Bruckner Subdivision Unit No. 1 and an unplatted tract of land in Section 93, Block 2, A.B.&M. Survey, Potter County, Texas.

U. **CONSIDER AWARD – FURNITURE FOR CITY PUBLIC HEALTH BUILDING AT 850 MARTIN RD**:
(Contact: Casie Stoughton, Director of Public Health)
Award: Navajo Office Products - $236,991.03

This item is to award the purchase of office furnishings for City of Amarillo Public Health building located at 850 Martin Rd.

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

ITEM 3 – NON-CONSENT ITEMS:

Item 3A: Mayor Pro Tem Powell introduced an item considering approval of a one-year agreement with Center City of Amarillo, Inc. This item was presented by Beth Duke, Executive Director of Center City of Amarillo, Inc. A motion was made to approve a one-year agreement with Center City of Amarillo, Inc. for continued services associated with the preservation, improvement, and revitalization of the Central Business District of Amarillo by Councilmember Stanley, seconded by Councilmember Smith.

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

Item 3B: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7927 designating certain areas of the city as Reinvestment Zone No. 14. Andrew Freeman, Assistant City Manager, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7927 designating certain areas of the city as Reinvestment Zone No. 14 for commercial and industrial tax abatement, specifically a zone approximately 7.29 acres in the vicinity of Wallace Boulevard and Gentry Drive was made by Councilmember Sauer, seconded by Councilmember Smith.

ORDINANCE 7927

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS CONDUCTING A PUBLIC HEARING AND DESIGNATING CERTAIN AREAS AS REINVESTMENT ZONE NO. 14 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; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THIS GOVERNING ENTITY; AND PROVIDING A SEVERANCE CLAUSE AND AN EFFECTIVE DATE.

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

Item 3C: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7928 vacating and abandoning a 24,000 square foot portion of public right-of-way in the vicinity of Southwest Fourteenth Avenue and South Tyler Street. Brady Kendrick, Planner II, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7928 vacating and abandoning a 24,000 square foot portion of public right-of-way in the vicinity of Southwest Fourteenth Avenue and South Tyler Street, save and except a public utility easement by Councilmember Stanley, seconded by Councilmember Smith.

ORDINANCE 7928

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

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

Item 3D: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7929 considering an assessment against each parcel of property in the Town Square Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7929 within the Town Square Public Improvement District to keep the property owner assessment rates at $0.1111 per square foot, for a total assessment of $166,164 along with the Service Plan covering a five-year period by Councilmember Smith, seconded by Councilmember Sauer.

ORDINANCE 7929

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE TOWN SQUARE PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Item 3E: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7930 considering an assessment against each parcel of property in the Point West Public Improvement District (PID), which is allocated based on the percentage of total square footage owned within the PID, which must be approved on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell

closed the public hearing. A motion was made to adopt Ordinance No. 7930 within the Point West Public Improvement District to keep the property owner assessments a total of $52,000 along with the Service Plan covering a five-year period by Councilmember Sauer, seconded by Councilmember Smith.

ORDINANCE 7930

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE POINT WEST PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Item 3F: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7931 considering an assessment against each parcel of property in the Vineyards Public Improvement District (PID), determined by a flat value per lot, which must be approved on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. The following residents spoke on the item: Douglas Johnson of Amarillo, Texas; Jeff Quinlin of Amarillo, Texas and Virginia Keys, of Amarillo, Texas. Mayor Pro Tem Powell closed the public hearing. A motion was made adopt Ordinance No. 7931 within the Vineyards Public Improvement District to keep the property owner assessment rates at $50 per lot, for a total assessment of $10,450 along with the Service Plan covering a five-year period by Councilmember Smith, seconded by Councilmember Stanley.

ORDINANCE 7931

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE VINEYARDS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Item 3G: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7932 considering an assessment against each parcel of property in the Quail Creek Public Improvement District (PID), determined by a flat value per lot, which must be approved

on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7932 within the Quail Creek Public Improvement District to keep the property owner assessment rates at $350 per lot, for a total assessment of $10,150 along with the Service Plan covering a five-year period by Councilmember Stanley, seconded by Councilmember Sauer.

ORDINANCE 7932

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE QUAIL CREEK PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Item 3H: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7933 considering an assessment against each parcel of property in the Tutbury Public Improvement District (PID), determined by a flat value per lot, which must be approved on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7933 within the Tutbury Public Improvement District to keep the property owner assessment rates at $679 per lot, for a total assessment of $16,296 along with the Service Plan covering a five-year period by Councilmember Sauer, seconded by Councilmember Smith.

ORDINANCE 7933

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE TUTBURY PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Item 3I: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7934 considering an assessment against each parcel of property in the Colonies Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7934 within the Colonies Public Improvement District to keep the property owner assessment rates at $0.10 per square foot, for a total assessment of $1,029,895 along with the Service Plan covering a five-year period by Councilmember Sauer, seconded by Councilmember Smith.

ORDINANCE 7934

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE COLONIES PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Item 3J: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7935 considering an assessment against each parcel of property in the Greenways Public Improvement District (PID), determined by the placement of the lot within the neighborhood, which must be approved on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7935 within the Greenways Public Improvement District to keep the property owner assessment rates at $750 for Type A lots, $625 for Type B lots, $900 for Type D lots, and $1,875 per acre for commercial property, for a total assessment of $671,219 along with the Service Plan covering a five-year period by Councilmember Smith, seconded by Councilmember Sauer.

ORDINANCE 7935

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE GREENWAYS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021/2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021/2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Item 3K: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7936 considering an assessment against each parcel of property in the Pinnacle Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7936 within the Pinnacle Public Improvement District to keep the property owner assessment rates at $0.07 per square foot, for a total assessment of $85,823 along with the Service Plan covering a five-year period by Councilmember Stanley, seconded by Councilmember Sauer.

ORDINANCE 7936

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE PINNACLE PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Item 3L: Mayor Pro Tem Powell presented the first reading of Ordinance No. 7937 considering assessment against each parcel of property in the Heritage Hills Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. Kelley Shaw, Development Service Customer Coordinator, gave a presentation on the item. Mayor Pro Tem Powell opened a public hearing. There were no comments. Mayor Pro Tem Powell closed the public hearing. A motion was made to adopt Ordinance No. 7937 within the Heritage Hills Public Improvement District to keep the property owner assessment rates at $0.08 per square foot for a total assessment of $427,364 along with the Service Plan covering a five-year period by Councilmember Sauer, seconded by Councilmember Smith.

ORDINANCE 7937

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS;

PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

There being no further business to come before Council, Mayor Pro Tem Powell adjourned the meeting at 3:28 p.m.

ATTEST:

Stephanie Coggins, City Secretary	Freda Powell, Mayor Pro Tem

Amarillo City Council
Agenda Transmittal Memo

B

Meeting Date	September 28, 2021	**Council Pillar**	Economic Development
Department	Amarillo Economic Development Corporation (AEDC)		
Contact	Kevin Carter, President and CEO		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7927

This is a second and final reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 14 for commercial and industrial tax abatement. The zone is approximately 7.29 acres in the vicinity of Wallace Blvd and Gentry Drive.

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 7.29 acres proposed for Reinvestment Zone No. 14 is located at Wallace Blvd and Gentry Drive. The reason for creating this zone is to provide Council the option to offer an economic development incentive to a prospective healthcare rehabilitation 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 second reading of the Ordinance on September 28, 2021. The first reading was September 14, 2021.

Funding Summary

N/A

Staff Recommendation

AEDC staff is recommending approval of the ordinance.

ORDINANCE NO. 7927

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS CONDUCTING A PUBLIC HEARING AND DESIGNATING CERTAIN AREAS AS REINVESTMENT ZONE NO. 14 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; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THIS GOVERNING ENTITY; AND PROVIDING A SEVERANCE CLAUSE AND 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. 08-24-21-1 to become eligible to participate in tax abatements;

WHEREAS, a public hearing in a regularly scheduled meeting before the City Council was held on September 14, 2021, 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. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and are adopted as findings of fact by this body and as part of its official record.

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

a) That a public hearing on the designation of the Reinvestment Zone has been properly called, held and conducted and that notice of such hearing was published as required by law and delivered to all taxing units overlapping the territory inside the proposed reinvestment zone; and

b) That the boundaries of the area to be known as City of Amarillo Reinvestment Zone No. 14 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. 14 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. 14 as defined herein satisfies the requirement of a Reinvestment Zone and is eligible under the Guidelines and Criteria for Tax Abatement in the City of Amarillo, Resolution No. 08-24-21-1.

SECTION 3. 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. 14 for a period of five (5) years.

SECTION 4. The City Manager, or his designee, is authorized to execute the Tax Abatement Agreement in accordance with this ordinance on the City's behalf.

SECTION 5. 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 6. The establishment of City of Amarillo Reinvestment Zone No. 14 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 the 14th day of September 2021, and PASSED on Second and Final Reading on this the 28th day of September 2021.

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____

Bryan McWilliams, City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF REINVESTMENT ZONE

PROPERTY DESCRIPTION:

A 7.29 acre tract of land in Section 43, Block 9, B.S.& F. Survey, Potter County, Texas being a portion of that certain tract known as 166.2 acres as described in a Special Warranty Deed of record in Volume 3117, Page 765 of the Official Public Records of Potter County, Texas, said 7.29 acre tract being further described by metes and bounds as follows:

Commencing at the Southwest corner of said Section 43, Block 9;

THENCE South 89 degrees 49 minutes 19 seconds East along the South line of Section 43, a distance of 2361.35 feet to a point;

THENCE North 00 degrees 10 minutes 41 seconds East, a distance of 1609.18 feet to an "X" in concrete found in the North line of Wallace Boulevard for the POINT OF BEGINNING of this tract, same being a point on a non-tangent curve to the right having a radius of 2622.00 feet;

THENCE Northwesterly along the North line of Wallace Boulevard and said curve to the right an arc distance of 177.50 feet (Chord bearing: North 56 degrees 56 minutes 32 seconds West, 177.47 feet) to an "X" in concrete found;

THENCE North 55 degrees 00 minutes 10 seconds West, along the North line of Wallace Boulevard, a distance of 479.00 feet to an "X" in concrete set;

THENCE North 34 degrees 59 minutes 50 seconds East, a distance of 496.82 feet to a 3/8" iron rod with cap marked "HBD" set;

THENCE South 55 degrees 00 minutes 10 seconds East, a distance of 623.00 feet to a 3/8" iron rod with cap marked "HBD" found;

THENCE South 31 degrees 06 minutes 30 seconds West, a distance of 491.94 feet to the POINT OF BEGINNING of this tract;

Said tract contains a computed area of 7.29 acres of land.

C

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 28, 2021	**Council Priority**	Regular Agenda Item

Department	Planning and Development Services Brady Kendrick – Planner II

Agenda Caption

Second and final reading of an ordinance to consider the vacation of a 24,000 square foot portion of Public Right-of-way (SW 14th Avenue), lying between Blocks 182 and 197, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas.
Applicant: Chris Sharp for Amarillo Junior College
Vicinity: SW 14th Ave. and S Tyler St.

Agenda Item Summary

Proposal

The applicant is requesting vacation of the just mentioned Public Right-of-way with the intent to create a unified development site for the upcoming Sharpened Iron Studio project.

Analysis

Considering the low traffic count and that abandonment of SW 14th Ave has occurred east of Polk St, the Planning and Zoning Commission is of the opinion that if approved, no detrimental impacts on existing traffic patterns will result.

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

In this particular case, the applicant will be retaining easements within the area to be abandoned, dedicating additional public easements on the site, via separate instrument, and the cost of relocating a sewer main on this site exceeds the fair market value, therefore no fair market value payment will be required.

Requested Action/Recommendation

The vacation has been reviewed by the customary City Departments and local utility companies and complies with all Development Ordinance standards.

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

Considering the above, Planning Commissioners recommends **APPROVAL** as presented.

LSS 8/25/2021

ORDINANCE NO. 7928

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

WHEREAS, the City of Amarillo has been petitioned to abandon a 24,000 square foot portion of street right-of-way (SW 14th Avenue), lying between Blocks 182 and 197, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas, located in the vicinity of SW Fourteenth Avenue and S Tyler Street in Potter County, Texas; and

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

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

WHEREAS, after determining the street right-of-way described below no longer serves a public purpose, the City Council, also decided to retain the public utility easement in that current utilities are located within the easement; and

WHEREAS, the City Council further determined that this street right-of-way abandonment except for the public utility easement for current utilities is not detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood.

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

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

Vacation of a 24,000 square foot portion of Public Right-of-way (SW 14th Avenue), lying between Blocks 182 and 197, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas, being further described below and attached as Exhibit A, incorporated herein:

BEGINNING at the Southwest corner of Block 182,

THENCE South 80 degrees 30 minutes 00 seconds East, along the South line of Block 182, a distance of 300.0 feet to the Southeast corner of Block 182;

THENCE South 9 degrees 30 minutes 00 seconds West, crossing S.W 14th Avenue, a distance of80.0feet to the Northeast corner of Block 197;

THENCE North 80 degrees 30 minutes 00 seconds West, along the North line of Block 197, a distance of 300.0 feet to the Northwest corner of Block 197;

THENCE North 9 degrees 30 minutes 00 seconds East, crossing S.W 14th Avenue, a distance of 80.0 feet to the POINT OF BEGINNING of this tract;
Said tract contains a computed area of 24,000 square feet of land.

SAVE AND EXCEPT: A Sewer Line Easement and a Water Line Easement is hereby retained over a portion of the area of abandonment, *as described in Exhibit B, incorporated herein:*

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

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

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

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 14th day of September, 2021 and PASSED on Second and Final Reading on this the 28th day of September, 2021.

_____
Freda Powell, Mayor Pro Tem

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

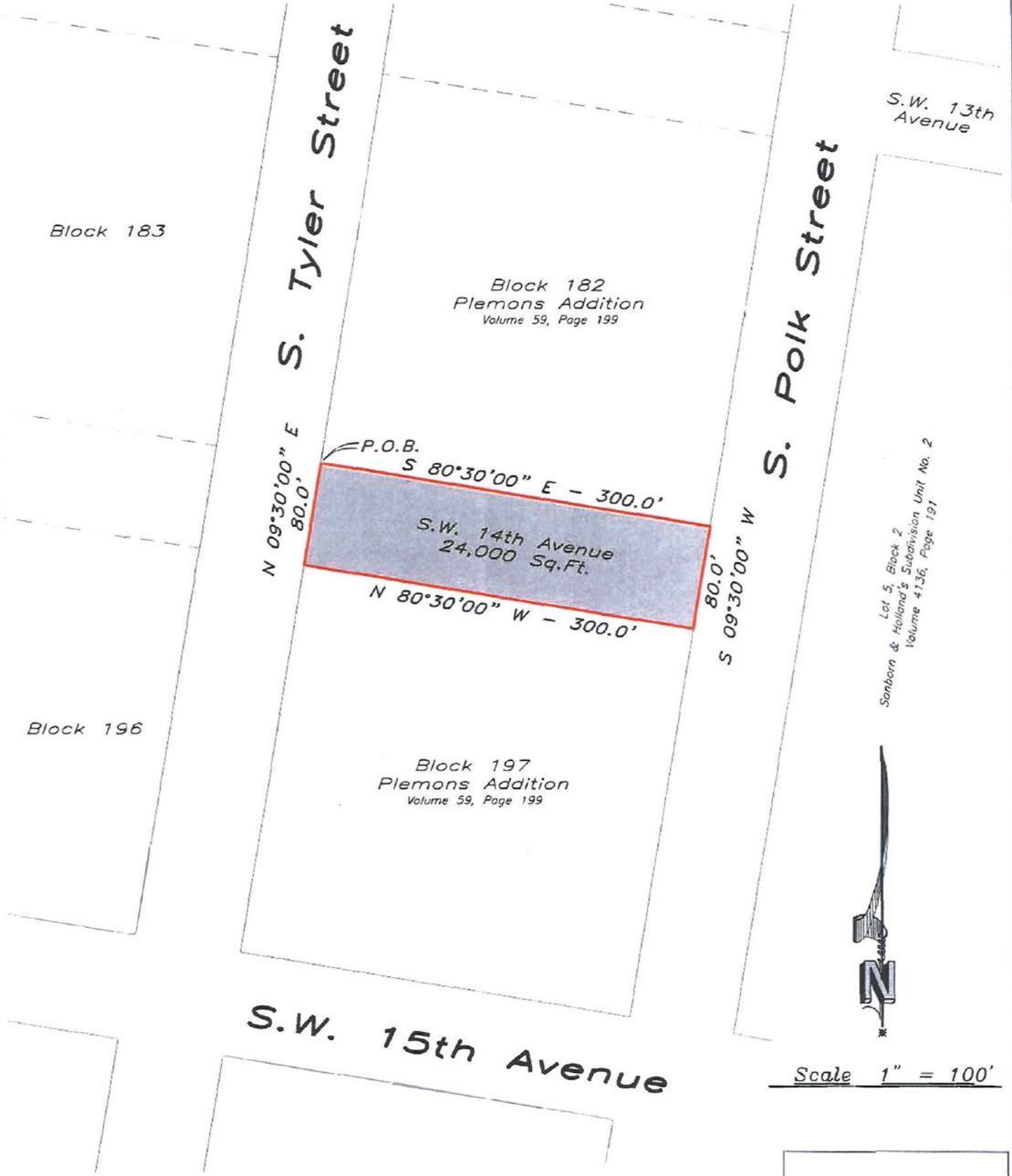
_____
Bryan McWilliams, City Attorney

" EXHIBIT A"

Plemons Addition

CITY OF AMARILLO, POTTER COUNTY, TEXAS

S.W. 14th Avenue to be Vacated



Scale 1" = 100'

Hagar, Brown & Dorsey, LLC.
LAND SURVEYORS

AMARILLO
4713 S. Western St.
Amarillo, Texas 79109
(806) 352-1007
Texas Firm No: 10027300

hbd2@hbdsurveyors.us

HEREFORD
235 E. 2nd St.
Hereford, Texas 79045
(806) 364-6084
Texas Firm No: 10027301

SEAL

Sheet: 1 of 3 | Invoice No.: ***** | Drawn By: J. Pringle

Plat Date: 08/12/2021
Plat No: A12009a.dwg

Z:\AMA HBD JOBS\12000JOBS\A12009\A12009a.dwg

" EXHIBIT A "

Plemons Addition

CITY OF AMARILLO, POTTER COUNTY, TEXAS

PROPERTY DESCRIPTION:

A 24,000 square foot tract being that portion of S.W. 14th Avenue lying between Blocks 182 and Block 197, Plemons Addition, an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, of record in Volume 59, Page 199, Deed Records of Potter County, Texas said 24,000 square foot tract being more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of Block 182,

THENCE South 80 degrees 30 minutes 00 seconds East, along the South line of Block 182, a distance of 300.0 feet to the Southeast corner of Block 182;

THENCE South 9 degrees 30 minutes 00 seconds West, crossing S.W. 14th Avenue, a distance of 80.0 feet to the Northeast corner of Block 197;

THENCE North 80 degrees 30 minutes 00 seconds West, along the North line of Block 197, a distance of 300.0 feet to the Northwest corner of Block 197;

THENCE North 9 degrees 30 minutes 00 seconds East, crossing S.W. 14th Avenue, a distance of 80.0 feet to the POINT OF BEGINNING of this tract;

Said tract contains a computed area of 24,000 square feet of land.

Hagar, Brown & Dorsey, LLC.
LAND SURVEYORS

AMARILLO
4713 S. Western St.
Amarillo, Texas 79109
(806) 352-1007
Texas Firm No: 10027300

hbd2@hbdsurveyors.us

HEREFORD
235 E. 2nd St.
Hereford, Texas 79045
(806) 364-6084
Texas Firm No: 10027301

SEAL

Plat Date: 08/12/2021
Plat No: A12009a.dwg

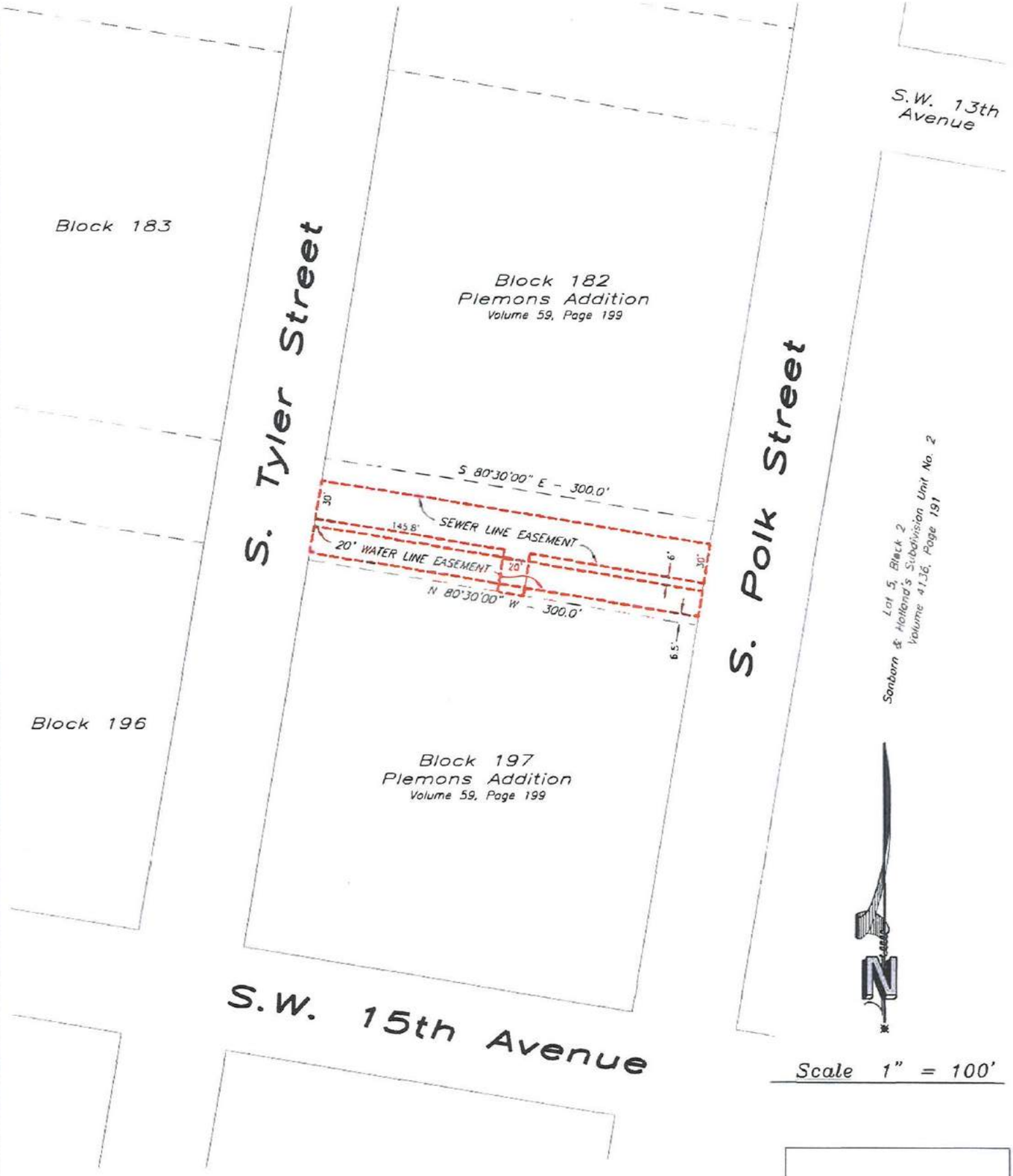
Z:\AMA HBD JOBS\12000JOBS\A12009\A12009a.dwg

" EXHIBIT B"

Plemons Addition

CITY OF AMARILLO, POTTER COUNTY, TEXAS

Water and Sewer Easements to be Retained



Scale 1" = 100'

Hagar, Brown & Dorsey, LLC.
LAND SURVEYORS

AMARILLO
4713 S. Western St.
Amarillo, Texas 79109
(806) 352-1007
Texas Firm No: 10027300

hbd2@hbdsurveyors.us

HEREFORD
235 E. 2nd St.
Hereford, Texas 79045
(806) 364-6084
Texas Firm No: 10027301

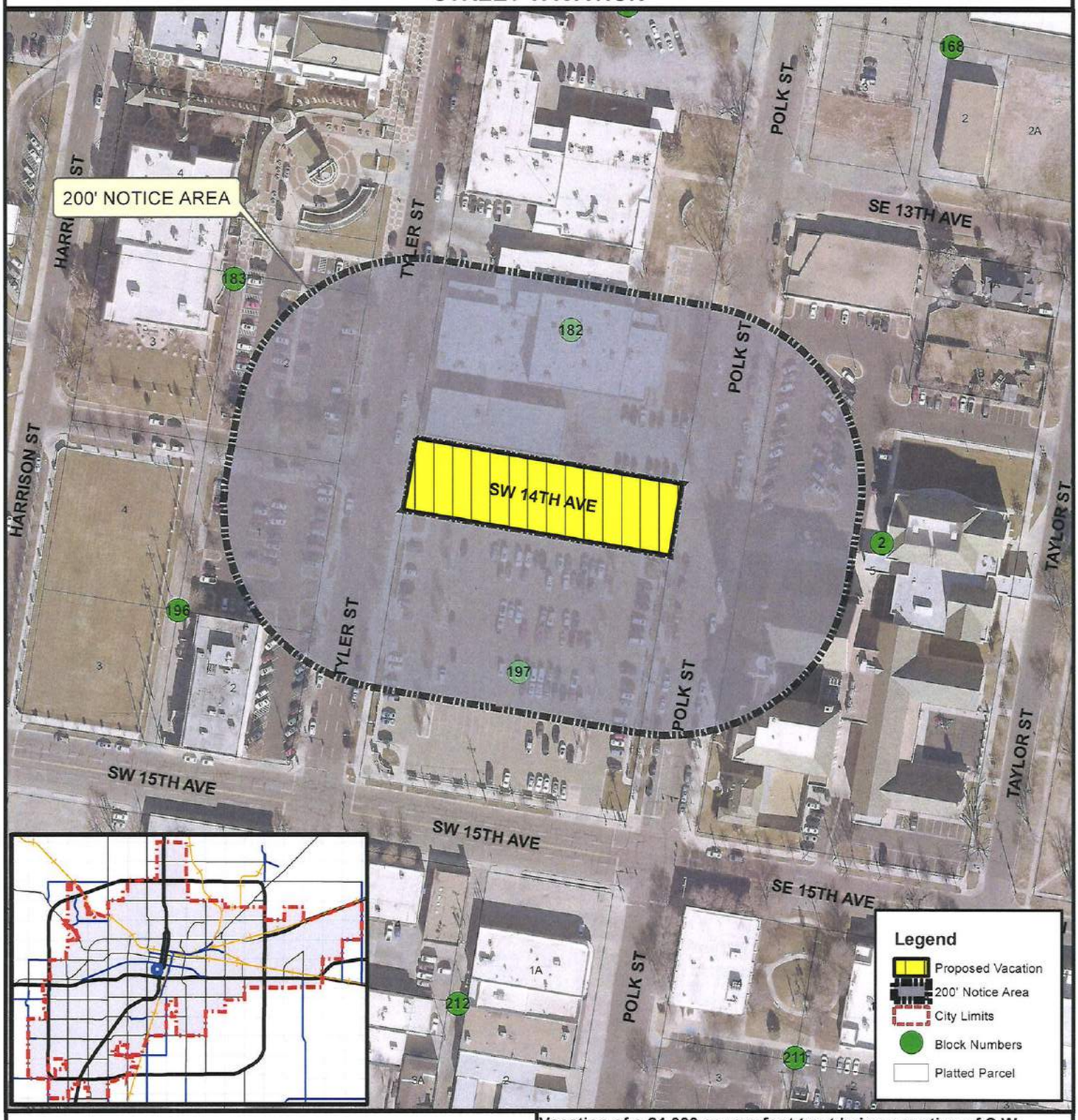
SEAL

Sheet: 3 of 3 | Invoice No.: ***** | Drawn By: J. Pringle

Plat Date: 08/11/2021
Plat No: A12009a.dwg

Z:\AMA HBD JOBS\12000JOBS\A12009\A12009a.dwg

CASE V-21-02
14TH AVENUE
STREET VACATION



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 150 feet
Date: 7/12/2021
Case No: V-21-01

N W E S

Vacation of a 24,000 square foot tract being a portion of S.W. 14th Ave, lying between Block 182 and Block 197, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas.

Applicant: Chris Sharp, for Amarillo College

Vicinity: SW 14th Ave. and S Tyler St.

AP: N-12

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

Amarillo City Council
Agenda Transmittal Memo

D

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7929

Second and final reading of an ordinance to consider levying an assessment on property within the Town Square Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Town Square Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Town Square PID Advisory Board met June 15, 2021 to review the proposed FY 2021/22 budget and service plan. The Town Square PID budget projects total maintenance and operation expenses for FY 2021/22 to be $89,494. The Board recommends property owner assessment rates remain at $0.1111 per square foot. This will result in assessments totaling $166,164. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Town Square PID. Attached is the Town Square Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID budget (and 5-year service plan) discussed above have been reviewed and unanimously recommended for approval by the Town Square PID Advisory Board.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Town Square PID boundary regarding this item. At this time of writing, Development Services staff has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Development Services Staff have reviewed the associated instruments and recommend approval as submitted.

ORDINANCE NO. 7929

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE TOWN SQUARE PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within the Town Square Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, the City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property; and

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District;

WHEREAS, the Town Square Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., fences/walls, street lights) and non-manmade living improvements (i.e., plants) within the District.

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living

improvements with private businesses in accordance with the Budget and Five-year Service Plan, as amended.

SECTION 3: The City of Amarillo will continue to be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan as amended, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021-2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs for improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost for the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021-2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September, 2021; and PASSED on Second and Final Reading on this 28th day of September, 2021.

Freda Powell, Mayor Pro Tem

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

Bryan McWilliams, City Attorney

EXHIBIT

Town Square Public Improvement District

Fiscal Year 2021-2022

A. The boundaries of the Town Square Public Improvement District are as follows:

A 409.29 acre tract and a 19.38 acre tract of land being situated in Section 63, Block 9, BS&F Survey, Randall County, Texas.

B. The total estimated costs for maintenance, operation, and debt service payments proposed for the Town Square Public Improvement District is $89,494. Such cost will be apportioned over the development as follows:

Cost of Maintenance $88,500

Administration Expense $994

Total $89,494

C. This year's assessment will total $166,164. The method of assessment will be to divide the total maintenance, operational, administrative and debt service costs, as well as, maintenance reserves as follows:

1. Residential Property: Residential property will be assessed an amount equal to $0.1111 multiplied by the total square footage of the lot.
2. Commercial Property: Commercial property will be assessed an amount equal to $0.1111 multiplied by the total square footage of the lot.

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.
4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021-2022.

TOWN SQUARE PUBLIC IMPROVEMENT DISTRICT (27900)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2019/20 AND ESTIMATED 2020/21 TO 2025/26
REVISED 27-Aug-21

		Actual 2019/20	Budget 2020/21	Revised 2020/21	Proposed 2021/22	Estimated 2022/23	Estimated 2023/24	Estimated 2024/25	Estimated 2025/26
BEGINNING FUND BALANCE		396,842	561,032	644,021	787,082	463,752	531,135	596,467	659,706
				2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
		INFLATION							
		NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL
PROJECTED COSTS									
MAINTENANCE & OPERATION:									
PARK MAINTENANCE COST:		154,066 183,677 0.0065	- 183,677 0.4528	95,083 278,760 0.0974	143,040 421,800 0.2122	52,762 474,562 0.2161	- 474,562 0.2205	- 474,562 0.2249	- 474,562 0.2294
Electricity	53150	-	5,000	2,000	5,000	5,738	5,853	5,970	6,089
Water & Sewer	53200	-	46,000	5,000	46,000	52,789	53,845	54,922	56,020
Contract/Temporary Labor	67600	-	22,000	10,000	22,000	25,247	25,752	26,267	26,792
Repair & Maint of Improvements	68300	-	9,200	9,200	15,500	17,788	18,143	18,506	18,876
TOTAL MAINTENANCE		-	82,200	26,200	88,500	101,562	103,593	105,665	107,778
ADMINISTRATION									
Postage	61200	37	35	35	35	35	36	36	37
Advertising - Public Notices	61300	620	347	347	347	354	361	368	376
Collection Contract	62000	520	520	504	520	530	541	552	563
City Admin Fee	77450	11	73	73	92	94	96	98	100
TOTAL MAINTENANCE & OPERATION		1,187	83,175	27,159	89,494	102,575	104,626	106,719	108,853
Developer Reimbursement					400,000				
ASSESSMENTS									
		UNTS RATE	UNTS RATE	UNTS RATE	UNTS RATE	UNTS RATE	UNITS RATE	UNITS RATE	UNITS RATE
RESIDENTIAL		516,803 0.1111 57,417	516,803 0.1111 57,417	516,803 0.1111 57,417	516,803 0.1111 57,417	516,803 0.1111 57,417	516,803 0.1111 57,417	516,803 0.1111 57,417	516,803 0.1111 57,417
COMMERCIAL		978,827 0.1111 108,748	978,827 0.1111 108,748	978,827 0.1111 108,748	1,012,975 0.1111 112,542	1,012,975 0.1111 112,542	1,012,975 0.1111 112,542	1,012,975 0.1111 112,542	1,012,975 0.1111 112,542
COLLECTION RATE		99.53%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
TOTAL COLLECTIONS	30311	165,377	166,164	170,220	166,164	169,958	169,958	169,958	169,958
INTEREST INCOME 0.00%		-	-	-	-	-	-	-	-
Increase/Decrease in Cash		164,190	82,989	143,061	(323,330)	67,383	65,331	63,239	61,105
ENDING FUND BALANCE		561,032	644,021	787,082	463,752	531,135	596,467	659,706	720,810
THREE MONTH OPERATING RESERVE		*297*	*20,794*	*6,790*	*22,374*	*25,644*	*26,157*	*26,680*	*27,213*
SURPLUS		*560,735*	*623,227*	*780,292*	*441,379*	*505,491*	*570,310*	*633,026*	*693,597*

E

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7930

Second and final reading to consider an ordinance levying an assessment on property within the Point West Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Point West Public Improvement District (PID), which is allocated based on the percentage of total square footage owned within the PID, must be approved on an annual basis. The Point West PID Advisory Board met on June 2, 2021 to review the proposed FY 2021/22 budget and service plan. The Point West PID budget projects total maintenance and operation expenses for FY 2021/22 to be $53,208. The Board believes that last year's assessment rate is adequate and recommends no assessment increase for the 2021/22 budget and service plan. As mentioned above, the current assessment level remains adequate for all expenses and operating reserve and totals $52,000.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Point West PID. Attached is the Point West Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID budget (and 5-year service plan) discussed above is recommended for approval by Development Services staff.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Point West PID boundary regarding this item. At this time of writing, Development Services staff has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Development Services Staff have reviewed the associated instruments and recommend approval as submitted.

ORDINANCE NO. 7930

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE POINT WEST PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within the Point West Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, The City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property;

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District; and

WHEREAS, the Point West Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., signs), and non-manmade living improvements (i.e., plants) within the District.

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living

improvements with private businesses in accordance with the Budget and Five-year Service Plan, as amended.

SECTION 3: The City of Amarillo will continue to be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan as amended, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021-2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs for improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost for the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021-2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September, 2021; and PASSED on Second and Final Reading on this 28th day of September, 2021.

LSS 9/7/2021

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____

Bryan McWilliams, City Attorney

EXHIBIT

Point West Public Improvement District

Fiscal Year 2021-2022

A. The boundaries of the Point West Public Improvement District are as follows:

A 165.66-acre tract, a 4.20-acre tract, and a 1.81-acre tract of land, all being situated in Section 43, Block 9, BS&F Survey, Potter County, Texas.

B. The total estimated costs for maintenance, operation, and administrative fees proposed for the Point West Public Improvement District is $53,208. Such cost will be apportioned over the development as follows:

Cost of Maintenance and Operation	$51,300
Administration Expense	$1,908
Total	$53,208

C. This year's assessment will total $52,000. The method of assessment is to divide the total maintenance, operational, and administrative costs, as well as, maintenance reserves based on percentage of total square footage of property owned within the PID boundary.

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.
4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021-2022.

POINT WEST PUBLIC IMPROVEMENT DISTRICT (27510)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2019/20 AND ESTIMATED 2020/21 TO 2025/26
REVISED 8-Sep-21

		Actual 2019/20		Revised 2020/21	Proposed 2021/22	Estimated 2022/23	Estimated 2023/24	Estimated 2024/25	Estimated 2025/26
BEGINNING FUND BALANCE		201,843		232,314	228,514	227,306	225,034	221,677	217,212
PROJECTED COSTS									
		Inflation	2.00%						
MAINTENANCE & OPERATION:									
PARK MAINTENANCE COST									
Botany & Agriculture	51450			-	-	-	-	-	-
Water & Sewer	53200	10,643		12,000	12,000	12,240	12,485	12,734	12,989
Contract/Temporary Labor	67600	10,020		10,220	10,220	10,424	10,633	10,846	11,062
Repair & Maintenance of Improvements	68300			2,080	2,080	2,122	2,164	2,207	2,251
Other Improvements	68312	-		27,000	27,000	27,540	28,091	28,653	29,226
TOTAL MAINTENANCE		20,663		51,300	51,300	52,326	53,373	54,440	55,529
ADMINISTRATION									
Postage	61200	15		16	16	16	17	17	17
Advertising - Public Notices	61300	619		396	396	404	412	420	429
City Admin Fee	77450	231		4,095	1,496	1,526	1,556	1,588	1,619
TOTAL MAINTENANCE & OPERATION		21,528		55,807	53,208	54,272	55,358	56,465	57,594
			Increase	0.00%					
ASSESSMENTS		52,000		52,000	52,000	52,000	52,000	52,000	52,000
COLLECTION RATE		100.00%		100.01%	100.00%	100.00%	100.00%	100.00%	100.00%
TOTAL COLLECTIONS	30310	52,000		52,007	52,000	52,000	52,000	52,000	52,000
ENDING FUND BALANCE		232,314		228,514	227,306	225,034	221,677	217,212	211,618
Three Month Operating Reserve		*5,382*		*13,952*	*13,302*	*13,568*	*13,839*	*14,116*	*14,399*
Surplus		*226,932*		*214,563*	*214,004*	*211,466*	*207,837*	*203,096*	*197,219*

F

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7931

Second and final reading to consider an ordinance levying an assessment on property within the Vineyards Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Vineyards Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Vineyards PID Advisory Board met June 3, 2021 to review the proposed FY 2021/22 budget and service plan. The Vineyards PID budget projects total maintenance and operation expenses for FY 2021/22 to be $10,389. The Board recommends keeping property owner assessment rates at $50 per lot. This will result in assessments totaling $10,450. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Vineyards PID. Attached is the Vineyards Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID budget (and 5-year service plan) discussed above have been reviewed and unanimously recommended for approval by the Vineyards PID Advisory Board.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Vineyards PID boundary regarding this item. At this time of writing, Development Services staff has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Development Services Staff have reviewed the associated instruments and recommend approval as submitted.

ORDINANCE NO. 7931

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE VINEYARDS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within The Vineyards Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, the City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property; and

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District; and

WHEREAS, the Vineyards Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., fences/walls) and non-manmade living improvements (i.e., plants) within the District.

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living improvements with private businesses in accordance with the Budget and Five-year Service Plan.

SECTION 3: The City of Amarillo will be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021-2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs of improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost of the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021-2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September, 2021; and PASSED on Second and Final Reading on this 28th day of September, 2021.

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____

Bryan McWilliams, City Attorney

EXHIBIT

The Vineyards Public Improvement District

Fiscal Year 2021-2022

A. The boundaries of The Vineyards Public Improvement District are as follows:

A 145.446 acre tract of land and a 8.622 acre tract of land all in Section 191, Block 2, AB&M Survey, Potter County, Texas.

B. The total estimated costs for maintenance, operation, and administrative fees proposed for the Vineyards Public Improvement District is $10,389. Such costs will be apportioned over the development as follows:

Cost of Maintenance and Operation	$9,300
Administrative Expense	$1,089
Total	$10,389

C. The method of assessment is to divide the total maintenance, operational, and administrative costs, as well as, maintenance reserves equally among the 209 platted lots. This year's assessment will total $10,450 ($50 per lot).

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.
4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021-2022.

VINEYARDS PUBLIC IMPROVEMENT DISTRICT (27710)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2019/20 AND ESTIMATED 2020/21 TO 2025/26

REVISED 22-Jul-21		Actual 2019/20	Budget 2020/21	Revised 2020/21	Proposed 2021/22	Estimated 2022/23	Estimated 2023/24	Estimated 2024/25	Estimated 2025/26
BEGINNING FUND BALANCE		9,462	12,314	12,314	12,550	12,611	12,464	12,106	11,531
PROJECTED COSTS	NEW SQ FT TOTAL		NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	
MAINTENANCE & OPERATION:	INFLATION	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
PARK MAINTENANCE COST:	8,888.29	0.5510	- 8,888.29	1.1492 - 8,888.29	1.1492 - 8,888.29	1.1688 - 8,888.29	1.1922 - 8,888.29	1.2161 - 8,888.29	1.2404 - 8,888.29	1.2652
Botany & Agriculture	51450	-	1,000	1,000	1,020	1,040	1,061	1,082		1,104
Electricity	53150	262	361	361	344	351	358	365		372
Water & Sewer	53200	202	2,000	2,000	2,060	2,101	2,143	2,186		2,230
Contract/Temporary Labor	67600	2,400	3,800	3,800	3,876	3,954	4,033	4,113		4,196
Repair & Maintenance of Improvements	68300	1,200	2,000	2,000	2,000	2,040	2,081	2,122		2,165
TOTAL MAINTENANCE		4,064	9,161	9,161	9,300	9,486	9,676	9,869		10,067
ADMINISTRATION:										
Postage	61200	169	92	92	92	94	96	98		100
Advertising - Public Notices	61300	624	500	500	500	510	520	531		541
City Admin Fee	77450	41	461	461	497	507	517	527		538
TOTAL ADMINISTRATION		834	1,053	1,053	1,089	1,111	1,133	1,156		1,179
TOTAL MAINTENANCE & OPERATION		4,898	10,214	10,214	10,389	10,597	10,809	11,025		11,245
TOTAL		4,898	10,214	10,214	10,389	10,597	10,809	11,025		11,245
	UNITS RATE		UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	
Assessments	159 $ 50	7,950	209 $ 50	10,450 209 $ 50	10,450 209 $ 50	10,450 209 $ 50	10,450 209 $ 50	10,450 209 $ 50	10,450 209 $ 50	10,450
TOTAL ASSESSMENTS		7,950	10,450	10,450	10,450	10,450	10,450	10,450		10,450
COLLECTION RATE		97.48%	74.16%	100.00%	100.00%	100.00%	100.00%	100.00%		100.00%
TOTAL COLLECTIONS	30310	7,750	7,750	10,450	10,450	10,450	10,450	10,450		10,450
INTEREST INCOME	0.00%	-	-	-	-	-	-	-		-
INCREASE (DECREASE) IN CASH		2,852	(2,464)	236	61	(147)	(359)	(575)		(795)
Ending Fund Balance		12,314	9,850	12,550	12,611	12,464	12,106	11,531		10,735
Three Month Operating Reserve		1,224	2,554	2,554	2,597	2,649	2,702	2,756		2,811
Surplus		11,090	7,297	9,997	10,014	9,815	9,403	8,774		7,924

G

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7932

Second and final reading to consider an ordinance levying an assessment on property within the Quail Creek Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Quail Creek Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Quail Creek PID Advisory Board met May 25, 2021 to review the proposed FY 2021/22 budget and service plan. The Quail Creek PID budget projects total maintenance and operation expenses for FY 2021/22 to be $10,856. The Board recommends keeping property owner assessment rates at $350 per lot. This will result in assessments totaling $10,150. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Quail Creek PID. Attached is the Quail Creek Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID budget (and 5-year service plan) discussed above have been reviewed and unanimously recommended for approval by the Quail Creek PID Advisory Board.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Quail Creek PID boundary regarding this item. At this time of writing, Development Services staff has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Development Services Staff have reviewed the associated instruments and recommend approval as submitted.

LSS 9/8/2021

ORDINANCE NO. 7932

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE QUAIL CREEK PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within the Quail Creek Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, the City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property;

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District; and

WHEREAS, the Quail Creek Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., common area sidewalks, brick dumpster enclosures, street lights) and non-manmade, living improvements (i.e., plants) within the District.

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living improvements with private businesses in accordance with the Budget and Five-year Service Plan, as amended.

SECTION 3: The City of Amarillo will continue to be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan as amended, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021-2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs for improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost for the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021-2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September, 2021; and PASSED on Second and Final Reading on this 28th day of September, 2021.

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____

Bryan McWilliams, City Attorney

EXHIBIT A

Quail Creek Public Improvement District

Fiscal Year 2021-2022

A. The boundaries of the Quail Creek Public Improvement District are as follows:

> All that portion of property containing a total area of 20,072 square feet and designated as Common Area 1, Common Area 2, and Common Area 3 as shown on the subdivision plat Quail Creek Addition, Unit No. 25, an addition to the City of Amarillo and being located in Section 25, Block 9, B.S. & F. Survey, Potter County, Texas, as described in the instrument of record in Volume 3695, Page 43 of the Official Public Records of Potter County, Texas.

B. The total estimated costs for maintenance, operation, and administrative fees proposed for the Quail Creek Public Improvement District is $10,856. Such cost will be apportioned over the development as follows:

Cost of Maintenance and Operation	$9,543
Administration Expense	$1,313
Total	$10,856

C. The method of assessment is to divide the total maintenance, operational, and administrative costs, as well as, maintenance reserves equally among the 29 platted lots. This year's assessment will total $10,150 ($350 per lot).

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.
4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021-2022.

QUAIL CREEK PUBLIC IMPROVEMENT DISTRICT (27610)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2019/20 AND ESTIMATED 2020/21 to 2025/26
REVISED 22-Jul-21

			2019/20 Actual		2020/21 Revised		2021/22 Proposed		2022/23 Estimated		2023/24 Estimated		2024/25 Estimated		2025/26 Estimated
BEGINNING FUND BALANCE			11,094		7,685		6,421		5,715		4,792		3,648		2,277
PROJECTED COSTS		2.00%													
MAINTENANCE & OPERATION:															
PARK MAINTENANCE COST															
Electricity	53150		165		206		213		217		222		226		231
Water & Sewer	53200		5,979		5,516		5,330		5,437		5,545		5,656		5,769
Contract/Temporary Labor	67600		3,674		3,600		3,000		3,060		3,121		3,184		3,247
Repair & Maintenance of Improvements	68300		3,031		1,000		1,000		1,020		1,040		1,061		1,082
TOTAL MAINTENANCE			12,849		10,322		9,543		9,734		9,929		10,127		10,330
ADMINISTRATION															
Postage	61200		17		17		17		17		18		18		18
Advertising - Public Notices	61300		619		352		352		359		366		374		381
City Admin Fee	77450		73		723		944		963		982		1,002		1,022
TOTAL MAINTENANCE & OPERATION			13,559		11,414		10,856		11,073		11,295		11,520		11,751
					0										
ASSESSMENTS	LOTS 29	$350	10,150	$350	10,150	$350	10,150	$350	10,150	$350	10,150	$350	10,150	$350	10,150
COLLECTION RATE			100.00%		100.00%		100.00%		100.00%		100.00%		100.00%		100.00%
TOTAL COLLECTIONS	30310		10,150		10,150		10,150		10,150		10,150		10,150		10,150
INTEREST INCOME	0.00%		-		-		-		-		-		-		-
ENDING FUND BALANCE			7,685		6,421		5,715		4,792		3,648		2,277		676
THREE MONTH OPERATING RESERVE			*3,390*		*2,854*		*2,714*		*2,768*		*2,824*		*2,880*		*2,938*
SURPLUS			*4,296*		*3,568*		*3,001*		*2,024*		*824*		*(603)*		*(2,261)*

This alternative cuts expenses

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7933

Second and final reading to consider an ordinance levying an assessment on property within the Tutbury Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Tutbury Public Improvement District (PID), determined by a flat value per lot, must be approved on an annual basis. The Tutbury PID Advisory Board met May 18, 2021 to review the proposed FY 2021/22 budget and service plan. The Tutbury PID budget projects total maintenance and operation expenses for FY 2021/22 to be $20,543. The Board recommends keeping property owner assessment rates at $679 per lot. This will result in assessments totaling $16,296. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Tutbury PID. Attached are the Tutbury Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID budget and 5-year service plan discussed above have been reviewed and unanimously recommended for approval by the Tutbury PID Advisory Board.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Tutbury PID boundary regarding this item. At this time of writing, Development Services staff has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Development Services Staff have reviewed the associated instruments and recommend approval as submitted.

ORDINANCE NO. 7933

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE TUTBURY PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within the Tutbury Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, the City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property;

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District; and

WHEREAS, the Tutbury Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., fences/walls, street lights) and non-manmade living improvements (i.e., plants) within the District.

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living

improvements with private businesses in accordance with the Budget and Five-year Service Plan, as amended.

SECTION 3: The City of Amarillo will continue to be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan as amended, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021-2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs for improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost for the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021-2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September, 2021; and PASSED on Second and Final Reading on this 28th day of September, 2021.

Freda Powell, Mayor Pro Tem

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

Bryan McWilliams, City Attorney

EXHIBIT

Tutbury Public Improvement District

Budget: Fiscal Year 2021-2022

A. The boundaries of the Tutbury Public Improvement District are as follows:

A 5.27-acre tract of land out of a 196.075 acre tract of land according to that certain Correction Warranty Deed recorded in Volume 1596, Page 135, of the Deed Records of Randall County, Texas, situated in the northeast portion of Section 40, Block 9, BS&F Survey, Randall County, Texas.

B. The total estimated costs for maintenance, operation, and administrative fees proposed for the Tutbury Public Improvement District is $20,543. Such cost will be apportioned over the development as follows:

Cost of Maintenance and Operation $19,253

Administration Expense.....$1,290

Total $20,543

C. The method of assessment is to divide the total maintenance, operational, and administrative costs, as well as, maintenance reserves equally among the 24 platted lots. This year's assessment will total $16,296 ($679 per lot).

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.
4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021-2022.

TUTBURY PUBLIC IMPROVEMENT DISTRICT (27400)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2019/20 AND ESTIMATED 2020/21 TO 2025/26
REVISED 22-Jul-21

			Actual 2019/20		Revised 2020/21		Proposed 2021/22		Estimated 2022/23		Estimated 2023/24		Estimated 2024/25		Estimated 2025/26
BEGINNING FUND BALANCE			34,245		40,795		42,949		38,702		34,044		28,967		23,462
			Inflation	2.00%											
PROJECTED COSTS															
MAINTENANCE & OPERATION:															
Electricity		53150	252		540		549		560		571		583		594
Water & Sewer		53200	2,537		4,021		4,185		4,269		4,354		4,441		4,530
Custom Gardens - Monthly Fee		67600	5,557		5,900		6,064		6,185		6,309		6,435		6,564
Repair & Maintenance - Improvements		68300	398		2,000		8,200		8,364		8,531		8,702		8,876
Repair & Maintenance - Irrigation		68400			255		255		260		265		271		276
TOTAL MAINTENANCE			8,743		12,716		19,253		19,638		20,031		20,432		20,840
ADMINISTRATION															
Postage		61200	42		16		15		15		16		16		16
Advertising - Public Notices		61300	619		352		352		359		366		374		381
Professional - Collection Contract		62000	240		240		240		245		250		255		260
City Admin Fee		77450	102		818		683		697		711		725		739
TOTAL MAINTENANCE & OPERATION			9,746		14,142		20,543		20,954		21,373		21,800		22,236
ASSESSMENTS	LOTS 24		$ 679 16,296		$ 679 16,296		$ 679 16,296		$ 679 16,296		$ 679 16,296		$ 679 16,296		$ 679 16,296
COLLECTION RATE			100.00%		100.00%		100.00%		100.00%		100.00%		100.00%		100.00%
TOTAL COLLECTIONS		30311	16,296		16,296		16,296		16,296		16,296		16,296		16,296
INTEREST INCOME	0.00%	37110	-		-		-		-		-		-		-
Increase/Decrease in Cash			6,550		2,154		(4,247)		(4,658)		(5,077)		(5,504)		(5,940)
ENDING FUND BALANCE			40,795		42,949		38,702		34,044		28,967		23,462		17,522
THREE MONTH OPERATING RESERVE			*2,437*		*3,536*		*5,136*		*5,238*		*5,343*		*5,450*		*5,559*
SURPLUS			*38,358*		*39,413*		*33,566*		*28,805*		*23,623*		*18,012*		*11,963*

I

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7934

Second and final reading to consider an ordinance levying an assessment on property within the Colonies Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Colonies Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Colonies PID Advisory Board met June 24, 2021 to review the proposed FY 2021/22 budget and service plan. The Colonies PID budget projects total maintenance, operation and debt service expenses for FY 2021/22 to be $1,096,531 The Board recommended unanimously to maintaining the property owner assessment rates at $0.10 per square foot. This will result in assessments totaling $1,029,895. This decision was made in order to continue to cover all operating costs as well as an additional $460,063 annual debt service payment.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Colonies PID. Attached is the Colonies Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID budget and 5-year service plan discussed above have been reviewed by the Colonies PID Advisory Board.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Colonies PID boundary regarding this item. At this time of writing, Development Services staff has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Development Services staff have reviewed the associated instruments and recommend approval as submitted.

ORDINANCE NO. 7934

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE COLONIES PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within the Colonies Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, The City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property; and

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District;

WHEREAS, the Colonies Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., fences/walls, street lights) and non-manmade living improvements (i.e., plants) within the District.

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living

improvements with private businesses in accordance with the Budget and Five-year Service Plan, as amended.

SECTION 3: The City of Amarillo will continue to be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan as amended, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021-2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs for improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost for the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021-2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified, but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September, 2021; and PASSED on Second and Final Reading on this 28th day of September, 2021.

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____

Bryan McWilliams, City Attorney

EXHIBIT

Colonies Public Improvement District

Fiscal Year 2021-2022

A. The boundaries of the Colonies Public Improvement District are as follows:

A 375.8 acre tract of land being situated in Section 40, Block 9, BS&F Survey, Randall County, Texas.

B. The total estimated costs for maintenance, operation, and debt service payments proposed for the Colonies Public Improvement District is $1,096,531. Such cost will be apportioned over the development as follows:

Cost of Maintenance	$593,480
Administration Expense	$42,988
Debt Service Obligation	$460,063
Total	$1,096,531

C. This year's assessment will total $1,029,895 The method of assessment will be to divide the total maintenance, operational, administrative and debt service costs, as well as maintenance reserves as follows:

1. Residential Property: Residential property will be assessed an amount equal to $0.10 multiplied by the total square footage of the lot.
2. Commercial Property: Commercial property will be assessed an amount equal to $0.10 multiplied by the total square footage of the lot for lots 1 acre or less. Commercial lots greater than 1 acre will be assessed an additional $500 per acre or portion thereof, with a maximum assessment of $10,000 per lot.

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.
4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021-2022.

COLONIES # 5 PUBLIC IMPROVEMENT DISTRICT (27300)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: Actual 2019/20 and ESTIMATED 2020/21 to 2030/31
REVISED 8-Sep-21

				Actual 2019/20	Budget 2020/21	Revised 2020/21	Proposed 2021/22	Estimated 2022/23	Estimated 2023/24	Estimated 2024/25	Estimated 2025/26
BEGINNING FUND BALANCE				800,359	904,574	904,574	987,961	921,325	774,436	617,834	456,684
			INFLATION		0.0%	0.0%	2.0%	2.0%	2.0%	2.0%	2.0%
PROJECTED COSTS				SQ FT NEW TOTAL	SQ FT NEW TOTAL	SQ FT NEW TOTAL	SQ FT NEW TOTAL	SQ FT NEW TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL	NEW SQ FT TOTAL
MAINTENANCE & OPERATION:											
PARK MAINTENANCE COST:				678,586 0.724	723,586 0.735	723,586 0.822	723,586 0.880	- 723,586 0.892	- 723,586 0.905	- 723,586 0.918	- 723,586 0.937
Operating	51200			2,374	-	-	-	-	-	-	-
Landscaping (Botany & Agriculture	51450			52,726	91,153	91,153	91,153	92,976	94,836	96,732	98,667
Electricity	53150			10,391	19,465	17,147	17,494	17,844	18,201	18,565	18,936
Water & Sewer	53200			167,798	150,000	215,437	200,000	204,000	208,080	212,242	216,486
PID Management Fees (private)	62015			30,715	31,302	31,704	32,976	33,636	34,308	34,994	35,694
Custom Gardens (monthly fee)	67600			149,322	166,821	166,821	180,000	180,000	180,000	180,000	183,600
Hardscape Repairs	68300			61,022	21,815	21,815	60,250	61,455	62,684	63,938	65,217
Irrigation Repairs	68400			4,580	11,366	11,366	11,366	11,593	11,825	12,062	12,303
Insurance (City Charge)	71100			134	182	181	241	246	251	256	261
TOTAL MAINTENANCE				479,062	492,104	555,624	593,480	601,750	610,185	618,788	631,164
ADMINISTRATION:											
Postage	61200			554	462	481	462	471	481	490	500
Advertising - Public Notices	61300			618	420	420	420	428	437	446	455
Tax Assessor Commission	62000			6,408	7,692	7,692	7,692	7,846	8,003	8,163	8,326
City Admin Fee	77450			4,922	30,829	30,829	34,414	35,102	35,804	36,520	37,251
TOTAL ADMINISTRATION				12,502	39,403	39,422	42,988	43,848	44,725	45,619	46,532
TOTAL MAINTENANCE & OPERATION				491,565	531,507	595,046	636,468	645,597	654,909	664,407	677,696
Bond Proceeds	39810			-	-	-	-	1,000,000	-	-	-
Developer Reimbursements	83200			-	-	-	-	(1,000,000)	-	-	-
Debt Service First Issue (2006 2/15/26 mat)		585,000	*refunded 2020*	52,631	45,946						
Debt Service Second Issue (2008B 2/15/28 mat)		1,500,000	*refunded 2020*	91,932	109,172						
Debt Service Refunding (2020Ref 2/15/28 mat)		950,000		-	-	141,653	145,300	142,700	140,100	137,500	115,100
Debt Service Third Issue (2014 8/15/34 mat)		1,535,000		104,531	102,581	102,581	105,631	104,056	106,956	104,706	107,456
Debt Service Fourth Issue (2018 2/15/38 mat)		3,000,000		210,481	206,631	206,631	207,131	207,431	207,531	207,431	207,131
Estimated Debt Service Fifth Issue		1,000,000		-	-	-	-	75,000	75,000	75,000	75,000
Estimated Debt Service Sixth Issue		3,000,000		-	-	-	-	-	-	-	-
Fiscal Agent Fees				-	2,500	2,000	2,000	2,000	2,000	2,000	2,000
Total Debt Service	92150			459,576	466,830	452,865	460,063	531,188	531,588	526,637	506,687
TOTAL EXPENDITURES				951,140	998,337	1,047,911	1,096,531	1,176,785	1,186,497	1,191,045	1,184,383
				UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE
ASSESSMENTS							0%	0%	0%	0%	0%
RESIDENTIAL				9,789,415 0.1000	9,530,419 0.1000	9,530,419 0.1000	9,418,586 0.1000	9,418,586 0.1000	9,418,586 0.1000	9,418,586 0.1000	9,418,586 0.1000
				978,942	953,042	953,042	941,859	941,859	941,859	941,859	941,859
COMMERCIAL				970,234 0.0778	1,000,334 0.0778	1,000,334 0.0778	1,072,747 0.0821	1,072,747 0.0821	1,072,747 0.0821	1,072,747 0.0821	1,072,747 0.0821
				75,458	77,799	77,799	88,036	88,036	88,036	88,036	88,036
TOTAL ASSESSMENTS	30311			1,054,399	1,030,841	1,030,841	1,029,895	1,029,895	1,029,895	1,029,895	1,029,895
COLLECTION RATE				99.98%	100.00%	100.04%	100.00%	100.00%	100.00%	100.00%	100.00%
TOTAL COLLECTIONS				1,054,201	1,030,841	1,031,250	1,029,895	1,029,895	1,029,895	1,029,895	1,029,895
INTEREST INCOME	1.00%			1,155	-	48	-	-	-	-	-
MISCELLANEOUS INCOME				-	100,000	100,000	-				
INCREASE (DECREASE) IN CASH				104,215	132,504	83,387	(66,636)	(146,890)	(156,602)	(161,150)	(154,488)
Ending Fund Balance				904,574	1,037,078	987,961	921,325	774,436	617,834	456,684	302,196
Three Month Operating Reserve				237,785	249,584	261,978	274,133	294,196	296,624	297,761	296,096
Surplus				666,789	787,494	725,983	647,193	480,239	321,210	158,923	6,100

J

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7935

Second and final reading to consider an ordinance levying an assessment on property within the Greenways Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Greenways Public Improvement District (PID), determined by the placement of the lot within the neighborhood, must be approved on an annual basis. The Greenways PID Advisory Board met June 16, 2021 to review the proposed FY 2021/22 budget and service plan. The Greenways PID budget projects total maintenance, operation and debt service expenses for FY 2021/22 to be $761,074. The Board recommends maintaining property owner assessment rates at $750 for type A lots, $625 for type B lots, $900 for type D lots, and $1,875 per acre for commercial property. This will result in assessments totaling $671,219. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Greenways PID. Attached is the Greenways Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID annual budget and 5-year service plan discussed above have been reviewed and unanimously recommended for approval by the Greenways PID Advisory Board.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Greenways PID boundary regarding this item. At this time of writing, Development Services staff have received no comments.

Staff Recommendation

Legal, Accounting, and Development Services Staff have reviewed the associated documents and recommend approval as submitted.

LSS 9/7/2021

ORDINANCE NO. 7935

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE GREENWAYS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021/2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021/2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within the Greenways Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, the City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property; and

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District; and

WHEREAS, the Greenways Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., fences/walls, street lights) and non-manmade living improvements (i.e., plants) within the District.

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living

improvements with private businesses in accordance with the Budget and Five-year Service Plan, as amended.

SECTION 3: The City of Amarillo will continue to be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan as amended, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021/2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs for improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost for the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021/2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September, 2021; and PASSED on Second and Final Reading on this 28th day of September, 2021.

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____

Bryan McWilliams, City Attorney

EXHIBIT

Greenways Public Improvement District
Fiscal Year 2021/2022

A. The boundaries of the Greenways Public Improvement District are as follows:

A 671.30-acre tract of land being all of Section 39, Block 9, BS&F Survey, Randall County, Texas as indicated in deeds recorded in the real property records of Randall County.

B. The total estimated costs for maintenance, operation, administrative fees, and debt service proposed for the Greenways Public Improvement District is $761,074. Such cost will be apportioned over the development as follows:

Cost of Maintenance $484,415

Administration Expense $38,557

Debt Service $203,102

Total $761,074

C. This year's assessment will total $671,219. The method of assessment will be to divide the total maintenance, operational, and administrative costs, as well as, maintenance reserves as follows:

1. Residential Property: Residential property will consist of Class A, Class B, and Class D lots. At the time a plat is filed, Developer will designate the classification for each lot. Class A lots will generally be larger lots and may have additional amenities. Class B lots will be the majority of the lots and will generally be smaller lots. Class D lots are those located adjacent to Tuscany Village. Class B residential lots will be assessed equally on a per lot basis. Class A lots will be assessed equally on a per lot basis at 120% of the Class B lot assessment. Class D lots will be assessed equally on a per lot basis at 120% of the Class A lot assessment. The 2021/2022 Class A lot assessment will be $750.00 per lot, the Class B lot assessment will be $625.00 per lot, and the Class D lot assessment will be $900.00 per lot.
2. Commercial Property: The 2021/2022 Commercial property assessment will be $1,800.00 per acre.

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.

4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021/2022.

GREENWAYS AT HILLSIDE PUBLIC IMPROVEMENT DISTRICT (27100)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2019/20 AND ESTIMATED 2020/21 TO 2025/26
REVISED 7-Jul-21

				Actual 2019/20		Budget 2020/21		Revised 2020/21		Proposed 2021/22		Estimated 2022/23		Estimated 2023/24		Estimated 2024/25		Estimated 2025/26
BEGINNING FUND BALANCE				466,461		264,231		264,231		298,630		208,775		148,837		160,451		159,288
PROJECTED COSTS		NEW	ACREAGE TOTAL		NEW	ACREAGE TOTAL		NEW	ACREAGE TOTAL		NEW	ACREAGE TOTAL		NEW	ACREAGE TOTAL		NEW	ACREAGE TOTAL		NEW	ACREAGE TOTAL	
MAINTENANCE & OPERATION:		INFLATION		2.0%			2.0%		2.0%			2.0%			2.0%		2.0%		2.0%		2.0%
PARK MAINTENANCE COST:		0.30	*28.75*	*14,350*		*28.75*	*16,796*		*28.75*	*17,376*		*28.75*	*18,190*		*28.75*	*18,377*	*29*	*18,744*	*29*	*19,119*	*29*	*19,502*
Operating	51200			-			-			-			-			-		-		-		-
Janitorial Supplies	51250			-			-			-			-			-		-		-		-
Botanical & Agricultural	51450			4,153			2,000			11,500			11,730			11,965		12,204		12,448		12,448
Electricity	53150			3,927			3,322			2,963			2,901			2,959		3,018		3,079		3,140
Water & Sewer	53200			187,187			200,000			231,439			239,514			244,304		249,190		254,174		259,258
Drainage Utility Fee	53200			-			-			-			-			-		-		-		-
Miscellaneous (unassigned)	61600			11,800			15,000			15,000			15,000			15,300		15,606		15,918		16,236
Contract Labor	67600			174,444			153,000			157,000			172,000			170,340		173,747		177,222		180,766
Repair & Maintenance of Improvements	68300			227			10,200			13,000			13,000			13,260		13,525		13,796		14,072
Other Improvements	68312			-			35,700			5,000			5,000			5,100		5,202		5,306		5,412
Repair & Maintenance of Lighting	68318			-			-			-			-			-		-		-		-
Repair & Maintenance of Irrigation	68400			17,040			25,500			25,500			25,500			26,010		26,530		27,061		27,602
Equipment Rental	69210			-			-			-			-			-		-		-		-
TOTAL MAINTENANCE				398,778			444,722			461,402			484,415			489,003		498,783		508,759		518,934
ADMINISTRATION:																						
Postage	61200			641			550			550			550			561		572		584		595
Advertising Public Notices	61300			605			529			529			529			540		550		561		573
Professional Collection Contract	62000			8,408			8,576			8,576			8,576			8,748		8,922		9,101		9,283
City Administrative fee	77450			4,121			28,503			28,503			28,902			29,480		30,070		30,671		31,284
TOTAL ADMINISTRATION				13,775			38,158			38,158			38,557			39,328		40,115		40,917		41,735
TOTAL MAINTENANCE & OPERATION				412,552			482,880			499,560			522,972			528,331		538,898		549,676		560,670
Developer Reimbursement				(300,000)			(1,000,000)			(1,000,000)			(35,000)			(35,000)		(35,000)		(35,000)		(35,000)
Bond Proceeds							1,000,000			1,000,000			-									
DEBT SERVICE PAYMENTS																						
SECOND ISSUE PAYMENT (2003 COs, 8/15/23 Maturity Date)		620,000	*refunded 2020*	48,145			52,788			-			-			-		-		-		-
THIRD ISSUE PAYMENT (2008A Cos, 2/15/28 Maturity Date)		600,000	*refunded 2020*	37,169			47,305			-			-			-		-		-		-
DEBT SERVICE REFUNDING (2020Ref 2/15/28 Maturity Date)		430,000		-			44,810			84,594			86,300			84,700		38,550		42,800		42,000
FOURTH ISSUE PAYMENT (2014 COs, 08/15/34 Maturity Date)		725,000		48,688			75,000			52,788			51,738			50,950		49,900		48,850		47,800
FIFTH ISSUE PAYMENT (2021 Cos, 2/15/2041 Maturity Date)		975,000		-			2,500			-			62,565			60,925		59,725		58,525		62,250
Fiscal Agent Fees				-			-			-			2,500			2,500		2,500		2,500		2,500
Total Debt Service				134,002			222,403			137,382			203,102			199,075		150,675		152,675		154,550
TOTAL EXPENDITURES				846,554			1,705,283			1,636,942			761,074			762,406		724,573		737,351		750,220
ASSESSMENTS																						
		UNITS Yearly increase	*RATE*	$0	*UNITS Yearly increase*	*RATE*	$0	*UNITS Yearly increase*	*RATE*	$0	*UNITS Yearly increase*	*RATE*	$0	*UNITS Yearly increase*	*RATE*	$0	*UNITS*	*RATE*		UNITS	RATE		UNITS	RATE	
RESIDENTIAL B		*919*	*575*	551,400	*919*	*625*	574,375	*919*	*625*	574,375	*919*	*625*	574,375	*969*	*625*	605,625	*969*	*655*	634,695	*969*	*655*	634,695	*969*	*655*	634,695
RESIDENTIAL A		*68*	*690*	48,960	*68*	*750*	51,000	*68*	*750*	51,000	*68*	*750*	51,000	*68*	*750*	51,000	*68*	*786*	53,448	*68*	*786*	53,448	*68*	*786*	53,448
RESIDENTIAL D		*26*	*828*	22,464	*26*	*900*	23,400	*26*	*900*	23,400	*26*	*900*	23,400	*26*	*900*	23,400	*26*	*943*	24,523	*26*	*943*	24,523	*26*	*943*	24,523
COMMERCIAL		*5.4*	*1,725*	20,538	*12.0*	*1,875*	22,444	*12.0*	*1,875*	22,444	*12.0*	*1,875*	22,444	*12.0*	*1,875*	22,444	*12.0*	*1,965*	23,521	*12.0*	*1,965*	23,521	*12.0*	*1,965*	23,521
TOTAL ASSESSMENTS	30311			643,362			671,219			671,219			671,219			702,469		736,187		736,187		736,187
COLLECTION RATE				100.03%			100.00%			100.01%			100.00%			100.00%		100.00%		100.00%		100.00%
TOTAL COLLECTIONS				643,532			671,219			671,316			671,219			702,469		736,187		736,187		736,187
INTEREST INCOME				791			622			25			-			-		-		-		-
INCREASE (DECREASE) IN CASH				(202,230)			(33,442)			34,400			(89,855)			(59,938)		11,614		(1,164)		(14,032)
ENDING FUND BALANCE				264,231			230,789			298,630			208,775			148,837		160,451		159,288		145,255
Three Month Operating Reserve				103,138			120,720			124,890			130,743			132,083		134,725		137,419		140,167
Surplus				161,093			110,069			173,740			78,032			16,754		25,727		21,869		5,088

K

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7936

Second and final reading to consider an ordinance levying an assessment on property within the Pinnacle Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Pinnacle Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Pinnacle PID Advisory Board met May 21, 2021 to review the proposed FY 2021/22 budget and service plan. The Pinnacle PID budget projects total maintenance and operation expenses for FY 2021/22 to be $54,800. The Board recommends maintaining property owner assessment rates of $0.07 per square foot. This will result in assessments totaling $85,823. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Pinnacle PID. Attached is the Pinnacle Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID budget (and 5-year service plan) discussed above have been reviewed and unanimously recommended for approval by the Pinnacle PID Advisory Board.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Pinnacle PID boundary regarding this item. At this time of writing, Development Services staff has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Development Services Staff have reviewed the associated instruments and recommend approval as submitted.

ORDINANCE NO. 7936

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE PINNACLE PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within the Pinnacle Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, the City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property;

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District; and

WHEREAS, the Pinnacle Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., fences/walls, street lights) and non-manmade living improvements (i.e., plants) within the District;

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living

improvements with private businesses in accordance with the Budget and Five-year Service Plan, as amended.

SECTION 3: The City of Amarillo will continue to be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan as amended, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021-2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs for improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost for the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021-2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September, 2021; and PASSED on Second and Final Reading on this 28th day of September, 2021.

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____

Bryan McWilliams, City Attorney

EXHIBIT

Pinnacle Public Improvement District

Fiscal Year 2021-2022

A. The boundaries of the Pinnacle Public Improvement District are as follows:

Vicinity- South of Hollywood Road/Loop 335, west of Western Street, north of Sundown Land, and east of Bell Street.

Being a 510.66 acre tract of land located in Section 3, Block 9, BS&F Survey, Randall County, Texas.

B. The total estimated costs for maintenance, operation, and administration expenses proposed for the Pinnacle Public Improvement District is $54,800. Such cost will be apportioned over the development as follows:

Cost of Maintenance $52,826

Administration Expense.....$1,974

Total $54,800

C. This year's assessment will total $85,823. The method of assessment will be to divide the total maintenance, operational, and administrative costs, as well as, maintenance reserves as follows:

1. Residential Property: Residential property will be assessed an amount equal to $0.07 multiplied by the total square footage of the lot.
2. Commercial Property: Commercial property will be assessed an amount equal to $0.07 multiplied by the total square footage of the lot for the first 43,560 square feet. Any portion of the lot that exceeds 43,560 will be assessed at a rate that is equal to 20% of the rate for Residential Property.

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.
4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021-2022.

PINNACLE PUBLIC IMPROVEMENT DISTRICT (27050)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2018/19 AND ESTIMATED 2019/20 TO 2025/26
REVISED 22-Jul-21

		2019/20 Actual	2020/21 Revised	2021/22 Proposed	2022/23 Estimated	2023/24 Estimated	2024/25 Estimated	2025/26 Estimated
BEGINNING FUND BALANCE		-	(664)	(1,057)	29,967	45,694	74,702	41,414
	INFLATION			2.0%	2.0%	2.0%	2.0%	2.0%
PROJECTED COSTS		SQ FT NEW TOTAL	SQ FT NEW TOTAL	SQ FT NEW TOTAL	SQ FT NEW TOTAL	SQ FT NEW TOTAL	SQ FT NEW TOTAL	
MAINTENANCE & OPERATION:								
PARK MAINTENANCE COST:		- - -	- - -	78,300 78,300 0.6999	- 78,300 0.8952	96,900 175,200 0.6340	175,200 0.6660	- 175,200 0.8089
Operating	51200	-	-	-	-	-	-	-
Janitorial Supplies	51250	-	-	-	-	-	-	-
Botany & Agriculture	51450	-	-	-	-	-	-	-
Electricity	53150	-	-	1,918	1,957	1,996	2,036	2,077
Water & Sewer	53200	-	-	10,908	11,126	25,393	25,901	26,419
PID Management Fees (private)	62015	-	-	5,000	15,000	15,000	20,000	25,000
Repair & Maintenance of Improvements	68300	-	-	5,000	10,000	10,000	10,000	10,000
Temporary/Contract Labor	67600	-	-	30,000	30,000	55,637	55,637	74,037
Repair & Maintenance Other Improvements	68312	-	-	-	-	-	-	-
Improvements	83200	-	-	-	-	-	-	-
TOTAL MAINTENANCE		-	-	52,826	68,083	108,026	113,574	137,532
ADMINISTRATION								
Postage	61200	85	-	100	102	104	106	108
Advertising - Public Notices	61300	579	365	350	357	364	371	379
Professional - Collection Contract	62000	-	-	735	750	1,249	1,274	1,784
City Admin Fee	77450	-	28	788	804	1,338	1,365	1,911
TOTAL ADMINISTRATION		664	393	1,973	2,013	3,055	3,116	4,182
TOTAL MAINTENANCE & OPERATION		664	393	54,800	70,095	111,081	116,690	141,714
Bond Proceeds							750,000	
Developer Reimbursements							(750,000)	-
Debt Service Proposed Issues		-	-	-	-	-	55,186	55,186
Fiscal Agent Fees		-	-	-	-	-	1,500	1,500
Total Debt Service		-	-	-	-	-	56,686	56,686
TOTAL EXPENDITURES		664	393	54,800	70,095	111,081	173,376	198,401
ASSESSMENTS								
		UNTS RATE	UNTS RATE	UNTS RATE	UNTS RATE	UNTS RATE	UNTS RATE	UNITS RATE
RESIDENTIAL		- 0.0600 -	- 0.0600 -	1,226,043 0.0700 85,823	1,226,043 0.0700 85,823	2,001,262 0.0700 140,088	2,001,262 0.0700 140,088	2,747,567 0.0900 247,281
CISD PROPERTY (EXEMPTED)		- 0.0000 -	- 0.0000 -	- 0.0000 -	- 0.0000 -	- 0.0000 -	- 0.0000 -	- 0.0000 -
OTHER PROPERTY (>43,560 SQ FT)		- 0.0120 -	- 0.0120 -	- 0.0120 -	- 0.0120 -	- 0.0120 -	- 0.0120 -	- 0.0120 -
COLLECTION RATE		0.00%	0.00%	100.00%	0.00%	100.00%	0.00%	100.00%
TOTAL COLLECTIONS		-	-	85,823	85,823	140,088	140,088	247,281
INTEREST INCOME 0.00%		-	-	-	-	-	-	-
Prepaid by Developer		-	-					
Increase/Decrease in Cash		(664)	(393)	31,024	15,728	29,008	(33,288)	48,880
ENDING FUND BALANCE		(664)	(1,057)	29,967	45,694	74,702	41,414	90,295
THREE MONTH OPERATING RESERVE		*166*	*98*	*13,700*	*17,524*	*27,770*	*43,344*	*49,600*
SURPLUS		*(830)*	*(1,155)*	*16,267*	*28,171*	*46,932*	*(1,930)*	*40,694*

L

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Economic Development & Redevelopment
Department	Development Services		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7937

Second and final reading to consider an ordinance levying an assessment on property within the Heritage Hills Public Improvement District.

Agenda Item Summary

An assessment against each parcel of property in the Heritage Hills Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Heritage Hills PID Advisory Board met June 16, 2021 to review the proposed FY 2021/22 budget and service plan. The Heritage Hills PID budget projects total maintenance and operation expenses for FY 2021/22 to be $140,247. The Board recommends maintaining property owner assessment rates of $0.08 per square foot. This will result in assessments totaling $427,364. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Heritage Hills PID. Attached is the Heritage Hills Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

Requested Action

The PID budget (and 5-year service plan) discussed above have been reviewed and unanimously recommended for approval by the Heritage Hills PID Advisory Board.

Funding Summary

Budget and 5-year service plan attached.

Community Engagement Summary

Newspaper and property owner notices have been sent to property owners within the Heritage Hills PID boundary regarding this item. At this time of writing, Development Services staff has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Development Services Staff have reviewed the associated instruments and recommend approval as submitted.

ORDINANCE NO. 7937

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2021-2022; ADOPTING A BUDGET FOR FISCAL YEAR 2021-2022 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held as required by law where all interested persons were provided with an opportunity to be heard on assessments on property within the Heritage Hills Public Improvement District; and

WHEREAS, all notices and hearings have been issued and held within the time and as required by law; and

WHEREAS, the attached exhibit describes property that lies within the Public Improvement District; and

WHEREAS, the attached exhibit describes the method of payment of assessment and assessment amounts; and

WHEREAS, The City of Amarillo is required by law to levy the assessment by ordinance as a special assessment on the property;

WHEREAS, the City of Amarillo and property owners within the District's boundaries share the goal to be as efficient and cost effective as possible regarding the maintenance and operation of the District; and

WHEREAS, the Heritage Hills Public Improvement District Advisory Board (the Board), through direction given by property owners within the District, recommends that the Board be given the authority and responsibility to contract with private businesses for maintenance of manmade hardscape (i.e., fences/walls, street lights) and non-manmade living improvements (i.e., plants) within the District.

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

SECTION 1: The tract of land described by the attached exhibit has been established as the above named Public Improvement District.

SECTION 2: The City of Amarillo hereby grants the Board authority to approve, by a majority vote, the contracting of maintenance of manmade hardscape and non-manmade/living

improvements with private businesses in accordance with the Budget and Five-year Service Plan, as amended.

SECTION 3: The City of Amarillo will continue to be the administrator of assessments and pay invoices for services rendered in accordance with the Budget and Five-year Plan as amended, unless otherwise requested by the Board or its designee not to pay a proposed invoice.

SECTION 4: A Budget for the fiscal year of 2021-2022 and Five-year Service Plan that defines the annual indebtedness and the projected costs for improvements and maintenance thereof is attached. The Service Plan is subject to annual review and approval as is contemplated by law and is hereby approved.

SECTION 5: The total estimated cost for the maintenance and operation of improvements proposed in the Public Improvement District is described on the attached exhibit and is hereby approved.

SECTION 6: The assessment roll for each parcel, method of assessment and amount of assessment for the 2021-2022 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 7: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 8: The Amarillo City Council may make supplemental assessments, reassessments, or new assessments of property within the Public Improvement District in compliance with the laws of the State of Texas after a notice and hearing.

SECTION 9: The special improvement district fund for the Public Improvement District shall be held in the municipal treasury and accounted for in the audit of the City of Amarillo.

SECTION 10: In the event the Public Improvement District is ever terminated, a homeowner's association will have the authority and responsibility of continuing the services of the Public Improvement District. The extent to which such services will be continued will be discretionary with the association as determined by its by-laws. The association will be required to remove or repair, at its expense, any improvements that fall into such a state of disrepair as to create a hazard to the public safety as determined by the City of Amarillo.

SECTION 11: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 12: If any part, provision, or clause of this Ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this Ordinance.

SECTION 13: This Ordinance shall become effective upon its second and final reading.

SECTION 14: This Ordinance shall not be codified but shall be kept on file in the City Secretary's office so long as it is administratively valuable.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 14th day of September 2021; and PASSED on Second and Final Reading on this 28th day of September 2021.

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____

Bryan McWilliams, City Attorney

EXHIBIT

Heritage Hills Public Improvement District

Fiscal Year 2021-2022

A. The boundaries of the Heritage Hills Public Improvement District are as follows:

Vicinity- north of Hollywood Road, east of Helium Road, south of Arden Road and west of Soncy Rd/Loop 335.

A 590.93 acre tract of land located in Section 65, Block 9, BS&F Survey, Randall County, Texas being a portion of a 662.34 acre tract whose warranty deed is recorded in Clerks' File Number 2008005957 of the Official Public Records of Randall County, Texas.

B. The total estimated costs for maintenance, operation, and debt service payments proposed for the Heritage Hills Public Improvement District is $140,247. Such cost will be apportioned over the development as follows:

Cost of Maintenance $132,930

Administration Expense $7,317

Total $140,247

C. This year's assessment will total $427,364. The method of assessment will be to divide the total maintenance, operational, administrative and debt service costs, as well as, maintenance reserves as follows:

1. Residential Property: Residential property will be assessed an amount equal to $0.08 multiplied by the total square footage of the lot.
2. Commercial Property: Commercial property will be assessed an amount equal to $0.08 multiplied by the total square footage of the lot.

D. The method of payment of the assessment shall be as follows:

1. These assessments are due and payable October 1, 2021.
2. These assessments become delinquent if not paid prior to February 1, 2022 and will accrue interest, penalties and attorney's fees in the same manner as delinquent ad valorem taxes pursuant to Section 372.018(f) of the Local Government Code.
3. These assessments are subject to suit immediately upon becoming delinquent as defined above.
4. Property owners can pay their assessment using any method allowed by the Property Tax Code for the payment of property taxes except the half payment option.

E. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2021-2022.

HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT (27110)
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2019/20 AND ESTIMATED 2020/21 TO 2025/26
REVISED 8-Sep-21

				Actual 2019/20			Budget 2020/21			Revised 2020/21			Proposed 2021/22			Estimated 2022/23			Estimated 2023/24			Estimated 2024/25			Estimated 2025/26
BEGINNING FUND BALANCE				317,732			604,051			911,053			817,364			704,481			989,441			1,270,922			1,548,854
	INFLATION						2.00%			2.00%			2.00%			2.00%			2.00%			2.00%			2.00%
PROJECTED COSTS		NEW	SQ FT	TOTAL	NEW	SQ FT	TOTAL	NEW	SQ FT	TOTAL	NEW	SQ FT	TOTAL	NEW	SQ FT	TOTAL	NEW	SQ FT	TOTAL	NEW	SQ FT	TOTAL	NEW	SQ FT	TOTAL
MAINTENANCE & OPERATION:																									
PARK MAINTENANCE COST:		-	-	-	70,000	70,000	1.32394	70,336	140,336	0.60067	-	140,336	0.99937	32,000	172,336	1.00948	-	172,336	1.02967	-	172,336	1.05026	-	172,336	1.07127
Electricity	53150			-			6,000			6,000			6,120			7,666			7,819			7,976			8,135
Water & Sewer	53200			-			30,000			5,000			30,000			37,578			38,329			39,096			39,878
Contract/Temporary Labor	67600			26,659			40,000			55,500			86,610			108,486			110,656			112,869			115,127
Repair & Maintenance of Improvements	68300						10,000			10,000			10,200			12,776			13,032			13,293			13,558
TOTAL MAINTENANCE				26,659			86,000			76,500			132,930			166,506			169,836			173,233			176,698
ADMINISTRATION																									
Postage	61200			450			225			225			230			234			239			244			248
Advertising - Public Notices	61300			595			375			375			383			390			398			406			414
Professional - Collection Contract	62000			3,136			3,136			4,256			4,341			4,428			4,517			4,607			4,699
City Admin Fee	77450			25			2,940			2,940			2,364			2,411			2,460			2,509			2,559
TOTAL MAINTENANCE & OPERATION				30,865			92,676			84,296			140,247			173,970			177,449			180,998			184,618
Developer Reimbursement										(429,601)			(400,000)												
ASSESSMENTS																									
		UNTS	RATE		UNTS	RATE		UNTS	RATE		UNTS	RATE		UNITS	RATE		UNITS	RATE		UNITS	RATE		UNITS	RATE	
RESIDENTIAL		3,570,464	0.0800	285,637	4,623,765	0.0800	369,901	4,623,765	0.0800	369,901	4,973,765	0.0800	397,901	5,372,802	0.0800	429,824	5,372,802	0.0800	429,824	5,372,802	0.0800	429,824	5,372,802	0.0800	429,824
MULTIFAMILY		428,789	0.0800	34,303	428,789	0.0800	34,303	428,789	0.0800	34,303	428,789	0.0800	34,303	428,789	0.0800	34,303	428,789	0.0800	34,303	428,789	0.0800	34,303	428,789	0.0800	34,303
COLLECTION RATE				111.04%			98.88%			98.88%			98.88%			98.88%			98.88%			98.88%			98.88%
TOTAL COLLECTIONS	30311			317,184			399,678			420,208			427,364			458,930			458,930			458,930			458,930
INTEREST INCOME	0.00%			-			-			-			-			-			-			-			-
Increase/Decrease in Cash				286,319			307,002			(93,689)			(112,883)			284,960			281,481			277,932			274,312
ENDING FUND BALANCE				604,051			911,053			817,364			704,481			989,441			1,270,922			1,548,854			1,823,166
THREE MONTH OPERATING RESERVE				*7,716*			*23,169*			*21,074*			*35,062*			*43,492*			*44,362*			*45,249*			*46,154*
SURPLUS				*596,334*			*887,884*			*796,290*			*669,419*			*945,949*			*1,226,560*			*1,503,605*			*1,777,012*

M

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	September 28, 2021	Council Priority	Fiscal Responsibility

Department	City Manager's Office	Contact Person	Laura Storrs, Assistant City Manager

Agenda Caption

CONSIDERATION OF RESOLUTION 09-28-21-1

This item considers a resolution by the City of Amarillo, Texas ("City") denying Southwestern Public Service Company's proposed rate increase request in connection with its Statement of Intent submitted on about February 8, 2021; requiring reimbursement of reasonable legal and consultant expenses; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject.

Agenda Item Summary

On about February 8, 2021, Southwestern Public Service Company ("SPS") filed with the City and the Public Utility Commission of Texas ("PUCT") an application to increase its base revenues by approximately $143.3 million, which represents an increase in base revenue of about 23% compared to its current base revenue. SPS's application to increase rates is based on a test year of October 1, 2019 through September 30, 2020, which includes estimated data for an "update period" of October 1, 2020 through December 31, 2020, as allowed by state law. On about March 25, 2021, SPS updated its estimated data with actual data, in which SPS modified its proposed increase to a slightly smaller increase of about $143 million.

SPS requested an effective date of March 15, 2021; however, by agreement between AXM and SPS, SPS extended the period for final City action to September 30, 2021, regarding SPS's proposed increase in rates. In prior action the City suspended SPS's proposed effective date by a total of 135 days to July 28, 2021. Additionally, while state law allows SPS to implement the final rates set in this proceeding to usage occurring on and after July 13, 2021, pursuant to the settlement reached by the parties, including AXM, in PUC Docket No. 46936 (SPS's application to build/acquire SPS's Hale and Sagamore wind-generation facilities), SPS requests that its current rates be deemed temporary rates on March 15, 2021, that is, 35 days after the filing of the application. This means that under SPS's request, the final rates set in this case will relate back to usage occurring on and after March 15, 2021. To the extent that the final rates differ from SPS's current rates, SPS will issue either a refund or seek a surcharge to cover the period from March 15, 2021 to the date of final approval of SPS's new rates.

The proposed resolution, if adopted, will deny SPS's request to increase rates. If denied, SPS has the right to appeal that the decision to the Public Utility Commission of Texas. The proposed resolution, if adopted, will direct SPS to reimburse the City's reasonable rate case expenses on a monthly basis.

Requested Action

Approve the Resolution for the Mayor's signature.

Funding Summary

The City of Amarillo will pay the fees and expenses of its representatives and consultants.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval as presented.

Below are some of the key elements of SPS's rate application:

1. SPS proposes to allocate the increase among the customer classes as follows:

Rate Class	Base Rate Increase/(Decrease) ($)	Base Rate Increase/(Decrease) (%)	Overall Change (%) (includes fuel factor and energy efficiency cost recovery factor revenues)
Residential	$30,652,441	12.81%	6.7%
Small General Service	3,101,151	13.35.%	5.6%
Secondary General Service	21,098,228	17.38%	5.9%
Primary General Service	16,849,292	24.68%	6.0%
Large General Service -- Transmission	63,322,103	44.56%	11.7%
Small Municipal and School Service	552,080	43.24%	25.1%
Large Municipal Service	3,218,571	38.0%	17.8%
Large School Service	4.099,552	45.17%	27.0%
Municipal and State Street Lighting	1,194,019	25.09%	20.7%
Guard and Flood Lighting	(721,650)	-17.02%	-17.7%
TOTAL	**$143,365,787**	**23.04%**	

2. SPS requests approval of an overall rate of return of 7.56%, based on the following components:

- **Return on Equity**: 10.35%
- **Capital Structure of**: 54.60% Equity & 45.40% Long-Term Debt
- **Cost of Long-Term Debt**: 4.20%

3. **Residential Customer – Impact on Bill:**

a. SPS proposes an increase in the fixed, monthly charge for Residential customers (that is, the "Service Availability Charge") from $10.50 to $12.00 per month.

b. For a Residential customer using 1500 kWh per month, SPS's proposed increase would result in a monthly increase of about $14.56 in the Summer, and an increase of $18.37 in the Winter (which equates to about a 9.21% increase in the Summer and 15.68% increase in the Winter, over current rates); these amounts are limited to increases in SPS's base rate revenues.

c. The estimated effect of SPS's *proposed* increase on a Residential Customer's bill, with and without fuel factor, energy efficiency recovery factor (EECRF) and rate case expense (RCE) rider costs, and excluding franchise fees, at varying levels of consumption is as shown below:

CITY OF AMARILLO
CITY MANAGER

4.

Proposed Increase in Residential Customer's Bill (excluding franchise fees)				
	Amounts Shown Below Exclude Franchise Fees			
Consumption	1000 kWh	1500 kWh	2000 kWh	3000 kWh
SUMMER BILLS				
Summer – *Current* Base Rates Only	$108.85	$158.02	$207.19	$305.54
Summer – *Proposed* Base Rates Only	$119.05	$172.58	$226.10	$333.15
Summer – Increase in Base Rates Only	**$10.20**	**$14.56**	**$18.91**	**$27.61**
Summer – Percent Increase in Base Rates	**9.37%**	**9.21%**	**9.13%**	**9.04%**
Summer – *Current* Base Rates & Fuel, EECRF and RCE Costs	$129.75	$189.36	$248.98	$368.21
Summer – *Proposed* Base Rates & Fuel, EECRF and RCE Costs	$134.45	$195.67	$256.88	$379.30
Summer - Increase in Base Rates & Fuel, EECRF and RCE Costs	**$4.70**	**$6.31**	**$7.90**	**$11.09**
Summer -- Percent Increase in Base & Fuel, EECRF and RCE Costs	**3.62%**	**3.33%**	**3.17%**	**3.01%**
WINTER BILLS				
Winter – *Current* Base Rates Only	$91.66	$117.14	$142.62	$193.58
Winter – *Proposed* Base Rates Only	$106.39	$135.51	$164.63	$222.88
Winter – Increase in Base Rates Only	**$14.73**	**$18.37**	**$22.01**	**$29.30**
Winter – Percent Increase in Base Rates	**16.07%**	**15.68%**	**15.43%**	**15.14%**
Winter – *Current* Base Rates & Fuel, EECRF and RCE Costs	$112.52	$148.40	$184.28	$256.02
Winter – *Proposed* Base Rates & Fuel, EECRF and RCE Costs	$121.76	$158.53	$195.29	$268.81
Winter - Increase in Base Rates & Fuel, EECRF and RCE Costs	**$12.65**	**$8.13**	**$3.60**	**($5.43)**
Winter – Percent Increase in Base & Fuel, EECRF and RCE Costs	**8.21%**	**6.83%**	**5.97%**	**5.00%**

5. Small General Service Customer – Impact on Bill:

a. SPS proposes to increase the fixed, monthly charge (that is, the "Service Availability Charge") for the Small General Service customers from $12.75 to $13.40 per month.

b. For a Small General Service customer using 2000 kWh per month, SPS's increase would result in a monthly increase of about $21.23 in the Summer (which equates to about a 13.62% increase in the Summer), and an increase of $20.77 in the Winter (which equates to about a 15.50% increase in the Winter) over current rates; these amounts are limited to increases in SPS's base rate revenues.

c. The estimated effect of SPS's *proposed* increase on a Small General Service Customer's bill, with and without fuel factor, energy efficiency recovery factor (EECRF) and rate case expense (RCE) rider costs, and excluding franchise fees, at varying levels of consumption is as shown below:

Proposed Increase in Small General Service Customer's Bill (excluding franchise fees)				
	Amounts Shown Below Exclude Franchise Fees			
Consumption	**1000 kWh**	**1500 kWh**	**2000 kWh**	**3000 kWh**
SUMMER BILLS				
Summer – *Current* Base Rates Only	$84.33	$120.12	$155.91	$227.48
Summer – *Proposed* Base Rates Only	$95.27	$136.21	$177.14	$259.02
Summer – Increase in Base Rates Only	**$10.94**	**$16.09**	**$21.23**	**$31.54**
Summer – Percent Increase in Base Rates	**12.97%**	**13.39%**	**13.62%**	**13.86%**
Summer – *Current* Base Rates & Fuel, EECRF and RCE Costs	$105.05	$151.18	$197.32	$289.58
Summer – *Proposed* Base Rates & Fuel, EECRF and RCE Costs	$110.49	$159.02	$207.54	$304.61
Summer - Increase in Base Rates & Fuel, EECRF and RCE Costs	**$5.44**	**$7.84**	**$10.22**	**$15.03**
Summer -- Percent Increase in Base & Fuel, EECRF and RCE Costs	**5.18%**	**5.19%**	**5.18%**	**5.19%**
WINTER BILLS				
Winter – *Current* Base Rates Only	$73.38	$103.70	$134.01	$194.64
Winter – *Proposed* Base Rates Only	$84.09	$119.43	$154.78	$225.47
Winter – Increase in Base Rates Only	**$10.71**	**$15.73**	**$20.77**	**$30.83**
Winter – Percent Increase in Base Rates	**14.60%**	**15.17%**	**15.50%**	**15.84%**

Winter – *Current* Base Rates & Fuel, EECRF and RCE Costs	$94.08	$134.73	$175.38	$256.68
Winter – *Proposed* Base Rates & Fuel, EECRF and RCE Costs	$99.29	$142.21	$185.14	$271.00
Winter - Increase in Base Rates & Fuel, EECRF and RCE Costs	**$5.21**	**$7.48**	**$9.76**	**$14.32**
Winter – Percent Increase in Base & Fuel, EECRF and RCE Costs	**5.54%**	**5.55%**	**5.57%**	**5.58%**

6. SPS identified the following items as the major drivers of its request for its proposed rate increase request:

a. Capital additions placed into service since SPS's last rate case, including the Sagamore wind facility
b. New depreciation rates including shortened operating lives for the Tolk and other coal generation plant assets
c. Migration of the Lubbock Power & Light transmission load to ERCOT and increase in transmission costs allocated to retail customers
d. SPS's requested return on equity & capital structure

7. Review by AXM's Special Counsel

After extensive review of SPS's rate-filing package, AXM's Special Counsel and the rate experts engaged on behalf of AXM to assist AXM's Special Counsel, concluded that SPS had not established the need for an increase of $143 million. AXM's Special Counsel and rate experts identified several areas of concern with SPS's application, including its expenses for its employee bonuses; its requested expense for depreciation of several of its plant accounts, including early retirement of some of its plants; the costs of purchased power; and its proposed profit level.

Regarding its profit level, the table below shows a comparison of SPS's requested profit level (also referred to its "cost of capital" comprised of the return on equity and the cost of debt) to AXM's rate experts and other participants' rate experts recommendations in the case pending at the Public Utility Commission of Texas (PUCT):

	Xcel/SPS	**AXM**	**Texas Industrial Energy Consumers**	**Office of Public Utility Counsel**	**PUCT Staff**
Return on Equity	10.35%	8.88%	9.10%	9.35%	9.35%
Capital Structure (Equity Capital)	54.60%	50.00%	49.80%	54.60%	51.00%
Cost of Debt	4.20%	4.20%	4.20%	4.20%	4.20%
Overall Rate of Return	7.56%	6.54%	6.64%	7.01%	6.83%

The City must take final action on SPS's application to increase rates by no later than **October 31, 2021**. If the City does not take action by **October 31, 2021**, SPS's proposed increase in rates as filed will be deemed approved by operation of law.

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO®
CITY MANAGER

INTERVENTION AT THE PUBLIC UTILITY COMMISSION OF TEXAS

In prior action the City authorized the law firm of Herrera Law and Associates, PLLC (through Mr. Alfred R. Herrera), to participate in the proceedings pending before the PUCT to represent the City's interests in those proceedings as part of AXM.

RATE CASE EXPENSES:

The Alliance of Xcel Municipalities' (AXM) reasonable rate case expenses are subject to reimbursement by SPS. The attached Resolution directs SPS to continue to reimburse AXM's rate case expenses.

RECOMMENDATION: DENY SPS'S RATE INCREASE REQUEST

AXM's Special Counsel recommends that:

- The City deny SPS's request to increase its rates. If the City denies SPS's rate increase request, SPS has the right to appeal that the decision to the Public Utility Commission of Texas; and
- Direct SPS to reimburse the City's reasonable rate case expenses on a monthly basis.

RESOLUTION NO. 09-28-21-1

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS ("CITY") DENYING SOUTHWESTERN PUBLIC SERVICE COMPANY'S PROPOSED RATE INCREASE REQUEST IN CONNECTION WITH ITS STATEMENT OF INTENT SUBMITTED ON ABOUT FEBRUARY 8, 2021; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, Southwestern Public Service Company ("SPS" or the "Company") filed a Statement of Intent with the City and with the Public Utility Commission of Texas ("PUCT") on or about February 8, 2021, to increase its base revenues for its Texas retail service area by approximately $143.3 million, which is an increase in base revenue of about 23%; and

WHEREAS, SPS proposed to implement its proposed increase in rates effective on March 15, 2021; and

WHEREAS, on about March 25, 2021, SPS updated its Statement of Intent to increase rates, modifying its proposed increase from about $143.3 million to about $143.0 million; and

WHEREAS, the City previously suspended implementation of SPS's proposed increase in rates and its proposed effective date by 135 days to July 28, 2021; and

WHEREAS, by agreement between AXM and SPS, SPS extended the suspension period to September 30, 2021; and

WHEREAS, the City is a regulatory authority under the Public Utility Regulatory Act ("PURA") and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over SPS's rates, operations, and services within the municipality; and

WHEREAS, under PURA § 33.025(a), the City has standing in each case before the Public Utility Commission of Texas that relates to an electric utility providing service in the City; and

WHEREAS, SPS failed to establish that its overall revenue request resulted in no more than an amount that will permit SPS a reasonable opportunity to earn a reasonable

return on the utility's invested capital used and useful in providing service to the public in excess of the utility's reasonable and necessary operating expenses; and

WHEREAS, SPS failed to establish that its proposed rates are just and reasonable; and

WHEREAS, SPS may exercise its statutory right to appeal a City decision regarding SPS's request to increase rates to the Public Utility Commission of Texas;

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

Section 1. The findings set out in the preamble are in all things hereby approved.

Section 2. SPS failed to show that its proposed rates are just and reasonable.

Section 3. The City hereby **DENIES** SPS's request to increase rates and in support thereof finds that:

a) The Statement of Intent fails to provide sufficient information to justify the requested increase in revenue or to justify the changes set forth in SPS's proposed tariffs;

b) The Statement of Intent fails to provide sufficient information to justify the adoption of the rate base, expenses, investment, return on equity, and other rate issues.

Section 4. SPS is hereby directed to continue to reimburse the City on a monthly basis, through AXM's coordinating city, the City of Amarillo, Texas, rate-case expenses for the reasonable costs of attorneys and consultants and expenses related thereto, upon the presentation of invoices reviewed by the City of Amarillo.

Section 5. The City Secretary or other appropriate city official shall provide a copy of this Resolution to **Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 4524 Burnet Road, Austin, Texas 78756**, and as a courtesy, provide SPS a copy of this Resolution by **sending a copy of the Resolution to William A. Grant, Regional Vice President, Regulatory and Strategic Planning, and Jeremiah W. Cunningham, Rate**

Case Manager, Southwestern Public Service Company, 790 S. Buchanan St. Amarillo, Texas 79101.

Section 6. The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 7. To the extent any Resolution previously adopted by the City Council is inconsistent with this Resolution, it is hereby superseded.

Section 8. The findings set out in the preamble are in all things hereby approved.

Section 9. This Resolution shall become effective from and after its passage.

INTRODUCED AND PASSED by the City Council of Amarillo, Texas this 28th day of September 2021.

_____
Freda Powell, Mayor Pro Tem

ATTEST:

_____
Stephanie Coggins, City Secretary

Amarillo City Council
Agenda Transmittal Memo

N

Meeting Date	September 28, 2021	Council Pillar	Public Safety

Department	Office of Emergency Management

Agenda Caption

CONSIDERATION OF RESOLUTION 09-28-21-2

This item authorizes Assistant City Manager Laura Storrs as the Authorized Official for FY20 State Homeland Security Program and Criminal Justice grant projects.

Agenda Item Summary

With the departure of Deputy City Manager Kevin Starbuck, this resolution will designate Assistant City Manager Laura Storrs as the Authorized Official for State Homeland Security Program (SHSP) and Criminal Justice (CJ) grants.

Requested Action

Consider approval of a resolution designating Assistant City Manager Laura Storrs as the Authorized Official for SHSP and CJ grants on behalf of the City.

Funding Summary

Project proposals are submitted to the State of Texas Office of the Governor for consideration and approval pending allocation of Federal Homeland Security Grant Program and Criminal Justice program funds.

Community Engagement Summary

N/A

Staff Recommendation

It is recommended that City Council adopt the resolution authorizing Assistant City Manager Laura Storrs as the Authorized Official for SHSP and CJ grants on behalf of the City.

09/24/21-bsm

RESOLUTION NO 09-28-21-2

A RESOLUTION BY THE CITY OF AMARILLO CITY COUNCIL: AUTHORIZING THE SUBMISSION OF AN FY20 GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANT DIVISION (HSGD); DESIGNATING THE CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE FY21 HOMELAND SECURITY GRANT PROGRAM.

WHEREAS, the Office of the Governor's Homeland Security Grant Division (HSGD) currently serves as the State Administrative Agency for the State of Texas' State Homeland Security Program (SHSP) which provides grant funding that can be used to support programs and projects that maintain and/or enhance the Panhandle's emergency preparedness and response capabilities; and

WHEREAS, the City of Amarillo is eligible to apply for and receive funding in the FY20 SHSP grant program; and

WHEREAS, the City of Amarillo City Council finds it in the best interest of the City's citizens to apply for grant funding to implement a project entitled "FY20 Regional Bomb Squad Response Vehicle Project" which would be implemented under the FY20 SHSP; and

WHEREAS, the City intends to file the grant application under the HSGD's FY20 Request for Applications; and

WHEREAS, the City has established its eligibility to apply for and receive funding through the FY20 SHSP grant program; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. That a FY20 SHSP grant application is hereby authorized to be filed on behalf of the City with the Governor's HSGD.
2. That the application be for funds to implement an FY20 SHSP project entitled "Regional Bomb Squad Response Vehicle Project."
3. That the City Council authorizes the City Manager, or City Manager's designee, to apply for, accept, reject alter or terminate the application and/or subsequent grant on behalf of the City.
4. That in the event of loss or misuse of SHSP funds, the City Council assures that those funds will be returned to the HSGD in full.

CONSIDERED AND APPROVED this 28th day of September 2021.

_____

Freda Powell, Mayor Pro Tem

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____

Bryan McWilliams, City Attorney

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Civic Pride
Department	Parks and Recreation		
Contact	Michael Kashuba, Director of Parks and Recreation		

Agenda Caption

CONSIDERATION OF RESOLUTION 09-28-21-3 – AUTHORIZING THE CITY TO APPLY FOR THE TEXAS PARKS AND WILDLIFE DEPARTMENTS LOCAL GRANT PROGRAM
(Contact: Michael Kashuba, Director of Parks and Recreation)
This item is to consider a resolution authorizing the City Manager to apply for the Texas Parks and Wildlife Department's Local Grant Program on behalf of the City of Amarillo.

Agenda Item Summary

This item is to consider a resolution authorizing the City Manager to apply for the Texas Parks and Wildlife Departments Local Grant Program on behalf of the City of Amarillo. These funds will be used to make improvements at Martin Road Park.

Requested Action

To approve the resolution authorizing the City to apply for the Texas Parks and Wildlife Departments Local Grant Program.

Funding Summary

Matching funds for the project will be available in the Park Departments CIP Funding.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval.

TEXAS PARKS & WILDLIFE

RESOLUTION 09-28-21-3
Local Park Grant Program
Resolution Authorizing Application

A resolution of the City of Amarillo as hereinafter referred to as "Applicant," designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as "Department," for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the "Program"; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs the City Manager to act for the Applicant in dealing with the Department for the purposes of the Program, and that Michael Kashuba is hereby officially designated as the representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as Martin Road Lake in the City of Amarillo or use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

Introduced, read and passed by an affirmative vote of the "Applicant" on this 28th day of September, 2021.

_____
Signature of Local Government Official

Freda Powell, Mayor Pro Tem
Typed Name and Title

ATTEST:

_____
Signature

Stephanie Coggins, City Secretary
Typed Name and Title

Amarillo City Council
Agenda Transmittal Memo

P

Meeting Date	September 28, 2021	**Council Priority**	Public Safety
Department	Public Health		
Contact	Casie Stoughton		

Agenda Caption

CONSIDER – COVID VACCINE ROUND 4 GRANT FUNDING
Grant Amount : $8,572,024
Grantor: Texas Department of State Health Services

This item accepts the award from the Texas Department of State Health Services from September 1, 2021 thru June 30, 2024 to fund COVID-19 vaccination efforts.

Agenda Item Summary

This grant, provided by the Texas Department of State Health Services, will support the COVID-19 vaccination efforts of Amarillo Public Health.

Requested Action

Accept grant award.

Funding Summary

Funding provided by the Texas Department of State Health Services.

Community Engagement Summary

To date, Amarillo Public Health has given over 135,000 doses of COVID-19 vaccine through the mass vaccination clinic model.

Staff Recommendation

Staff recommend acceptance of this grant.

Q

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Public Safety
Department	Police Department		
Contact	Chief Martin Birkenfeld		

Agenda Caption

CONSIDER APPROVAL - 2021-2022 INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND POTTER COUNTY

Approval of 2021-2022 interlocal agreement between the City of Amarillo and Potter County to file joint application with the Motor Vehicle Crime Prevention Authority (MVCPA) of the State of Texas for funding to support the Panhandle Auto Burglary Theft Unit (PABTU).

Agenda Item Summary

This interlocal agreement extends the Police department's participation in the PABTU. The police department will contribute 3 detective Sergeants to investigate auto thefts in Amarillo and surrounding areas. The police department will contribute $2000 to cover equipment (rugged laptops). The grant will provide vehicles for investigators and additional investigative and educational resources to aid in the reduction of auto theft in the City.

Requested Action

Council consideration and approval of the interlocal agreement.

Funding Summary

- 1 Sergeant's salary and fringe in lieu of match
- 2 sergeant's salaries and fringe as in-kind match
- APD records management estimated at $18,603 as in-kind match
- $2,000 for equipment

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends that the City Council approve this agreement.

R

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Civic Pride
Department	Parks & Recreation		
Contact	George Priolo, General Manager of Golf Operations		

Agenda Caption

CONSIDER APPROVAL – GOLF CART LEASES
Award to: Club Car | DLL Financing LLC – $1,029,873.96

This item approves a 54-month lease to provide the city with two-hundred forty-five (245) Tempo Li Electric Golf Cars, including one (1) Carryall 300 Gasoline Range Car with cage at each golf complex at no charge. The new lease will replace the current golf cars at Ross Rogers (125) cars and Comanche Trail (120). Club Car will accept the city's current models 2018 Tempo Electric Golf Cars as trade-in value applied to the lease.

Agenda Item Summary

Award to Club Car – DLL Financing LLC: 54-month lease on 245 – 2022 Club Car Tempo Li Golf Cars for Ross Rogers (125 cars) and Comanche Trail (120 cars) Golf Complexes.

This 54-month lease will provide the city with two-hundred forty-five (245) Tempo Li Electric Golf Cars, including one (1) Carryall 300 Gasoline Range Car with cage at each golf complex at no charge. The new lease will replace the current golf cars at Ross Rogers (125) cars and Comanche Trail (120). Club Car will accept our current models 2018 Tempo Electric Golf Cars as trade-in value applied to the lease.

Requested Action

Request approval of the lease agreement with Club Car – DLL Financing LLC

Funding Summary

54-month lease agreement:
Tempo Li Golf Cars (125 cars) Ross Rogers: $77.84 per car per month=$9,730.48 per month
Tempo Li Golf Cars (120 cars) Comanche Trail: $77.84 per car per month=$9,341.26 per month
Total combined per month = $19,071.74 per month

Total lease payments for 54-month term lease: $1,029,873.96

The Golf Car Revenue performance during the current lease is as follows:
FY17-18 $741,479.40
FY18-19 $762,645.08
FY 19-20 $771,697.24
FY 20-21 $1,000,000.00* Estimate with ½ Month remaining. Need $38,250.69 in revenue the last 15 days of September to achieve the $1,000.000.00 number.
Total Golf Car Revenue for the current lease $3,275,821,75

Based on revenue projections like the current lease the net revenue for the term of the lease is estimated to be conservatively $2,245,947.79.

Community Engagement Summary

N/A

Staff Recommendation

Parks Administration and Golf Operations staff recommends approval and award of this lease agreement.

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	Council Priority	N/A

Department	Information Technology – Rich Gagnon

Agenda Caption

CONSIDER APPROVAL – KRONOS SUPPORT RENEWAL
Award to: Kronos, Incorporated -- $68,903.34

This item approves a one-year support and maintenance renewal for Kronos hardware and software.

Agenda Item Summary

This item represents a 1-year support and maintenance renewal for Kronos hardware and software.

Requested Action

Approval of award to Kronos Incorporated in the amount of $68,903.34.

Funding Summary

Funding is available in 62021.69300 and 62021.68620.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 28, 2021	**Council Priority**	Transportation
Department	Amarillo City Transit (ACT)		
Contact	Marita Wellage-Reiley, Transit Director		

Agenda Caption

CONSIDER APPROVAL – CONTRACT AGREEMENT BETWEEN THE CITY OF AMARILLO AND AREA AGENCY ON AGING OF THE PANHANDLE

This item is the consideration of a Contract Agreement between the City of Amarillo and Panhandle Regional Planning Commission (PRPC), Area Agency on Aging of the Panhandle (AAA) to provide Amarillo City Transit (ACT)-Connect service to AAA clients until September 30, 2023.

Agenda Item Summary

The PRPC, Area Agency on Aging of the Panhandle wishes to contract with ACT for ACT-Connect service. AAA clients are integrated into regular ACT-Connect service improving productivity and providing funds that will be used by the City of Amarillo to match federal dollars. The local coordination of service maximizes the access and availability of transportation resources. The AAA Direct Purchase of Services from the City of Amarillo is designed to promote the development of a comprehensive and coordinated service delivery system to meet the needs of older individuals (60 years of age or older) and their caregivers. Service will be provided on the same days and hours of ATC service. ACT began providing service July 2, 2021 and this agreement will extend service through September 30, 2023.

Requested Action

To approve the Contract Agreement between the City of Amarillo and PRPC, Area Agency on Aging of the Panhandle (AAA).

Funding Summary

AAA will pay ACT on a per trip basis. No additional staff or vehicles will be required to provide the service. Both parties will benefit from coordination of State and Federal funds.

Community Engagement Summary

ACT will work with AAA to inform, educate, and promote the new service delivery model to the citizen of Amarillo

Staff Recommendation

Staff recommends approval of the Contract for Transportation Services between the City of Amarillo and PRPC, Area Agency on Aging of the Panhandle (AAA), authorizing the City Manager to execute the contract to extend services.

A

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 28, 2021	**Council Priority**	N/A
Department	Environmental Health		
Contact	Anthony Spanel, Environmental Health Director		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7983
(Contact: Anthony Spanel, Environmental Health Director)
Consideration of a Variance to distance regulations prohibiting the sale of alcoholic beverages within 300' of a public school. The City Council, as the governing body of the City of Amarillo, Texas and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, may grant a Variance to Section 14-3-5 of the City of Amarillo Municipal Code (enacted pursuant to Section 109.33(a)(1) of the Texas Alcoholic Beverage Code) for alcohol sales at 3420 SW 15th.

Applicant: Marcus Schwartz representing GoBrands Texas LLC
Vicinity 15th and Dixie St

Agenda Item Summary

The applicant GoBrands seeks permission to allow for the operation of a food and alcohol delivery service from 3420 SW 15th Amarillo, TX 79120. The applicant is specifically seeking to use the location as a hub for delivery of food, including beer and wine for off-premise consumption, and other household goods directly to consumers. The location itself will not be open to the public and no alcohol or other food/goods will be sold inside the physical location. The applicant has applied for and was ultimately denied an Alcoholic Beverage License (ABL). Denial of the ABL was based on the fact that the proposed site does not meet the minimum separation distance of 300' that a business selling alcoholic beverages needs to maintain from a public school (AmTech Career Academy 3601 Plains Blvd). The proposed delivery business would be operating in an area zoned General Retail (GR) which allows for the use of a restaurant-type business with on-premise or off-premise alcohol sales. GR would not allow for >50% alcohol facilities (Bars) on the other hand.

As measured, the applicant's site is approximately 62.9' from AmTech Career Academy. Public and Private schools are measured using the "As the Crow Files" method, in a direct line from the property line of the school to the property line of the proposed location. This method is uniquely different from churches as they are measured using the "Street Front" method, along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. As such, the applicant is now requesting a variance.

The surrounding area currently has eleven (11) legal ABL's, all of which are outside of the 300' setback. Each of the locations can continue to request an ABL moving forward and will be considered "grandfathered" for any subsequent request by another potential tenant. These locations are currently a mixture of On-Premise and Off-Premise business models but once an ABL is issued, the location can switch from Off-Premise to On-Premise and is only subject to zoning restrictions at that point.

There are a couple exceptions to the 300' minimum separation distance which are sales/transfers, renewals of existing licenses (treated as a sale/transfer) or a variance. In this instance, sales/transfers

and renewal would not apply as this property has not had an Alcoholic Beverage License in the past leaving a Variance as the only option for the applicant. Additionally, Amarillo Independent School District was notified of the requested Variance and the District has stated they are not in support of its issuance. AISD has a standing policy to not support any alcohol related requests regardless of the separation distance.

City Council may consider allowing a Variance if they find that enforcement of the regulation:

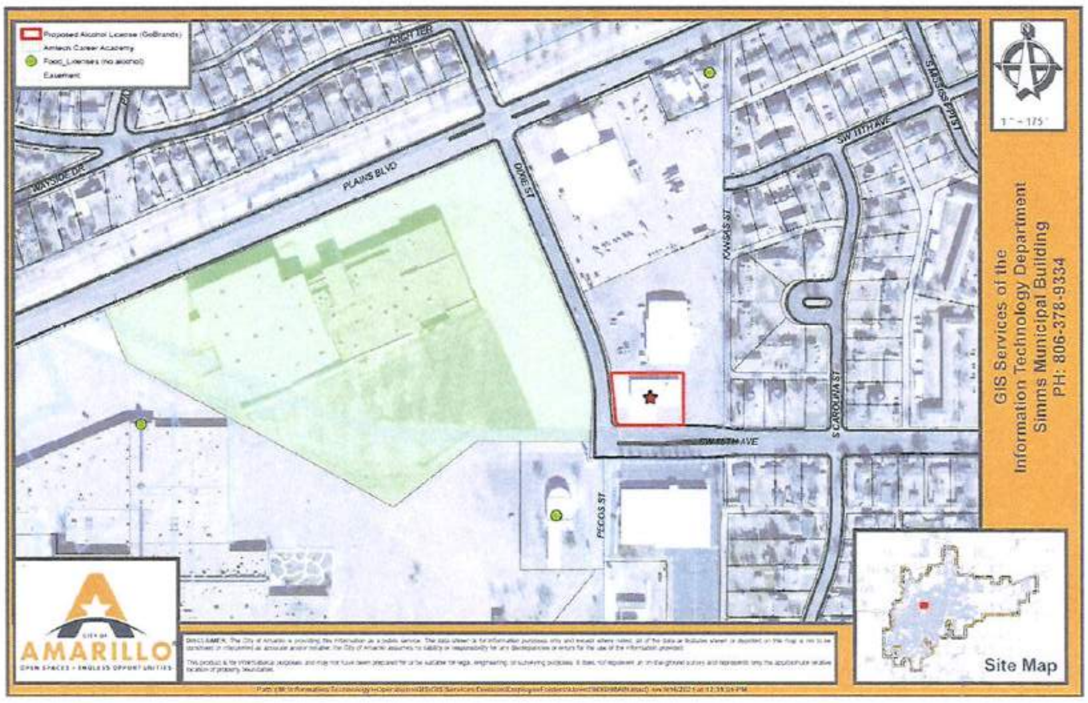
- Is not in the best interest of the public,
- Constitutes waste or inefficient use of land or other resources,
- Creates an undue hardship on an applicant for a license or permit,
- Does not serve its intended purpose,
- Is not effective or necessary, OR,
- Is, for any reason, after consideration of the health, safety, and welfare of the public and the equities of the situation, not in the best interest of the community.

The applicant provided reasoning for requesting the Variance (attached):

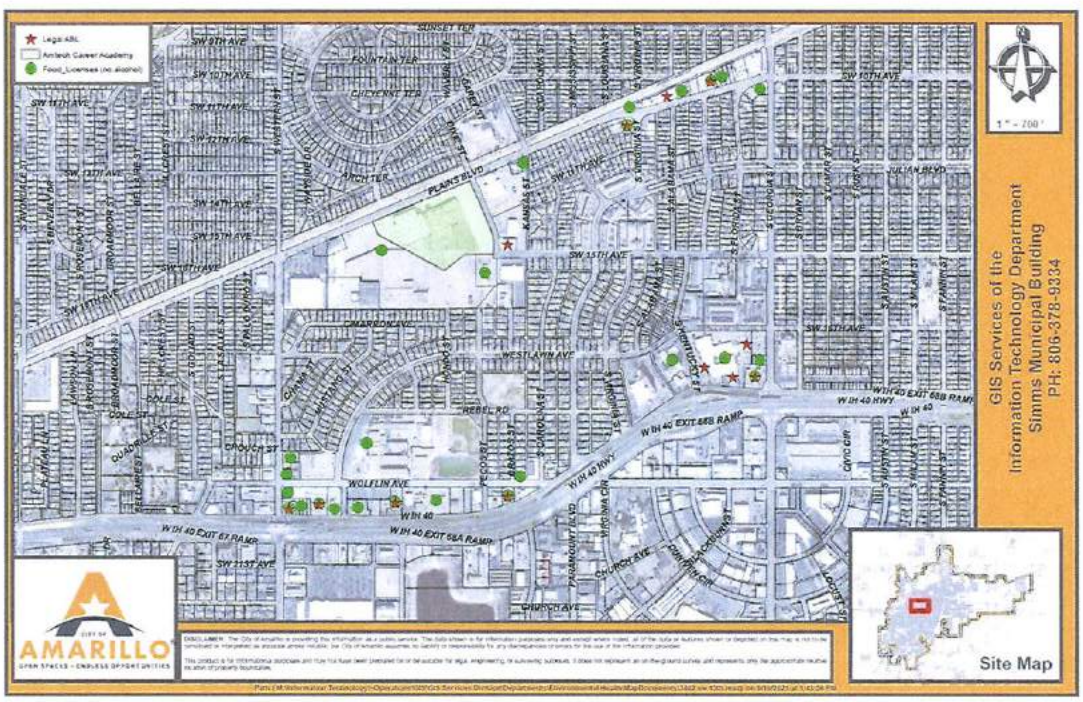
> "GoBrands strives to provide a safe and convenient ordering platform for use to its customers and its community. Because this variance is for off-premises consumption and the location will be closed to the public, the likelihood of incidents involving drunkenness, disorderly conduct, or raucous behavior is greatly reduced and will likely be non-existent. The location itself will be run in a safe and sanitary manner if the requested variance is granted. GoBrands will not produce excessive noise, dirt, litter or odors in the location or surrounding area. As such, no disturbance to AmTech Career Academy, surrounding property owners, or the community at large should occur and compliance with all city ordinances and state laws will be followed".

A map showing the location of the applicant's site in relation to Amarillo ISD AmTech Career Academy (Appendix A) and businesses who have current legal ABL's in the area (Appendix B) are shown below:

Appendix A



Appendix B



Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Community Engagement Summary

N/A

Staff Recommendation

N/A

CMW 9.21.21

ORDINANCE NO. 7938

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

WHEREAS, the Texas Alcoholic Beverage Code, Section 109.33(a), enables cities to enact regulations prohibiting the sale of alcoholic beverages by a dealer whose place of business is within 300 feet of a public school;

WHEREAS, the City of Amarillo, Texas, has enacted Section 14-3-5 of the City of Amarillo Municipal Code prohibiting the sale of alcoholic beverages by a dealer whose place of business is within 300 feet of a public school; and

WHEREAS, the Texas Alcoholic Beverage Code, Section 109.33(e), permits the governing body of a municipality to allow variances to the distance regulations in appropriate situations as listed below; and

WHEREAS, GoBrands Texas LLC desires to sell alcoholic beverages at the following location: 3420 SW 15th Avenue, Amarillo, Texas 79102; and

WHEREAS, said location is within 300 feet of the following public school: AmTech Career Academy, located at 3601 Plains Boulevard, Amarillo, Texas 79102; and

WHEREAS, GoBrands Texas LLC has applied for a variance to the distance regulations prohibiting the sale of alcoholic beverages within three hundred (300) feet of a public school for the following location: 3420 SW 15th Avenue, Amarillo, Texas 79102;

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

SECTION 1. The findings and recitations set out in the preamble to this ordinance are found to be true and correct, and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. Variance. The City Council, as the governing board of the City of Amarillo, Texas, and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds and determines that enforcement of the distance regulation in this particular instance:

_____would not be in the best interest of the public.

_____would constitute waste or inefficient use of land or other resources.

_____would create an undue hardship on the applicant.

_____would not serve its intended purpose.

_____would not be effective or necessary.

_____would not be in the best interest of the community.

SECTION 3. The City Council hereby approves and grants a variance to Section 14-3-5 of the City of Amarillo Municipal Code, which was enacted pursuant to the Texas Alcoholic Beverage Code, Section 109.33(a)(1), for the sale of alcoholic beverages for on and off-purpose consumption at the following location: 3420 SW 15th Amarillo, TX 79102 SECT 226 A B & M BLK 0002, IRREG TR BEG 2524.94FT N & 2382.54FT E OF SW COR OF SECT, 0.6100 ACRES.

SECTION 4. Severability. If any provision, section, subsection, 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 5. Repealer. Subject to the provision in Section 6 (Continuation of Prior Law), all ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 6. Continuation of Prior Law. Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause of action acquired or existing, under any act or ordinance hereby repealed by this ordinance; nor shall any just, vested, or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 7. Effective Date. This ordinance shall be effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 28th day of September 2021 and PASSED on Second and Final Reading on this the 12th day of October 2021.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

BRACKIN | SCHWARTZ
& ASSOCIATES

Marcus Schwartz
511 W 7th St.
Austin, TX 78701
512-549-8904
marcus@txliquorlaw.com

Amarillo City Council
c/o Environmental Health Department
808 S. Buchanan
Amarillo, TX 79101

VIA OVERNIGHT MAIL

9/10/2021

Re: Alcohol Distance Variance Request for GoBrands Texas LLC - 3420 SW 15th Ave.

Dear Council Members:

I represent, GoBrands Texas LLC ("GoBrands"), as the applicant's representative, in this its request for a variance from the City of Amarillo to allow for the sale of beer and wine sales for off-premises consumption only at 3420 SW 15th Ave., Amarillo, TX 79102 (the "Location"). This letter requests a variance in relation to alcohol distance prohibitions in City ordinances.

Should you have any questions or require further information or explanation regarding anything found herein, please do not hesitate to contact me at 512-549-8904 or via email at marcus@txliquorlaw.com.

Statement of Variance Request

GoBrands seeks to allow for the operation of a food and alcohol delivery service from the Location. Specifically, GoBrands seeks to use the Location as a hub for the delivery of food, including beer and wine, and other household goods directly to consumers. The Location itself will not be open to the public and no alcohol or other food/goods will be "sold" inside the Location but these items will be located inside the Location. By way of example, think of this location as a convenience store meets an Amazon warehouse. In other words, customers will order goods, whether that includes beer and wine or not, and such goods will then be delivered to their door. Products cannot be picked up from the Location – they will only be delivered to customers away from the Location.

GoBrands Texas LLC currently operates scores of locations within the State of Texas and is rapidly expanding.

This variance request to allow for beer and wine off-premises sales is meant to provide customers of GoBrands the ability to have delivered directly to their door beer and wine products to customers in the area in addition to foods and other goods. GoBrands has some 40 currently operating TABC permitted locations and this location will provide the same appropriate levels of control over the sales of its alcoholic beverage offerings delivered from the Location for the benefit of all its customers and the community. GoBrands takes all necessary measures and exceeds the minimum requirements under the law to ensure alcohol is handled in the most upright manner. A multi-step age verification process has been implemented for all transactions that contain alcohol to properly identify the age of the customer and identify impermissible locations for the sale of alcohol. Additionally, regular training is conducted to

ensure age restricted products, such as alcohol, are handled in accordance with all applicable laws and regulations. GoBrands considers it a privilege to sell restricted products, such as beer and wine, and it will ensure that they are sold in a legal and responsible manner should this variance be granted.

Location Specifics

The Location will be located on northeast corner of Dixie St, and SW 15th Ave. To the immediate west of Location across Dixie St is the AmTech Career Academy which is or will open soon for education. While the front door to front door measurement from AmTech Career Academy to the Location will be well beyond 300 feet, because the property lines between the school and Location are within 300 feet, the Location is within 300 feet of the school per City Ordinance 14-3-5. Attached is a denial letter from the City noting the same. This variance is requested to allow for the sale of beer and wine for off-premises consumption at the Location, notwithstanding its proximity to the school.

Applicant meets the standard of approval for variances pursuant to the ordinances of the City of Amarillo as GoBrands believes the enforcement of the regulation is not in the best interest of the public, does not serve its intended purpose, is not effective or necessary, and/or for any other reason the City of Amarillo may decide. As the Location is not open to the public and alcohol will not be picked up from Location, only delivered away from the Location direct to customers, any harmful effects of alcohol and its sales in proximity to a school will not take place – which is believed to be the justification for the ordinance.

GoBrands Texas LLC will apply for a wine only package store permit (a "Q" permit) from the Texas Alcoholic Beverage Commission (the "TABC") should this variance request be granted. This is the same TABC permit held by various Wal-Marts and United Supermarkets in Amarillo. The location is not open to the public, it will not sell alcohol by drive-in or drive-through service, and the enforcement of the spacing requirements in this instance does not serve the best interest of the public, the ordinance's intended purpose and/or is not effective or necessary.

Should the Variance be Granted

Should this variance request be granted, the introduction of beer and wine sales for off-premises consumption will not affect the nearby school or the area. The Location will not be open to the public. Beer and wine would only be delivered from the Location. This will not substantially increase traffic congestion or create overcrowding at the Location or in the immediately surrounding areas.

GoBrands strives to provide a safe and convenient ordering platform for use to its customers and its community. Because this variance is for off-premises consumption and the Location will be closed to the public, the likelihood of incidents involving drunkenness, disorderly conduct, or raucous behavior is greatly reduced and will likely be non-existent. The Location itself will be run in a safe and sanitary manner if the requested variance is granted. GoBrands will not product excessive noise, dirt, litter or odors in the Location or the surrounding area. As such, no disturbance to AmTech Career Academy, surrounding property owners, or the community at large should occur and compliance with all city ordinance and state laws will be followed.

For these reasons, GoBrands respectfully requests approval of a variance for the Location.

Sincerely,

Marcus Schwartz

AMARILLO
ENVIRONMENTAL HEALTH

AMARILLO AREA PUBLIC HEALTH DISTRICT
Cities of Amarillo, Canyon, the Villages of Timbercreek Canyon, Lake Tanglewood, Palisades, the Town of Bishop Hills, and Potter and Randall County
CITY OF AMARILLO, P. O. Box 1971, Amarillo, TX, 79105-1971

August 16, 2021

Go Brands LLC
537 N. 3rd Street
Philadelphia, PA. 19123

Re: Beer Retail Dealer's Off-Premise License, Wine Only Package Store Permit, Local Cartage Permit
GoBrands Texas LLC, 3420 SW 15th Ave, Amarillo, TX. 79102

Dear GoBrands Texas LLC:

Our office processes the "Certificate of City Secretary" portion of TABC Prequalification packets for the City of Amarillo. We are unable to certify your Packet for the 3420 SW 15th Ave location for the following reasons:

Section 14-3-5 of the Amarillo Municipal Code, as amended, prohibits the sale of alcohol within 300 feet of a public school. The above location is within 300 feet of AmTech Career Academy located at 3601 Plains Blvd.

For further information, you may contact Anthony Spanel, Environmental Health Director, at 806-378-9472, option 6.

Sincerely,

Shelly Andrews

Shelly Andrews
Administrative Assistant IV

Approved by:

Brenda Shaw

Brenda Shaw, Interim City Secretary

DEPARTMENT OF ENVIRONMENTAL HEALTH
808 S Buchanan
806-378-9472
FAX: 806-378-3585
TDD: (806) 378-4229

Amarillo City Council
Agenda Transmittal Memo

B

Meeting Date	September 28, 2021	**Council Priority**	Public Safety
Department	City Manager's Office		
Contact	Jared Miller, City Manager		

Agenda Caption

CONSIDERATION OF RESOLUTION 09-28-21-4

This item considers a resolution approving and ratifying the Meet and Confer Labor Agreement between the City of Amarillo and the Amarillo Police Officer's Association.

Agenda Item Summary

This item considers a resolution regarding the approval and ratification of a Meet and Confer Labor Agreement (the "Agreement) between the City of Amarillo and the Amarillo Police Officers Association. If ratified, the Agreement would go into effect on October 1, 2021 and expire on September 30, 2024. After expiration, the Agreement would stay in effect until date it is replaced by a successor agreement or September 30, 2025, whichever occurs first. The Agreement has been approved by the Amarillo Police Officer Association.

Requested Action

Consideration of the Resolution 09-28-21-3 to approve and ratify the Agreement.

Funding Summary

Funding of the Agreement would come through General Fund revenues in the Police Department budget.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of the Agreement as presented.

09/01/2021BSM

RESOLUTION NO. 09-28-21-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: A RESOLUTION RATIFYING THE MEET AND CONFER AGREEMENT WITH THE AMARILLO POLICE OFFICERS ASSOCIATION; PROVIDNG FOR AN EFFECTIVE DATE.

WHEREAS, the City Council recognizes the invaluable service that members of the Amarillo Police Department provide for the citizens of Amarillo; and

WHEREAS, the City Council finds that an open dialogue regarding employment concerns of the Amarillo Police Department contributes to the continued success of the department; and

WHEREAS, the City Council desires to formalize its show of support and solidarity with members of the Amarillo Police Department towards the common goal of providing superior public safety for the citizens of Amarillo.

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

SECTION 1: Adoption. The City Council of the City of Amarillo, Texas hereby approves and ratifies the attached Meet and Confer Labor Agreement between the City of Amarillo, Texas and the Amarillo Police Officers Association.

SECTION 2. Effective date. This Resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 28th day of September 2021.

_____
Freda Powell, Mayor Pro Tem

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

Amarillo City Council
Agenda Transmittal Memo

C

Meeting Date	September 28, 2021	**Council Priority**	Civic Pride
Department	Parks and Recreation		
Contact	Michael Kashuba, Director of Parks and Recreation		

Agenda Caption

CONSIDERATION OF RESOLUTION 09-28-21-5 – ADOPTION OF THE PARKS MASTER PLAN
(Contact: Michael Kashuba, Director of Parks and Recreation)

The resolution approves the Parks Master Plan as the official document for the Amarillo Parks & Recreation Department, its appointed board and City administration as a guideline for future growth, development, and redevelopment of the City of Amarillo's parks system.

Agenda Item Summary

The resolution approves the Parks Master Plan as the official document for the Amarillo Parks & Recreation Department, its appointed board and City administration as a guideline for future growth, development, and redevelopment of the City of Amarillo's parks system.

Requested Action

Council consideration and approval of the resolution.

Funding Summary

N/A

Community Engagement Summary

Bilingual Park and Recreation Survey – 2,368 Participants (4/24/2020 - 5/31/2020)
Prioritization Challenge – 6,904 Participants (7/1/2021 – 7/25/2021)
Community Solutions Meeting – 270+ Participants (7/12/2021)

2021

9/20/2021 – Park Board recommended the Parks Master Plan for Council consideration and approval.
9/14/2021– Council update
9/14/2021 – Parks and Recreation Advisory Board update
8/11/2021 – Parks and Recreation Advisory Board update
7/14/2021 – Parks and Recreation Advisory Board update
6/22/2021 – Council Update
5/12/2021 – Parks and Recreation Advisory Board update
4/14/2021 – Parks and Recreation Advisory Board update
4/13/2021 – Beautification and Public Arts Advisory Board Update
3/10/2021 – Parks and Recreation Advisory Board update
2/10/2021 – Parks and Recreation Advisory Board update
1/20/2021 – Parks and Recreation Advisory Board update
1/14/2021 – Pedestrian and Bicycle Safety Advisory Committee update
1/11/2021 – Beautification and Public Arts Advisory Board Update

2020

12/16/2020 – Parks and Recreation Advisory Board update
11/18/2020 – Parks and Recreation Advisory Board update
8/10/2020 – Pedestrian and Bicycle Safety Advisory Committee
7/8/2020 – Parks and Recreation Advisory Board update
6/14/2020 – Council Update
6/10/2020 – Parks and Recreation Advisory Board update
5/5/2020 – Council Update
5/13/2020 – Parks and Recreation Advisory Board update

2019

9/11/2019 – Parks and Recreation Advisory Board update
6/18/2019 – Council approval of a Professional Services Agreement with Moore, Iacofano, Goltsman Inc (MIG, INC) for the Parks Master Plan

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Staff Recommendation

Staff recommends approval.

09/22/2021 BSM _____

RESOLUTION NO. 09-28-21-5

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS APPROVING AND ADOPTING THE AMARILLO PARKS MASTER PLAN; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, the Amarillo City Council adopted the Amarillo Parks Master Plan by Resolution No. 1-21-97-2 on January 21, 1997; and

WHEREAS, the Amarillo City Council now finds there is a need to revise said Plan; THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1. That the Amarillo Parks Master Plan is hereby amended and restated, and approved as shown on the attached document.

SECTION 2. That the revised Amarillo Parks Master Plan should be used by the Amarillo Parks & Recreation Division, its appointed boards, and the City administration as a guideline for future growth, development, and redevelopment of the City of Amarillo's parks system.

SECTION 3. All resolutions or parts thereof that conflict with this resolution are hereby repealed, to the extent of such conflict.

SECTION 4. In the event this resolution or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the resolution, and such remaining portions shall continue to be in full force and effect.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on this 28th day of September 2021.

_____
Freda Powell, Mayor Pro Tem

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____
Bryan McWilliams, City Attorney

D

Amarillo City Council
Agenda Transmittal Memo

AMARILLO ECONOMIC DEVELOPMENT

Meeting Date	September 28, 2021	**Council Pillar**	Economic Development
Department	Amarillo Economic Development Corporation		
Contact	Kevin Carter, President and CEO		

Agenda Caption

CONSIDER APPROVAL – TAX ABATMENT AGREEMENT

This item is to consider a Tax Abatement Agreement between City of Amarillo and Encompass Health Texas Real Estate, LLC, Encompass Health Rehabilitation Hospital of Amarillo, LLC (together, "Recipient") and Parkwest Corporate Center, Ltd.

Agenda Item Summary

Encompass Health is considering constructing a new, 40-bed inpatient rehabilitation hospital in the Point West section of the Amarillo medical center. This hospital would mostly treat elderly patients recovering from a fall and/or surgery and stroke victims. The goal is to transition them to a home setting in two weeks. Only physical therapy will be offered, no drug rehabilitation. They project 639 discharges in year one increasing to 1,000 in year five. Construction is expected to take one year and licensing an additional two months. Highlights of the project include:

- **Construction of a new 47,745 square foot facility on 7.29 acres located in the Point West Development.**
- **90 new employees projected Y1 increasing to 110 Y5**
- **$5,400,000 new payroll projected**
- **Skilled FTEs average $53,786/yr.; management FTEs average $102,650/yr.**
- **$26,400,000 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 2021 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., ENCOMPASS HEALTH TEXAS REAL ESTATE, LLC, AND ENCOMPASS HEALTH REHABILITATION HOSPITAL OF AMARILLO, LLC

STATE OF TEXAS §
§
COUNTY OF POTTER §

This Tax Abatement Agreement ("***Agreement***"), is entered into as of this 28th day of September, 2021 ("***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***"), Encompass Health Texas Real Estate, LLC, a Delaware limited liability company ("***EH Real Estate***"), and Encompass Health Rehabilitation Hospital of Amarillo, LLC, a Delaware limited liability company ("***EH Hospital***").

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 24th day of August, 2021, the City Council readopted the Policy Statement by the passage of Resolution No. 08-24-21-1; 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 28th day of September, 2021, the City Council adopted Ordinance No. 7927 establishing City of Amarillo Reinvestment Zone No. 14 ("***Zone***") for commercial/industrial tax abatement, as authorized by Tax Code Chapter 312; and

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

WHEREAS, EH Real Estate and EH Hospital expect EH Hospital to lease the Premises from EH Real Estate after the closing of the Purchase Agreement; and

WHEREAS, the contemplated uses of the Premises (a rehabilitation hospital), 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, EH Hospital'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 90 new full time jobs; 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, EH Real Estate, and EH Hospital 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 the Texas Tax Code.

2) "Eligible Property Value" shall mean the value of EH Real Estate's Qualified Facilities and EH Hospital'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 EH Real Estate for design, assembly, manufacturing, storage, training, repair, or other purposes in the Zone, consisting of an approximately 47,745 ft^2 and 40-bed inpatient rehabilitation hospital expected to cost approximately $21,900,000.

4) "Qualified Personal Property" shall mean the machinery, equipment, furniture, fixtures, and other tangible personal property that are eligible for tax abatement under Tax Code Chapter 312, consisting of rehabilitation furniture, fixtures, and equipment sufficient to carry on inpatient rehabilitation operations and expected to cost $4,500,000, and that:

a) is owned by EH Hospital 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 EH Real Estate 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 (or that entirely constitutes 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) EH Real Estate and EH Hospital 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 EH Hospital.

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 EH Hospital's corporate, public, employee, and business relations requirements.

4) The Premises are presently owned by Parkwest and are to be owned by EH Real Estate under the Purchase Agreement. Parkwest joins herein solely as an accommodation party currently owning the Premises which are to be transferred to EH Real Estate under such Purchase Agreement; provided, however, that all parties hereto agree that the Purchase Agreement is the sole agreement between Parkwest and EH Real Estate 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 EH Real Estate. 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, the 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, EH Real Estate and EH Hospital 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) EH Real Estate or EH Hospital; or

b) A third party when

i) EH Real Estate or EH Hospital is contractually obligated to pay taxes on said personal property; and

ii) EH Real Estate or EH Hospital 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 EH Real Estate and EH Hospital 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 EH Real Estate and EH Hospital 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 EH Real Estate or EH Hospital 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 EH Real Estate or EH Hospital timely files an approved abatement application for that Phase with the Potter County Appraisal District.

4. Construction May Occur in Phases

At its option, EH Real Estate or EH Hospital may elect to stage development of the Qualified Facilities and Qualified Personal Property to occur at different times within the Zone. If EH Real Estate or EH Hospital 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.

EH Real Estate and EH Hospital 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 (5^{th}) 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.

Year of Abatement	Rate of Abatement on Incremental Increase
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 and upon at least 24 hours prior notice to EH Hospital, the City and the Potter County Appraisal District shall have reasonable access to the Premises by their employees or agents, accompanied by EH Real Estate or EH Hospital 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 EH Real Estate and EH Hospital for purposes of determining compliance with state law and this Agreement. City acknowledges that EH Hospital is subject to the provisions of the Health Insurance Portability and Accountability Act of 1996 and related regulations ("***HIPAA***"), and that HIPAA requires EH Hospital to ensure the safety and confidentiality of patient medical records. EH Hospital further acknowledges that, in order for EH Hospital to comply with HIPAA, EH Hospital must restrict access to the portions of the Premises where patient medical records or protected health information are kept or stored. City hereby agrees that, notwithstanding the rights granted to City under this Section 6(1), except for an emergency entry into the Premises or when accompanied by an authorized representative of EH Hospital, neither EH Hospital nor its employees, agents, representatives or contractors shall be permitted to enter those areas of the Premises designated by EH Hospital as locations where patient medical records are kept and/or stored or in any patient examination rooms when occupied by a patient.

2) Before December 31 of each year, EH Real Estate and EH Hospital 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 EH Real Estate and EH Hospital 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

EH Real Estate and EH Hospital shall not be entitled to any Eligible Property Value tax abatement under this Agreement for any tax year during which EH Real Estate or EH Hospital is in default of this Agreement following the expiration of the applicable cure period set forth in, or authorized pursuant to, Section 8 of this Agreement.

8. Breach and Default

In the event that EH Real Estate or EH Hospital:

1) fails to make the improvements or repairs;

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 the documents required to be filed with the State Comptroller or local tax appraisal district in connection with the tax abatement set forth in this Agreement; or,

4) breaches any of the terms or conditions of this Agreement;

then EH Real Estate and EH Hospital shall be in default of this Agreement.

If EH Real Estate or EH Hospital defaults in its performance of 1, 2, 3, or 4 above, the City shall give EH Real Estate and EH Hospital written notice of default. If EH Real Estate or EH Hospital, 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, EH Real Estate and EH Hospital 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 EH Real Estate or EH Hospital, and EH Real Estate and EH Hospital, as appropriate, has begun efforts to cure the default, then after first advising the City of its efforts, EH Real Estate or EH Hospital 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 EH Real Estate or EH Hospital, 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 EH Real Estate or EH Hospital 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 EH Real Estate or EH Hospital to an entity controlling, controlled by, or under common control with EH Real Estate or EH Hospital without further consent of the City.

2) This Agreement may be assigned by EH Real Estate or EH Hospital 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 EH Real Estate notifies City that EH Real Estate 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 EH Real Estate and EH Hospital, in performing their obligations hereunder, are acting independently of City and Parkwest. City and Parkwest assume no responsibilities or liabilities in connection therewith to EH Real Estate, EH Hospital, or third parties, and City agrees that Parkwest has no responsibility or liability under this Agreement with respect to the obligations of EH Real Estate or EH Hospital. EH Real Estate and EH Hospital 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 EH Real Estate's or EH Hospital's, respectively, acts or omissions relating to the Premises, Qualified Facilities, Qualified Personal Property, or the performance or benefits of this Agreement provided, however, such indemnity shall not extend to matters outside the scope 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 EH Hospital:
Encompass Health Rehabilitation Hospital of Amarillo, LLC

_____

_____

_____

Attention: _____

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

_____
_____
_____
Attention: _____

For EH Real Estate:
Encompass Health Texas Real Estate, LLC
Attn: Shawn Patzkowsky
9001 Liberty Parkway
Birmingham, AL 35242
Email: shawn.patzkowsky@encompasshealth.com

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

_____
_____
_____
Attention: _____
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. EH Real Estate, EH Hospital, and Parkwest Authorization

This Agreement was entered into by EH Real Estate, EH Hospital, and Parkwest pursuant to proper authority whereby an authorized executive officer of EH Real Estate, EH Hospital, 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. EH Real Estate and EH Hospital Standing

EH Real Estate and EH Hospital 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 EH Real Estate and EH Hospital 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 provided, that following the purchase of the Premises by EH Real Estate, Parkwest shall not be a necessary party and this agreement may be modified without Parkwest's consent or acknowledgement.

Notwithstanding the foregoing provisions, this Agreement does not modify, alter, or amend any other agreement or instrument between the City, EH Real Estate, and/or EH Hospital 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 EH Real Estate, EH Hospital, 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:

_____
Stephanie Coggins, 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 _____, 2021.

_____
Notary Public, State of Texas

ENCOMPASS HEALTH TEXAS REAL ESTATE, LLC

By: _____
Printed Name:
Title:

EH Real Estate Acknowledgment

ENCOMPASS HEALTH TEXAS REAL ESTATE, 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 Encompass Health Texas Real Estate, 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 Encompass Health Texas Real Estate, 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 _____, 2021.

_____
Notary Public, State of _____

ENCOMPASS HEALTH REHABILITATION HOSPITAL OF AMARILLO, LLC

By: _____
Printed Name:
Title:

EH Hospital Acknowledgment

ENCOMPASS HEALTH REHABILITATION HOSPITAL OF AMARILLO, 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 Encompass Health Rehabilitation Hospital of Amarillo, 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 Encompass Health Rehabilitation Hospital of Amarillo, 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 _____, 2021.

_____
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 CALIFORNIA §
§
COUNTY OF _____ §

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 Texas 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 _____, 2021.

_____
Notary Public, State of California

EXHIBIT A
POLICY STATEMENT

EXHIBIT B

Property Description

PROPERTY DESCRIPTION:

A 7.29 acre tract of land in Section 43, Block 9, B.S.& F. Survey, Potter County, Texas being a portion of that certain tract known as 166.2 acres as described in a Special Warranty Deed of record in Volume 3117, Page 765 of the Official Public Records of Potter County, Texas, said 7.29 acre tract being further described by metes and bounds as follows:

Commencing at the Southwest corner of said Section 43, Block 9;

THENCE South 89 degrees 49 minutes 19 seconds East along the South line of Section 43, a distance of 2361.35 feet to a point;

THENCE North 00 degrees 10 minutes 41 seconds East, a distance of 1609.18 feet to an "X" in concrete found in the North line of Wallace Boulevard for the POINT OF BEGINNING of this tract, same being a point on a non-tangent curve to the right having a radius of 2622.00 feet;

THENCE Northwesterly along the North line of Wallace Boulevard and said curve to the right an arc distance of 177.50 feet (Chord bearing: North 56 degrees 56 minutes 32 seconds West, 177.47 feet) to an "X" in concrete found;

THENCE North 55 degrees 00 minutes 10 seconds West, along the North line of Wallace Boulevard, a distance of 479.00 feet to an "X" in concrete set;

THENCE North 34 degrees 59 minutes 50 seconds East, a distance of 496.82 feet to a 3/8" iron rod with cap marked "HBD" set;

THENCE South 55 degrees 00 minutes 10 seconds East, a distance of 623.00 feet to a 3/8" iron rod with cap marked "HBD" found;

THENCE South 31 degrees 06 minutes 30 seconds West, a distance of 491.94 feet to the POINT OF BEGINNING of this tract;

Said tract contains a computed area of 7.29 acres of land.

E

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	September 28, 2021	Council Priority	Infrastructure Initiative

Department	Capital Projects & Development Engineering	Contact Person	Kyle Schniederjan, P.E., Director of Capital Projects & Development Engineering

Agenda Caption

CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT – ENGINEERING SERVICES - PROJECT #411739 PARTNERSHIP FOR DEVELOPMENT PROGRESS
Award to: Kimley Horn and Associates, Inc. – $166,400

This item is to consider award of a Contract for Engineering Services for Phase I of the Partnership for Development Progress Project.

Agenda Item Summary

This project includes the evaluation of current ordinances, policies, procedures, planning documents, and funding source documents pertinent to the funding of future infrastructure for the development and general growth of the City. Work will include an existing conditions evaluation; best practice and peer review; the identification of strategies, policies, objectives, and initiatives that can be used to fund future infrastructure; the development of a public relations outreach strategy; and a concise roadmap style guidance document for future phases. The work is to be coordinated with a Citizens Advisory Committee and guided by input from the community. Proposed Phases of the project include Phase I: Evaluation Phase, Phase II: Project Development Phase, and Phase III: Implementation Phase.

Requested Action

Consider approval and award to Kimley Horn and Associates, Inc. in the amount not to exceed- $166,400.00.

Funding Summary

Funding for this amendment is available in the approved Project #411739.

Community Engagement Summary

Various community engagement will take place as part of the project. A Citizens Advisory Committee is proposed to be formed and will play an extensive role in the formulation and direction of Phases II and III of the project. Recommendations for a public relations campaign are part of the design scope of phase I of the Project.

Staff Recommendation

City Staff is recommending approval and award of the contract.