AGENDAS

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, SEPTEMBER 5, 2017 AT 3:00 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 4:00 P.M., CITY HALL, 509 SOUTHEAST 7th AVENUE, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

***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.*

WORK SESSION

A. City Council will discuss or receive reports on the following current matters or projects.
   (1) Review agenda items for regular meeting and attachments;
   (2) Update on the Brush Site and Compost Facility;
   (3) Consider future Agenda items and request reports from City Manager.

B. City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:
   (1) Attorney consultation. Consult with the attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter, in accordance with the Texas Open Meetings Act, Texas Government Code, Section 551.071.
      (a) Consultation with attorney regarding status of negotiations – MPEV lease agreement and related matters.
   (2) Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee, in accordance with the Texas Open Meetings Act, Section 551.074.
      (a) Discussion regarding judicial appointments for Municipal Court.

REGULAR MEETING ITEMS

INVOCATION: Bob Schroeder, Hillside Christian Church

PROCLAMATIONS: "National Preparedness Month"
"Turn Around Don't Drown"

PUBLIC COMMENT: Citizens who desire to address the City Council with regard to matters on the agenda or having to do with the City's policies, programs, or services will be received at this time. The total time allotted for comments is 30-minutes with each speaker limited to three (3) minutes. City Council may not discuss items not on this agenda, but may respond with factual, established policy information, or refer to staff. The City Council may choose to place the item on a future agenda.
(Texas Attorney General Opinion. JC-0169.)

1. **CONSENT AGENDA**:
   It is recommended that the following items be approved and that the City Manager be authorized to execute all documents necessary for each transaction:

   THE FOLLOWING ITEMS MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COUNCILMEMBER, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

A. **MINUTES**:
Approval of the City Council minutes of the special and regular meetings held on August 29 and August 30, 2017.

B. **APPROVAL -- EQUIPMENT PROCUREMENT FOR THE RUNWAY WEATHER INFORMATION SYSTEM (RWIS) AT THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT**:
(Contact: Mike Conner, Airport Director)
This item is for approval of repairs to the Airport's Runway Weather Information System (RWIS) and advanced procurement schedule to meet a construction completion target of October 2017. Vendor requirements for equipment procurement are set at a minimum seven weeks, after receipt of order (ARO). The Airport will coordinate the order by September 4, 2017 to complete the repairs by October 2017.

C. **APPROVAL – RENEWAL OF PANTEX MEMORANDUM OF UNDERSTANDING (MOU)**:
(Contact: Chip Orton, Emergency Management Coordinator)
This item renews the Pantex Memorandum of Understanding (MOU).

REGULAR AGENDA

2. **ORDINANCE NO. 7679**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2017 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Heritage Hills Public Improvement District (PID). The Heritage Hills PID is generally located at Hollywood and Soncy Roads in Amarillo. This ordinance is recommended for approval by a unanimous vote of the Heritage Hills Public Improvement District Advisory Board.

3. **ORDINANCE NO. 7680**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Town Square Public Improvement District (PID). The Town Square PID is generally located at the northwest corner of Soncy and Hillside Roads in Amarillo. This ordinance is recommended for approval by a unanimous vote of the Town Square Public Improvement District Advisory Board.

4. **ORDINANCE NO. 7681**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Point West Public Improvement District (PID). The Point West PID is generally located at the northwest corner Amarillo Boulevard West and Research Street.

5. **ORDINANCE NO. 7682**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Vineyards Public Improvement District (PID). The Vineyards PID is generally located at the northwest corner of East Hastings Avenue and Broadway Drive. This ordinance is recommended for approval by a unanimous vote of the Vineyards Public Improvement District Advisory Board.

6. **ORDINANCE NO. 7683**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Redstone Public Improvement District (PID). The Redstone PID is generally located at the southwest corner of Coulter Street and Hollywood Road in Amarillo. This ordinance is recommended for approval by a unanimous vote of the Redstone Public Improvement District Advisory Board.

7. **ORDINANCE NO. 7684**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Quail Creek Public Improvement District (PID). The Quail Creek PID is generally located at the intersection of Clear Meadow Circle and Plum Creek Drive. This ordinance is recommended for approval by a unanimous vote of the Quail Creek Public Improvement District Advisory Board.

8. **ORDINANCE NO. 7685**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Tutbury Public Improvement District (PID). The Tutbury PID is generally located at the intersection of Tutbury Court and Van Winkle Drive This ordinance is recommended for approval by a unanimous vote of the Tutbury Public Improvement District Advisory Board.

9. **ORDINANCE NO. 7686**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Colonies Public Improvement District (PID). The Colonies PID is generally located at the northeast corner of Hillside and Soncy Roads. This ordinance is recommended for approval by a unanimous vote of the Colonies Public Improvement District Advisory Board.

10. **ORDINANCE NO. 7687**:
(Contact: Kelley Shaw, Housing Administrator)
This is the first reading of an ordinance adopting the 2017/2018 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Greenways Public Improvement District (PID). The Greenways PID is generally located at the southwest corner of Hillside Road and Coulter Street. This ordinance is recommended for approval by a unanimous vote of the Greenways Public Improvement District Advisory Board.

11. **PUBLIC HEARING ON TAX INCREASE:**
(Contact: Michelle Bonner, Assistant City Manager)
THE CITY OF AMARILLO IS CONSIDERING A TAX RATE OF $0.36364, WHICH IS GREATER THAN THE CURRENT RATE. THIS PROPOSED RATE WILL RAISE MORE TAXES THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.33 PERCENT. THE TAX ON AN AVERAGE HOME LAST YEAR WAS $434.32 THE TAX ON AN AVERAGE HOME WOULD BE $476.49 UNDER THE PROPOSED RATE.

12. **PUBLIC HEARING ON FISCAL YEAR 2017/2018 BUDGET**:
(Contact: Michelle Bonner, Assistant City Manager)
This Budget will raise more total property taxes than last year's budget by $3,147,752 or 7.73%, and of that amount $862,593 is tax revenue to be raised from new property added to the tax roll this year.

13. **ORDINANCE NO. 7688**:
(Contact: Michelle Bonner, Assistant City Manager)
This is the first reading of an ordinance adopting the City of Amarillo budget for the 2017/2018 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year.

14. **ORDINANCE NO. 7689**:
(Contact: Michelle Bonner, Assistant City Manager)
This is the first reading of an ordinance approving the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2017 tax year. This ordinance establishes an ad valorem tax rate of $0.32698 per $100.00 property valuation for City maintenance and operations expenses and $0.03666 per $100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of $0.36364 per $100.00 property valuation.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.33 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $0.00.

15. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7690**:
(Contact: AJ Fawver, Planning & Zoning Director)
This is a public hearing and first reading rezoning of a 10.37 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to Residential District 3 (R-3). (Vicinity: West Farmers Avenue and Nasa Avenue.)

16. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7691**:
(Contact: AJ Fawver, Planning & Zoning Director)
This is a public hearing and first reading rezoning of 14.97 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3). (Vicinity: Crestline Drive and Cagle Drive.)

17. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7692**:
(Contact: AJ Fawver, Planning & Zoning Director)
This is a public hearing and first reading rezoning of 13.79 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3). (Vicinity: Arlo Drive and Cagle Drive.)

18. **PRESENTATION AND CONSIDERATION OF RESOLUTION ESTABLISHING THE CITY OF AMARILLO'S PACE PROGRAM**:
(Contact: Andrew Freeman, Economic Development Manager)
This is a public hearing and consideration of a resolution establishing the City of Amarillo's PACE Program.

19. **RESOLUTION – AUTHORIZING THE REFUNDING OF CANADIAN RIVER MUNICIPAL WATER AUTHORITY CONTRACT REVENUE BONDS, SERIES 2009 (CONJUNCTIVE USE GROUNDWATER SUPPLY PROJECT)**:
(Contact: Michelle Bonner, Assistant City Manager)
This resolution authorizes the Authority to issue refunding bonds to refund all or a part of the outstanding Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009.

MISCELLANEOUS

1. Planning and Zoning Commission, minutes of August 14, 2017.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (Southeast 7th Avenue) 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 1st day of September 2017.

Amarillo City Council meetings stream live on Cable Channel 10 and are available online at:
www.amarillo.gov/granicus
Archived meetings are also available.

A

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 29th day of August 2017, the Amarillo City Council met at 3:00 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON	MAYOR
ELAINE HAYS	COUNCILMEMBER NO. 1
FREDA POWELL	COUNCILMEMBER NO. 2
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	COUNCILMEMBER NO. 4

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

JARED H. MILLER	CITY MANAGER
BOB COWELL	DEPUTY CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
ANDREW FREEMAN	ECONOMIC DEVELOPMENT MGR.
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Melanie Scott, Chaplain for Amarillo Association of Realtors. Mayor Nelson led the Pledge of Allegiance.

Proclamations were presented for "National Hunger Action Month," and to "Floyd Anthony." Council also recognized Bob Cowell on his last day with the City of Amarillo.

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

PUBLIC COMMENT:

James Schenck, 6216 Gainsborough Street, described Type B Corporations. He stated he attended the brush site meetings. He further stated the decline in golf was due to higher rates. Mayor Nelson acknowledged Sean Villalobos, Boy Scout. Rusty Tomlinson, 5700 Canyon Drive, stated David Henry with the Globe News quoted from the document he read last week. Austin Contreras, 2509 Redwood Street, spoke about the statute crisis. Vivian Inez Yvonne Woods, 3127 Redwood Street, spoke about the events of recent weeks. She further stated history cannot be erased and that society is polluted with violence. Pastor Tommy Politz, 7906 London Court, stated he and Pastor Moore have a vision for unity and a possible solution. He further stated they would like to create a new nonprofit organization. The group would consists of various pastors and leaders. They would develop a website, set goals and involve AISD students to come up with ideas for the next generation. The submitted ideas from all schools will be displayed, and a $5,000 college scholarship of their choice will be raised by private dollars. Pastor Herman J. Moore, 402 Sue Terrace, stated a need to set a tone for Amarillo and to be a model city for other cities to emulate. He further stated history cannot be changed or controlled, but the need to control what we can going forward. There were no further comments.

ITEM 1: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Smith to approval of the consent agenda, seconded by Councilmember Powell.

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

A. **MINUTES**:
Approval of the City Council minutes of the regular meetings held on August 22, 2017.

DRAFT

B. **ORDINANCE NO. 7676**:
(Contact: AJ Fawver, Planning & Zoning Director)
This is the second and final reading to rezone Lots 1, 2, 4 through 8, and a portion of lot 3, Block 24, Mrs. M. D. Oliver Eakles Unit No. 1, in Section 171, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 351(PD-351) to Residential District 1 (R-1) with Specific Use Permit 3 (S-3) (Vicinity: Southwest 24th Avenue and South Van Buren Street.)

C. **ORDINANCE NO. 7677**:
(Contact: AJ Fawver, Planning & Zoning Director)
This is the second and final reading to rezone a 24.37 acre tract of land in Section 191, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to Residential District 3 (R-3). (Vicinity: Temecula Creek Boulevard and Cabernet Way.)

D. **ORDINANCE NO. 7678**:
(Contact: AJ Fawver, Planning & Zoning Director)
This is the second and final reading of an ordinance annexing into the City of Amarillo, Potter County, Texas, on petition of property owner, territory generally described as a 154.68 acre tract located northwest oc the city northwest of the intersection of Ravenwood Drive and Tascosa Road (RM 1061), and extending north/northwest adjacent to the westernmost line of Tascosa Road (RM 1061) for a distance of 5,562', and out of an 883.57 acre tract situated in Section 24, Block 9, B.S.&F. Survey; describing the territory annexed; finding that all necessary and required legal conditions have been satisfied; providing for amendment of the boundaries and official map of the City; approving a service plan therefore; subjecting the property situated therein to bear its pro rata part of taxes levied; providing rights and privileges as well as duties and responsibilities of inhabitants of said territory; directing the filing of the ordinance in the manner required by law; directing notice to service providers and state agencies; providing a severability clause; declaring compliance with open meetings act; and, providing an effective date.

E. **AWARD -- VACCINE ANNUAL CONTRACT**:
(Contact: Casie Stoughton/Carol Hill/Hector Mendoza)
Awarded to Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) -- $623,673.40
This is to award the Vaccine Annual Contract Bid No. 5832 to Minnesota Multistate Contracting for Pharmacy (MMCAP).

F. **AWARD – MECHANICAL SYSTEMS UPGRADES BOILER INSTALLATION AT AMARILLO RICK HUSBAND INTERNATIONAL AIRPORT**:
(Contact: Mike Conner, Director of Aviation)
Awarded to: West Techs Chill Water Specialist, LLC -- $427,500.00
This item is award of the bid for the airport terminal boiler installation. Included in the bid scope were the following items:
1. Removal of existing steam boiler system.
2. Installation of the new closed-loop boilers previously procured.
3. Replacement of the domestic hot water heater.

G. **AWARD – THE PURCHASE OF NEW LIGHTS AND POLES FOR DOWNTOWN PROJECTS**:
(Contact: Trent Davis, Purchasing Agent)
Award to Techline Inc. -- $249,535.65
This award is to approve the purchase of downtown lights and poles.

H. **ACCEPTANCE – REFUGEE MEDICAL SCREENING GRANT**:
(Contact: Casie Stoughton, Director of Public Health)
Grant Amount: $424,083
Grantor: U.S. Committee for Refugees and Immigrants
This item accepts the award from the U.S. Committee for Refugees and Immigrants from October 1, 2017 thru September 30, 2018 to continue health screening services for refugees resettled in Potter/Randall Counties.

Mr. Miller gave an update on Hurricane Harvey. The City of Amarillo has deployed 17 people. Eight police officers for security at shelters, two police and one firefighter boat rescue team, and eight firefighters to provide rescue operations. They will provide additional assistance, if necessary. Russell Grubbs, Director of Utilities was in Rockport to examine the water and wastewater facilities.

REGULAR AGENDA

ITEM 2: Ms. Bonner explained that the language on the agenda is prescribed by the state and the Texas Property Tax Laws Truth-in-Taxation. The rate exceeds the rollback rate or effective rate by 8.33 percent. The City will conduct public hearings setting the maximum tax rate. The effective tax rate will generate the same amount of revenue as last year. The current tax rate which yields more revenue based on increased property values. The legal notice was placed in the newspaper on August 18, 2017. There are two public hearings, one today and the next one on September 5, 2017. The tax rate last year was 0.35072 the proposed tax rate for 2017 is 0.36364. Ms. Bonner also announced there would be two Council meetings to discuss the property tax, September 5 and September 12, 2017.

Mayor Nelson opened the public hearing. James Schenck, 6216 Gainsborough Street, stated there was no need to mention the frozen taxes. He stated the property evaluations and market values determined were ambiguous and with all the new businesses it was not absorbing the property values. He further asked that the taxes and debt be kept low, and he would like to see reductions in budgets. Pastor Herman J. Moore, 402 Sue Terrace, stated the property values in North Amarillo were being raised but they are unable to borrow money against the appraisal values due to the properties being hard to sell. John Ingerson, 48 St. Andrews, stated he did not like paying taxes, but was concerned about the crime rate and the need for additional police officers. Reginald Armstrong, 3413 Tripp Avenue, asked that the City help citizens understand the tax rate increase and why the increase was needed for better services or shortfall. Ms. Bonner stated the Potter Randall Appraisal District valuations are separate from the City. Mayor Nelson stated the City only receives 14% and the City is not part of the valuation process. Councilmember Smith stated PRAD sets values with comparables and the Appraisal Review Board does hear disputes There were no further comments. Mayor Nelson closed the public hearing.

ITEM 3: Mayor Nelson presented a resolution approving the 2017/2018 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. This item was presented by Michelle Bonner, Assistant City Manager. Scott Bentley, Chairman of the Board was also present. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following captioned resolution be passed:

RESOLUTION NO. 08-29-17-1

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: ADOPTING THE BUDGET OF THE TAX INCREMENT REINVESTMENT ZONE NO. 1, CITY OF AMARILLO FOR THE FISCAL YEAR OCTOBER 1, 2017, TO SEPTEMBER 30, 2018.

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

ITEM 4: Mayor Nelson presented a resolution of Intent to Establish a City of Amarillo PACE Program. This item was presented by Andrew Freeman, Economic Development Manager and Charlene Heydinger, President Texas PACE Authority. Motion was made

by Councilmember Sauer, seconded by Councilmember Smith, that the following captioned resolution be passed:

RESOLUTION NO. 08-29-17-2

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: ADOPTING THE BUDGET OF THE TAX INCREMENT REINVESTMENT ZONE NO. 1, CITY OF AMARILLO FOR THE FISCAL YEAR OCTOBER 1, 2017, TO SEPTEMBER 30, 2018.

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

ITEM 5: Mayor Nelson presented a resolution ratifying the meet and confer agreement with the Amarillo Police Officers Association, providing for an effective date. This item was presented by Bob Cowell, Deputy City Manager and Sgt. Norman Fisher, Amarillo Police Department. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that the following captioned resolution be passed:

RESOLUTION NO. 08-29-17-3

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; PROVIDING FOR AN EFFECTIVE DATE.

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

ITEM 6: Mayor Nelson presented an item approving Change Order No. 2 which adds a profile mill and overlay of Buchanan Street from 6th Avenue to 11th Avenue, and Pierce and Fillmore Streets at their intersection with 6th Avenue to match the scope of the existing contract. This Change Order also proposes unit adjustments to proposed 26th Avenue from Paramount Boulevard to Georgia Street as well as on Ross Street from I-40 to 3rd Avenue. Mr. Miller stated TxDot built the new intersections with future standards. This area will be resurfaced to match the profile mill of the existing intersections. This item was presented by Floyd Hartman, CIP Director and Alan Harder, Civil Engineer. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that this item be approved.

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

Mayor Nelson advised that Council would resume back into executive session on August 29, 2017. Mr. McKamie stated Council meeting would recess to resume tomorrow (August 30, 2017) to reconvene under Texas Government Code §551.041. The meeting was Called to Order at 4:30 p.m. Mr. McKamie announced that the Council would resume the previously announced executive session under Texas Government Code §551.071. The Council reconvened to regular meeting at 5:58 p.m.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 30th day of August 2017, the Amarillo City Council met at 4:30 p.m. to reconvene the recessed Executive Session held on Tuesday, August 29, 2017 in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON	MAYOR
ELAINE HAYS	COUNCILMEMBER NO. 1
FREDA POWELL	COUNCILMEMBER NO. 2
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	COUNCILMEMBER NO. 4

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

JARED H. MILLER	CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
FRANCES HIBBS	CITY SECRETARY

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

Mr. McKamie advised at 4:32 p.m. that the Board would reconvene in Executive Session which was recessed on Tuesday, August 29, 2017 to consult with attorney regarding status of negotiations – MPEV lease agreement and related matters per the Texas Government Code Section 551.071.

Mr. McKamie announced the Executive Session was adjourned at 4:32 p.m. and no action would be taken in regard to the Executive Session.

Mayor Nelson reconvened the Regular Meeting at 5:58 p.m.

Mayor Nelson advised that the meeting was adjourned.

ATTEST:

_____
Frances Hibbs, City Secretary

_____
Ginger Nelson, Mayor

DRAFT

B

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	09/05/2017	Council Priority	Infrastructure

Department	Aviation	Contact Person	Michael Conner

Agenda Caption

Approval of equipment procurement for the Runway Weather Information System (RWIS) at the Rick Husband Amarillo International Airport.

Agenda Item Summary

Approval of repairs to the Airport's Runway Weather Information System (RWIS) and advanced procurement schedule to meet a construction completion target of October 2017. Vendor requirements for equipment procurement are set at a minimum seven weeks, after receipt of order (ARO). The Airport will coordinate the order after Council approval to complete the repairs by October 2017.

Requested Action

Approval of the advanced schedule for the procurement of equipment necessary to repair the Airport's Runway Weather Information System (RWIS).

Funding Summary

Project has allocated funding within the current FY16/17 budget. The Airport project includes the purchase of equipment to repair the Airport's Runway Weather Information System (RWIS). The Airport has identified the funds necessary within the FY16/17 budget to complete the system repairs. Additionally, the Airport is approved for a 50% reimbursement for the cost of the equipment procurement, as allowable through the TxDOT RAMP grant. Respectively, the local and state cost represents a 50% share of $77,354.00 equaling $38,677.00 each.

Community Engagement Summary

N/A.

Staff Recommendation

Staff recommends approval of the equipment to allow for critical infrastructure repairs prior to the winter weather season.

Bid No. 5847 VAUSALA-RUNWAY WEATHER INFORMATION SYSTEM
Opened 4:00 p.m. August 21, 2017

To be awarded as one lot	VAISALA INC	
Line 1 Airport facility maintenance and repair humidity and temperture probe, per specifications		
1 ea		
Unit Price	$900.000	
Extended Price		900.00
Line 2 Airport facility maintenance and repair radiation shield, per specifications		
1 ea		
Unit Price	$425.000	
Extended Price		425.00
Line 3 Airport facility maintenance accessory kit, per specifications		
1 ea		
Unit Price	$125.000	
Extended Price		125.00
Line 4 Airport facility maintenance present weather visibility, per specifications		
1 ea		
Unit Price	$9,500.000	
Extended Price		9,500.00

To be awarded as one lot	VAISALA INC	
Line 5 Airport facility maintenance rail power supply, per specifications		
1 ea		
Unit Price	$350.000	
Extended Price		350.00
Line 6 Airport facility maintenance roadway installation kit, per specifications		
1 ea		
Unit Price	$206.000	
Extended Price		206.00
Line 7 Airport facility maintenance sensor 300' grey kit, per specifications		
2 ea		
Unit Price	$3,850.000	
Extended Price		7,700.00
Line 8 Airport facility maintenance splice kit, per specifications		
1 ea		
Unit Price	$221.000	
Extended Price		221.00

To be awarded as one lot	VAISALA INC	
Line 9 Airport facility maintenance humidity and temperture probe, per specifications		
1 ea		
Unit Price	$900.000	
Extended Price		900.00
Line 10 Airport facility maintenance radiation shield, per specifications		
1 ea		
Unit Price	$425.000	
Extended Price		425.00
Line 11 Airport facility maintenance accessory kit, per specifications		
1 ea		
Unit Price	$125.000	
Extended Price		125.00
Line 12 Airport facility maintenance present weather visibility, per specifications		
1 ea		
Unit Price	$9,500.000	
Extended Price		9,500.00

To be awarded as one lot	VAISALA INC	
Line 13 Airport facility maintenance rail power supply, per specifications		
1 ea		
Unit Price	$350.000	
Extended Price		350.00
Line 14 Airport facility maintenance roadway installation kit, per specifications		
1 ea		
Unit Price	$206.000	
Extended Price		206.00
Line 15 Airport facility maintenance sensor 300' grey kit, per specifications		
2 ea		
Unit Price	$3,850.000	
Extended Price		7,700.00
Line 16 Airport facility maintenance young wind speed, per specifications		
1 ea		
Unit Price	$2,150.000	
Extended Price		2,150.00

To be awarded as one lot	VAISALA INC	
Line 17 Airport facility maintenance processor card, per specifications		
1 ea		
Unit Price	$1,350.000	
Extended Price		1,350.00
Line 18 Airport facility maintenanceprogrammed flash memory, per specifications		
1 ea		
Unit Price	$90.000	
Extended Price		90.00
Line 19 Airport facility maintenance humidity and temperture probe, per specifications		
1 ea		
Unit Price	$900.000	
Extended Price		900.00
Line 20 Airport facility maintenance radiation shield, per specifications		
1 ea		
Unit Price	$419.000	
Extended Price		419.00

To be awarded as one lot	VAISALA INC	
Line 21 Airport facility maintenance accessory kit, per specifications		
1 ea		
Unit Price	$122.000	
Extended Price		122.00
Line 22 Airport facility maintenance humidity and temperture probe, per specifications		
1 ea		
Unit Price	$900.000	
Extended Price		900.00
Line 23 Airport facility maintenance radiation shield, per specifications		
1 ea		
Unit Price	$425.000	
Extended Price		425.00
Line 24 Airport facility maintenance accessory kit, per specifications		
1 ea		
Unit Price	$125.000	
Extended Price		125.00

To be awarded as one lot	VAISALA INC	
Line 25 Airport facility maintenance young wind speed/direction, per specifications		
1 ea		
Unit Price	$2,150.000	
Extended Price		2,150.00
Line 26 Airport facility maintenance sensor 300', per specifications		
2 ea		
Unit Price	$3,850.000	
Extended Price		7,700.00
Line 27 Airport facility maintenance road weather data management, per specifications		
12 mo		
Unit Price	$720.000	
Extended Price		8,640.00
Line 28 Airport facility maintenance modem3g/4g, per specifications		
4 ea		
Unit Price	$1,800.000	
Extended Price		7,200.00

To be awarded as one lot	VAISALA INC	
Line 29 Airport facility maintenance modem kit lx, per specifications		
4 ea		
Unit Price	$1,100.000	
Extended Price		4,400.00
Line 30 Airport facility maintenance navigator system, per specifications		
1 ea		
Unit Price	$2,150.000	
Extended Price		2,150.00
Bid Total		77,354.00
Award by Vendor		77,354.00

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	09/05/2017	Council Priority	
Department	Emergency Management	Contact Person	Chip Orton

Agenda Caption

Renewal of Pantex Memorandum of Understanding (MOU) with the City of Amarillo, Texas and the United States Department of Energy.

Agenda Item Summary

This MOU is a 5-year renewal of a long-standing contract between COA and DOE. The only change is the addition of Appendix B. III which allows Pantex to activate seven sirens in the City of Amarillo Outdoor Warning System which also reside in the Pantex Emergency Planning Zone (EPZ).

This addition allows Pantex to sound the sirens as much as 20 minutes earlier than protocols would allow for Pantex to contact the City of Amarillo Office of Emergency Management (OEM) and have OEM sound the sirens.

Requested Action

The Office of Emergency Management has reviewed the MOU and recommends that the City Council authorize the City Manager to execute the document.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this MOU.

MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF AMARILLO, TEXAS
AND
THE UNITED STATES DEPARTMENT OF ENERGY

This Memorandum of Understanding (hereinafter called "MOU") is between The City of Amarillo, Texas (hereinafter called the "City") and the United States of America acting through the United States Department of Energy, National Nuclear Security Administration Production Office (hereinafter called "NPO"). This MOU encompasses all agreements between the two parties supporting emergency response activities in accordance with Standard Operating Procedures (SOP) contained herein, including activities related to Emergency Response Planning and for mutual aid assistance outlined in Appendix A.

I. INTRODUCTION

A. BACKGROUND. Both parties have a mutual interest and responsibility for emergency planning, preparedness, and response activities to protect people, property, and the environment and to minimize the consequences of emergencies.

B. PURPOSE. The purpose of this section is to recognize the need for cooperation on emergency response responsibilities of mutual concern and to provide for the mutual assistance of parties in accordance with the procedures contained in Appendix A of this document, as well as to facilitate the development of joint plans and procedures for coordinated responses to such emergency situations.

C. AUTHORITY.

1. The NPO Pantex authority for entering into this MOU is:

   a. Section 161(f) of the Atomic Energy Act of 1954, as amended [Title 42 U.S. Code § 2201(f)];

   b. Section 646 (a) of the Department of Energy Organization Act [Title 42 U.S. Code § 7256 (a).]; and,

   c. Title 42 U.S. Code § 1856a(a).

2. The City's authorities for entering into this MOU are:

   a. Texas Disaster Act of 1975, 64th Legislature, Article 6889-7, Vernon's Texas Civil Statutes, as amended (Texas Government Code Chapter 418);

   b. Executive Order of the Governor, RP1 – Relating to Emergency Management (March 29, 2001);

   c. Federal Civil Defense Act of 1950, as amended (50 U.S.C. 2251 et seq.);

d. Disaster Relief Act of 1974, as amended. (42 U.S.C. 5121 et seq.); and,

e. Texas Local Government Code Section 352.001.

II. MANAGEMENT AND PROGRAM GUIDELINES

A. MANAGEMENT AND REVIEW.

1. Responsibilities.

   a. Each of the parties will maintain an Emergency Operations Center (EOC) equipped to support a cadre of management and support personnel to carry out assigned emergency responsibilities.

   b. Pantex may furnish, install, and maintain the necessary equipment at the City EOC to provide an emergency communications link with the Pantex EOC. All such equipment will remain the property of NPO Pantex.

   c. Pantex may make available, within mission constraints, certain emergency response equipment to the City. All such equipment shall remain the property of Pantex, but shall be in the care, custody and control of the City. The City shall maintain this equipment according to industry standards. Pantex does not guarantee or warranty the condition of such equipment and the City will provide any necessary training to personnel utilizing this equipment.

   d. In the event of an emergency, the responsibilities of both parties for providing mutual assistance in emergency response are contained in Appendix A.

2. Review and Implementation. This MOU will be implemented on behalf of the NPO Manager by the Pantex Management and Operations (M&O) contractor. Implementation on behalf of the City will be by the City Manager. The MOU will be reviewed at intervals not to exceed five years.

B. GUIDELINES.

1. Plans and Procedures. Both parties will coordinate with each other on their respective emergency plans and procedures. Such plans and procedures will specify the emergency planning and coordination interfaces between the City and Pantex, and will include, but not be limited to, the assigned emergency responsibilities within each organization, together with a description of its emergency response resources and communications capabilities.

2. Exercises, Drills and Training. The parties will support and participate in joint exercises, drills, and training sessions to:

   a. Develop and maintain a high state of readiness for coordinated responses to emergency situations that are of mutual concern.

b. Exercise and test joint emergency plans and procedures.

c. Maintain the capability for coordinated emergency response as specified in Appendix A.

3. Emergency Response.

a. In the event of an emergency incident involving the activation of the Pantex EOC, Pantex may dispatch emergency response liaison personnel to the City EOC or to an area command center consistent with National Incident Management System (NIMS) organizational structure.

b. In the event of an emergency incident in the City involving possible radiological hazards, Pantex may, upon request, dispatch emergency response liaison personnel to the City EOC and may, upon request, respond with available personnel and equipment to provide radiological assistance.

c. In the event of an emergency incident in the City, Pantex may, upon request, provide technical assistance to the City, and may, upon request, respond with available personnel and equipment, as appropriate.

C. PROGRAM FUNDING. The level of support to be furnished to or from either organization will be subject to availability. This MOU shall not be used to obligate or commit funds or as the basis for the transfer of funds.

III. ADMINISTRATION

A. PUBLIC INFORMATION COORDINATION. Subject to the Freedom of Information Act (5 U.S.C. 552), decisions on disclosure of information to the public regarding projects and programs referenced in this MOU shall be made by Pantex following consultation with the City's representatives, recognizing that the City is subject to the Texas Open Records Act (Part. 6252-17a, V.A.T.S.), which will allow disclosure of this document and possibly other documents, which releases are not otherwise prohibited by the Freedom of Information Act or Federal national security laws or regulations. All releases of documents by the City will be coordinated with NPO Pantex and pursuant to the limitations of this clause. Consistent with the Freedom of Information Act (5 U.S.C. 552); decisions on disclosure of information to the public regarding any emergency response activities under this MOU will be made following consultation between Pantex and the City.

B. SECURITY. Nothing in this MOU authorizes access to or disclosure of classified information required to be protected in accordance with Federal law or regulation in the interest of national security. The City agrees to comply with, and to assure that all of its personnel participating in any exercise hereunder at Pantex comply with all applicable security regulations and requirements of Pantex pertaining to their conduct while on Pantex property. Further, the City agrees to be bound by the following security measures when providing emergency response support to Pantex:

1. Control. Firefighting support will be under the control and direction of the senior Pantex fire official (Incident Commander) through the senior City of Amarillo Fire Department on-scene officer.

2. Escort. All City personnel will be under visual and physical escort by the Protective Force Department. These security escorts will not impede the ingress or utilization of apparatus or personnel, but will serve as an administrative control to ensure that outside agencies and associated personnel do not access security areas or buildings except as directed by the senior Pantex fire official.

3. Prohibited and Controlled Articles. The City personnel entering Pantex shall be prohibited from carrying articles that may jeopardize the safety or security of the plant or the work force. The City shall endeavor to ensure that, without prior authorization, their personnel shall not intentionally, knowingly, or recklessly carry on or about his or her person, or have in his or her possession or control, any of the following items:

   a. Prohibited Articles. These items are not allowed on site at Pantex: alcohol; ammunition; arrows; blackjacks; clubs; chemical dispensing device for pepper spray; mace, etc.; controlled substances; compound bows; crossbows; drug paraphernalia; drugs (prescriptions are allowed as long as they are prescribed for the employee who is using them); illegal drugs; explosives; explosive devices; fertilizer (bulk); firearms; items that could be used to manufacture explosives; incendiary devices; knives with a blade length exceeding 5.5 inches; knuckles; nightsticks; nun chucks; stun guns; swords; and technical surveillance equipment (i.e., any equipment specifically designed to clandestinely collect information) and zip guns.

   b. Controlled Articles. These items are allowed on-site at Pantex, but must remain in the vehicles in the Property Protection Area. They are not allowed in any security area: cameras; non-government owned computers; smartphones; PDAs; media players, electronic tablets, or game devices; any device with a processor or storage; cellular wireless cards; wireless cards; Bluetooth cards, devices, or adapters; global positioning devices; personal software; radio frequency devices; recording devices (optical, video, cellular and satellite); cellular/satellite telephones; XM or Sirius radio receivers with recording capabilities; and any privately owned device, electronic or optical, capable of recording, processing, storing or transferring audio, computer data, video, or photos.

C. AMENDMENT AND TERMINATION. This MOU may be amended by written agreement between NPO Pantex and the City of Amarillo. This MOU may be terminated by the mutual written agreement of NPO Pantex and the City or by either party upon 90-day written notice to the other party.

D. EFFECTIVE DATE. This MOU shall become effective upon the latter date of signature of the parties. It shall remain in effect for a five-year term from the effective date unless terminated as provided in paragraph B above.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding on the respective dates indicated.

UNITED STATES OF AMERICA U.S. DEPARTMENT OF ENERGY	CITY OF AMARILLO, TEXAS
BY: _____/S/	BY: _____/S/
NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
DATE: _____	DATE: _____

CERTIFICATION

I, _____, certify that I am the Secretary for City of Amarillo, Texas; that _____, who signed this Memorandum of Understanding on behalf of City of Amarillo, Texas, was then the City Manager of Amarillo, Texas; that this Memorandum of Understanding was duly signed for and on behalf of City of Amarillo, Texas, by authority of its governing body and is within the scope of its legal powers. In witness whereof, I have hereunto affixed my hand and the seal of City of Amarillo, Texas.

_____
City Secretary

(SEAL)

APPENDIX A

STANDARD OPERATING PROCEDURE
FOR PROVIDING EMERGENCY RESPONSE
ASSISTANCE

I. PURPOSE

The purpose of this Standard Operating Procedure (SOP) is to define the process for providing emergency assistance in the event of an emergency on Pantex-controlled property or in the City of Amarillo. Additional resource information can be found in the Potter/Randall Fire Response District Fire Automatic/Mutual Aid Response Plan.

II. DEFINITIONS

A. The term "emergency response" includes personnel and equipment required for the protection of life and property. This could include fire protection, EMS, Rescue or Hazardous Materials activities.

B. The term "Pantex Fire Department," hereinafter "PXFD," means the fire department located at the United States Department of Energy (USDOE) Pantex Plant.

C. The term "City of Amarillo Fire Department," hereinafter "AFD", means the fire department operated by City of Amarillo, Texas.

D. The term "Pantex Plant Fire Protection Area" means the area in and around the USDOE Pantex Plant for which the PXFD has the primary responsibility for fire protection.

E. The term "City of Amarillo Fire Protection Area" means the area within which the AFD has primary responsibility for fire protection.

III. RESPONSIBILITIES OF PXFD AND AFD IN THE EVENT OF AN EMERGENCY RESPONSE IN THE PANTEX PLANT FIRE PROTECTION AREA REQUIRING ASSISTANCE FROM CITY OF AMARILLO

A. The PXFD will contact the AFD through the Amarillo Emergency Communications Center (AECC) by telephone (806-378-9053) or by radio on the AFD channel and request assistance, stating the nature of the response and the required type of assistance. Additional guidance can be found in the Potter/Randall Fire Response District Fire Automatic/Mutual Aid Plan.

B. Upon receipt of the request for assistance, the AECC Supervisor will assign personnel and equipment for response. If the AECC Supervisor experiences undue delay in contacting the AFD District Chief, he will dispatch units in accordance with established run procedures and then notify the AFD District Chief of the initiated actions. Additional guidance can be found in the Potter/Randall Fire Response District Fire Automatic/Mutual Aid Plan.

C. The responding AFD Fire Officer will initiate contact with PXFD Fire Officials by radio on the designated radio channel. The following information (as a minimum) will be communicated:

1. The responding AFD Fire Officer will state the equipment and personnel enroute to Pantex Plant from the AFD.

2. The PXFD Fire Officer will inform the responding AFD Fire Officer of the location to which AFD personnel should report.

3. The PXFD Fire Officer will inform the Protective Force Shift Commander/Designee of the off-site response from the AFD.

4. Additional assistance to Pantex Plant will be directly governed by decisions made by the AFD Senior Officer on duty.

D. AFD personnel:

1. Shall report to the PXFD Incident Commander (IC) at the location to which the equipment is dispatched and shall be subject to the orders of the PXFD IC.

2. Shall be released by the PXFD IC when their services are no longer required or when they are needed for purposes of emergency response within the City of Amarillo Fire Protection Area.

E. All equipment dispatched by the AFD will be City of Amarillo equipment operated by AFD personnel.

IV. RESPONSIBILITIES OF PXFD AND AFD IN THE EVENT OF AN EMERGENCY RESPONSE IN THE CITY OF AMARILLO FIRE PROTECTION AREA REQUIRING ASSISTANCE FROM THE PANTEX PLANT

A. The Amarillo Emergency Communications Center (AECC) will call the Pantex Emergency Services Dispatcher (806-477-3333) and request assistance, stating the nature of the response and the required type of assistance. Additional guidance can be found in the Potter/Randall Fire Response District Fire Automatic/Mutual Aid Plan.

B. The PXFD Senior Fire Officer on duty will, when possible, dispatch personnel and equipment as designated by procedures. Additional guidance can be found in the Potter/Randall Fire Response District Fire Automatic/Mutual Aid Plan.

C. The responding PXFD personnel will initiate radio contact with the AFD on the designated radio channel. The following information (as a minimum) will be communicated:

1. The responding PXFD personnel will state the equipment and personnel enroute to the AFD from Pantex.

2. The AFD Incident Commander (IC) will inform the responding PXFD personnel of the location to which PXFD personnel should report.

3. Any additional assistance to AFD will be directly governed by decisions made by the PXFD Senior Fire Officer on duty.

D. PXFD personnel:

1. Shall report to the AFD IC at the location to which the equipment is dispatched and shall be subject to the orders of the AFD IC.

2. Shall be released by the AFD IC when their services are no longer required or when they are needed for purposes of emergency response within the Pantex Plant Fire Protection Area.

3. Will respond to hazardous materials or radiological incidents/accidents after all local assets have been exhausted and then, only in a supportive role.

4. Will initiate defensive measures (if PXFD is the first responding unit at the incident location), but will not initiate cleanup of hazardous materials.

E. All equipment dispatched by the PXFD will be USDOE equipment operated by PXFD personnel.

APPENDIX B

AUTHORIZATION FOR PANTEX TO ACTIVATE THE PUBLIC WARNING SYSTEM WITHIN THE PANTEX PLANT 10-MILE EMERGENCY PLANNING ZONE (EPZ) FROM THE CITY OF AMARILLO, TEXAS

I. PURPOSE

The purpose of this Appendix B is to define the authorization that has been granted to the USDOE Pantex Plant. Local officials have granted authority to the Pantex Plant to activate the warning system for initial warning in the event of an incident involving the release of radiological materials with potential offsite consequences to the City of Amarillo.

II. DEFINITIONS

A. The term "EPZ" refers to the area within the Pantex Plant Emergency Planning Zone. This document specifically refers to area within the City of Amarillo for which the Amarillo/Potter/Randall Office of Emergency Management has been authorized primary responsibility for emergency notification and warning.

B. The term "warning system" refers to the Outdoor Warning Sirens and NOAA Weather Radio System within the Pantex Plant Emergency Planning Zone. This document specifically refers to area within the City of Amarillo for which the Amarillo/Potter/Randall Office of Emergency Management has been authorized primary responsibility for emergency notification and warning.

III. RESPONSIBILITIES OF PANTEX TO ACTIVATE THE PUBLIC WARNING SIRENS IN THE PANTEX PLANT 10-MILE (EPZ) FROM THE CITY OF AMARILLO

A. The NPO Manager, by the Pantex Management and Operations (M&O) Contractor has been authorized to activate the warning system in the EPZ that falls within the City of Amarillo. The authority to activate the warning system is limited to the following specific condition(s):

1. The initial warning of a Pantex General Emergency resulting from an actual or potential on-site release of radiological materials with potential offsite consequence to the City of Amarillo.

2. At the request of the Mayor, the City Manager, the Emergency Management Coordinator, or authorized designee when emergency conditions dictate.

B. Monthly testing of the warning system is conducted by the Amarillo/Potter/Randall Office of Emergency Management. Any testing of the warning system within the City of Amarillo by Pantex should be coordinated with the Amarillo/Potter/Randall Office of Emergency Management to ensure strict control of system activation.

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy 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 August 22, 2017 to review the proposed FY 2017/18 budget and service plan. The Heritage Hills PID budget projects total maintenance and operation expenses for FY 2017/18 to be $62,467. The Board recommends property owner assessment rates of $0.08 per square foot as this will be the first year for common area improvement installation. This will result in assessments totaling $160,745. 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 2017/18 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, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

____/____/17_____

ORDINANCE NO. 7679

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 2017-2018; ADOPTING A BUDGET FOR FISCAL YEAR 2017-2018 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 SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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 2017-2018 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 2017-2018 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 _____day of _____, 2017; and PASSED on Second and Final Reading on this _____day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____

William McKamie, City Attorney

EXHIBIT

Heritage Hills Public Improvement District

Fiscal Year 2017-2018

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 $62,467. Such cost will be apportioned over the development as follows:

Cost of Maintenance	$61,465
Administration Expense	$1,002
Debt Service Obligation	$0
Total	$62,467

C. This year's assessment will total $160,745. 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, 2017.
2. These assessments become delinquent if not paid prior to February 1, 2018 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 2017-2018.

City of Amarillo

Heritage Hills PID

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30311 Collec Randall County A	0	0	0	0	160,745
30300 Current Year's Levy	**0**	**0**	**0**	**0**	**160,745**
30200 Ad Valorem Tax Collectio	**0**	**0**	**0**	**0**	**160,745**
TREVENUE Total Revenues	**0**	**0**	**0**	**0**	**160,745**
53150 Electricity	0	0	0	0	3,562
53200 Water and Sewer	0	0	0	0	34,041
51000 Supplies	**0**	**0**	**0**	**0**	**37,603**
61200 Postage	0	0	0	0	22
61300 Advertising	0	0	0	0	533
62000 Professional	0	0	0	0	392
67600 Temporary Labor	0	0	0	0	16,844
68300 R & M - Improvements	0	0	0	0	7,018
60000 Contractual Services	**0**	**0**	**0**	**0**	**24,809**
77450 Administrative Other	0	0	0	0	55
70000 Other Charges	**0**	**0**	**0**	**0**	**55**
TEXPENSES Total Expenses	**0**	**0**	**0**	**0**	**62,467**

HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2015/16 AND ESTIMATED 2016/17 TO 2021/22
REVISED 22-Aug-17

		2015/16 Actual		2016/17 Revised		2017/18 Proposed		2018/19 Estimated		2019/20 Estimated		2020/21 Estimated		2020/21 Estimated
BEGINNING FUND BALANCE		$0		$0		$0		$98,278		$248,289		$436,359		$655,966
	INFLATION					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	
MAINTENANCE & OPERATION:														
PARK MAINTENANCE COST:	-		- -	-	140,366 140,366	0.44502942	- 140,366	0.45393001	- 140,366	0.46300861	- 140,366	0.47226878	32,000 172,366	0.48027965
53150 Electricity		0		0		3,562		3,633		3,706		3,780		4,735
53200 Water		0		0		34,041		34,722		35,416		36,125		45,247
67600 Temporary Labor		0		0		16,844		17,181		17,524		17,875		22,389
68300 Maintenance of Improvements		0		0		7,018		7,158		7,302		7,448		9,328
68312 Other Improvements		0		0		0		0		0		0		0
83200 Improvements		0		0		0		0		0		0		0
TOTAL MAINTENANCE		0		0		61,465		62,694		63,948		65,227		81,699
ADMINISTRATION														
61200 Postage		0		0		22		22		23		23		24
61300 Advertising Public Notices		0		0		533		544		555		566		577
62000 Professional - Collection Contract		0		0		392		400		408		416		424
77450 Admin Fee		0		0		55		56		57		58		60
TOTAL MAINTENANCE & OPERATION		0		0		62,467		63,718		64,991		66,290		82,784
ASSESSMENTS														
	UNTS RATE		UNTS RATE		UNTS RATE		UNTS RATE		UNTS RATE		UNTS RATE		UNITS RATE		UNITS RATE	
RESIDENTIAL	- 0.0800	0	- 0.0800	0	2,009,309 0.0800	160,745	2,671,600 0.0800	213,728	3,163,252 0.0800	253,060	3,573,716 0.0800	285,897	3,972,753 0.0800	317,820
COMMERCIAL	- 0.0800	0	- 0.0800	0	- 0.0800	0	- 0.0800	0	- 0.0800	0	- 0.0800	0	- 0.0800	0
MULTIFAMILY	- 0.0800	0	- 0.0800	0	- 0.0800	0	- 0.0800	0	- 0.0800	0	- 0.0800	0	- 0.0800	0
CHURCH														
COLLECTION RATE		100.00%		100.00%		100.00%		100.00%		100.00%		100.00%		100.00%
TOTAL COLLECTIONS		$0		$0		$160,745		$213,728		$253,060		$285,897		$317,820
INTEREST INCOME 0.00%		0		0		0		0		0		0		0
Increase/Decrease in Cash		$0		$0		$98,278		$150,012		$188,069		$219,607		$235,036
ENDING FUND BALANCE		$0		$0		$98,278		$248,289		$436,359		$655,966		$891,002
THREE MONTH OPERATING RESERVE		*$0*		*$0*		*$15,617*		*$15,929*		*$16,248*		*$16,573*		*$20,696*
SURPLUS		*$0*		*$0*		*$82,661*		*$232,360*		*$420,111*		*$639,393*		*$870,306*

3

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy 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 August 22, 2017 to review the proposed FY 2017/18 budget and service plan. The Town Square PID budget projects total maintenance and operation expenses for FY 2017/18 to be $81,348. The Board recommends property owner assessment rates remain at $0.1111 per square foot. This will result in assessments totaling $162,257. 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 2017/18 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, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

___/___/17_____

ORDINANCE NO. 7180

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 2017-2018; ADOPTING A BUDGET FOR FISCAL YEAR 2017-2018 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 SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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;

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: A Budget for the fiscal year of 2017-2018 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 3: 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 4: The assessment roll for each parcel, method of assessment and amount of assessment for the 2017-2018 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 5: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 6: 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 7: 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 8: 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 9: 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 10: 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 11: This Ordinance shall become effective upon its second and final reading.

SECTION 12: 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 _____day of _____, 2017; and PASSED on Second and Final Reading on this _____day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____

William McKamie, City Attorney

EXHIBIT

Town Square Public Improvement District

Fiscal Year 2017-2018

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 $81,348. Such cost will be apportioned over the development as follows:

Cost of Maintenance	$80,431
Administration Expense	$917
Debt Service Obligation	$0
Total	$81,348

C. This year's assessment will total $162,257. 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, 2017.
2. These assessments become delinquent if not paid prior to February 1, 2018 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 2017-2018.

City of Amarillo

Town Square PID

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30311 Collec Randall County A	0	0	72,710	72,710	162,257
30300 Current Year's Levy	**0**	**0**	**72,710**	**72,710**	**162,257**
30200 Ad Valorem Tax Collectio	**0**	**0**	**72,710**	**72,710**	**162,257**
TREVENUE Total Revenues	**0**	**0**	**72,710**	**72,710**	**162,257**
53150 Electricity	0	0	0	0	4,661
53200 Water and Sewer	0	0	0	0	44,545
51000 Supplies	**0**	**0**	**0**	**0**	**49,206**
61200 Postage	0	4	22	4	10
61300 Advertising	1,008	0	523	0	523
62000 Professional	1,000	0	384	424	384
67600 Temporary Labor	0	0	0	0	22,041
68300 R & M - Improvements	0	0	0	0	9,184
68312 Other Improvement	0	0	30,000	0	0
60000 Contractual Services	**2,008**	**4**	**30,929**	**428**	**32,142**
77450 Administrative Other	0	0	54	54	0
70000 Other Charges	**0**	**0**	**54**	**54**	**0**
TEXPENSES Total Expenses	**2,008**	**4**	**30,983**	**482**	**81,348**

TOWN SQUARE PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2015/16 AND ESTIMATED 2016/17 TO 2021/22
REVISED 23-Aug-17

			2015/16 Actual			2016/17 Revised			2017/18 Proposed			2018/19 Estimated			2019/20 Estimated			2020/21 Estimated			2020/21 Estimated
BEGINNING FUND BALANCE			($2,008)			($2,012)			$69,675			$150,583			$229,611			$264,059			$229,278
	INFLATION								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	
MAINTENANCE & OPERATION:																					
PARK MAINTENANCE COST:		-		29,611	29,611	0.03454797	154,066	183,677	0.44288615	-	183,677	0.45203787	95,083	278,760	0.45920466	143,040	421,800	0.46713657	52,762	474,562	0.47620256
53150 Electricity			0			0			4,661			4,754			7,360			11,359			13,035
53200 Water			0			0			44,545			45,436			70,336			108,555			124,577
67600 Temporary Labor			0			0			22,041			22,482			34,802			53,714			61,641
68300 Maintenance of Improvements			0			0			9,184			9,368			14,501			22,381			25,684
68312 Other Improvements			0			0			0			0			0			0			0
83200 Improvements			0			0			0			0			0			0			0
TOTAL MAINTENANCE			0			0			80,431			82,040			126,999			196,009			224,938
ADMINISTRATION																					
61200 Postage			4			22			10			10			10			11			11
61300 Advertising Public Notices			0			523			523			533			544			555			566
62000 Professional - Collection Contract			0			424			384			392			400			408			416
77450 Admin Fee			0			54			0			54			55			56			57
TOTAL MAINTENANCE & OPERATION			4			1,023			81,348			83,029			128,008			197,038			225,988
ASSESSMENTS																					
	UNTS	RATE		UNTS	RATE		UNTS	RATE		UNTS	RATE		UNTS	RATE		UNTS	RATE		UNITS	RATE	
RESIDENTIAL	-	0.1111	0	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	-	0.1111	0	-	0.1111	0	943,652	0.1111	104,840	943,652	0.1111	104,840	943,652	0.1111	104,840	943,652	0.1111	104,840	943,652	0.1111	104,840
MULTIFAMILY	-	0.1111	0	137,650	0.1111	15,293		0.1111	0	-	0.1111	0	-	0.1111	0	-	0.1111	0	-	0.1111	0
CHURCH	-	0.1111	0	-	0.1111	0	-	0.1111	0	-	0.1111	0	-	0.1111	0	-	0.1111	0	-	0.1111	0
COLLECTION RATE			100.00%			100.00%			100.00%			100.00%			100.00%			100.00%			100.00%
TOTAL COLLECTIONS			$0			$72,710			$162,257			$162,257			$162,257			$162,257			$162,257
INTEREST INCOME 0.00%			0			0			0			0			0			0			0
Increase/Decrease in Cash			($4)			$71,687			$80,909			$79,228			$34,249			($34,782)			($63,731)
ENDING FUND BALANCE			($2,012)			$69,675			$150,583			$229,811			$264,059			$229,278			$165,547
THREE MONTH OPERATING RESERVE			*$1*			*$256*			*$20,337*			*$20,757*			*$32,002*			*$49,260*			*$56,497*
SURPLUS			*($2,013)*			*$69,419*			*$130,246*			*$209,054*			*$232,058*			*$180,018*			*$109,050*

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy 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 was scheduled to meet August 16, 2017 but due to unforeseen circumstances, the meeting was cancelled. As of this date, the Advisory Board has not been able to establish a date for a quorum (3 of 5 live out of town) and therefore have not been able to officially recommend a 2017/18 Budget or 5-Year Service Plan.

However, staff has discussed the issue with all members on an individual basis and can report that every Advisory Board member has stated that they feel that last year's assessment rate is adequate and that no assessment increase is necessary for the 2017/18 budget and service plan. The Point West PID budget projects total maintenance and operation expenses for FY 2017/18 to be $28,105. 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 2017/18 budget, service plan, and associated ordinance and exhibit.

Requested Action

See explanation above.

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, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

___/____/17_____

ORDINANCE NO. 7681

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 2017-2018; ADOPTING A BUDGET FOR FISCAL YEAR 2017-2018 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 SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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.

SECTION 4: A Budget for the fiscal year of 2017-2018 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 2017-2018 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 _____day of _____, 2017; and PASSED on Second and Final Reading on this _____day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____

William McKamie, City Attorney

EXHIBIT

Point West Public Improvement District

Fiscal Year 2017-2018

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 $28,105. Such cost will be apportioned over the development as follows:

Cost of Maintenance and Operation	$26,528
Administration Expense	$1,577
Total	$28,105

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, 2017.
2. These assessments become delinquent if not paid prior to February 1, 2018 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 2017-2018.

City of Amarillo

Points West PID

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30310 Collec Potter County As	52,000	52,000	52,000	52,000	52,000
30300 Current Year's Levy	**52,000**	**52,000**	**52,000**	**52,000**	**52,000**
30200 Ad Valorem Tax Collectio	**52,000**	**52,000**	**52,000**	**52,000**	**52,000**
TREVENUE Total Revenues	**52,000**	**52,000**	**52,000**	**52,000**	**52,000**
53200 Water and Sewer	9,609	12,566	15,496	8,998	9,268
51000 Supplies	**9,609**	**12,566**	**15,496**	**8,998**	**9,268**
61200 Postage	6	8	16	16	16
61300 Advertising	276	276	280	280	280
67600 Temporary Labor	10,020	15,631	10,220	10,020	10,220
68300 R & M - Improvements	1,180	6,300	2,040	6,000	2,040
68312 Other Improvement	0	0	5,000	0	5,000
60000 Contractual Services	**11,483**	**22,215**	**17,556**	**16,316**	**17,556**
77450 Administrative Other	1,488	2,424	608	608	1,281
70000 Other Charges	**1,488**	**2,424**	**608**	**608**	**1,281**
TEXPENSES Total Expenses	**22,580**	**37,205**	**33,660**	**25,922**	**28,105**

POINT WEST PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2015/16 AND ESTIMATED 2016/17 TO 2021/22
REVISED 23-Aug-17

	2015/16 Actual		2016/17 Revised	2017/18 Proposed	2018/19 Estimated	2019/20 Estimated	2020/21 Estimated	2021/22 Estimated
BEGINNING FUND BALANCE	$121,852		$136,646	$162,724	$186,619	$209,952	$232,711	$254,886
PROJECTED COSTS								
	Inflation	2.00%						
MAINTENANCE & OPERATION:								
PARK MAINTENANCE COST								
53200 Water	12,566		8,998	9,268	9,453	9,642	9,835	10,032
67600 Temporary Labor (Mowing, Watering, Etc)	15,632		10,020	10,220	10,424	10,633	10,846	11,062
68300 Maintenance of Improvements	6,300		6,000	2,040	2,081	2,122	2,165	2,208
68312 Other Improvements	0		0	5,000	5,100	5,202	5,306	5,412
TOTAL MAINTENANCE	34,498		25,018	26,528	27,059	27,600	28,152	28,715
ADMINISTRATION								
61200 Postage	8		16	16	16	17	17	17
61300 Advertising Public Notices	276		280	280	286	291	297	303
77450 Admin Fee	2,424		608	1,281	1,307	1,333	1,359	1,387
Professional Collection Contract	0		0	0	0	0	0	0
TOTAL MAINTENANCE & OPERATION	37,206		25,922	28,105	28,667	29,240	29,825	30,422
		Increase	0.00%					
ASSESSMENTS	52,000		52,000	52,000	52,000	52,000	52,000	52,000
COLLECTION RATE	100.00%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
TOTAL COLLECTIONS	52,000		52,000	52,000	52,000	52,000	52,000	52,000
ENDING FUND BALANCE	$136,646		$162,724	$186,619	$209,952	$232,711	$254,886	$276,464
Three Month Operating Reserve	*$9,302*		*$6,481*	*$7,026*	*$7,167*	*$7,310*	*$7,456*	*$7,605*
Surplus	*$127,345*		*$156,244*	*$179,593*	*$202,785*	*$225,401*	*$247,430*	*$268,859*

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy 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 August 24, 2017 to review the proposed FY 2017/18 budget and service plan. The Vineyards PID budget projects total maintenance and operation expenses for FY 2017/18 to be $3,546. The Board recommends keeping property owner assessment rates at $50 per lot. This will result in assessments totaling $4,300. 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 2017/18 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, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

___/____/17_____

ORDINANCE NO. No 82

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 2017-2018; ADOPTING A BUDGET FOR FISCAL YEAR 2017-2018 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 SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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.

SECTION 4: A Budget for the fiscal year of 2017-2018 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 2017-2018 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 _____ day of _____, 2017; and PASSED on Second and Final Reading on this _____ day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____

William McKamie, City Attorney

EXHIBIT

The Vineyards Public Improvement District

Fiscal Year 2017-18

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 $3,546. Such costs will be apportioned over the development as follows:

Cost of Maintenance and Operation	$3,128
Administrative Expense	$418
Total	$3,546

C. The method of assessment is to divide the total maintenance, operational, and administrative costs, as well as, maintenance reserves equally among the 86 platted lots. This year's assessment will total $4,300 ($50 per lot).

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

1. These assessments are due and payable October 1, 2017.
2. These assessments become delinquent if not paid prior to February 1, 2018 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 2017-2018.

City of Amarillo

Vineyards PID

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30310 Collec Potter County As	0	3,300	4,350	4,300	4,300
30300 Current Year's Levy	**0**	**3,300**	**4,350**	**4,300**	**4,300**
30200 Ad Valorem Tax Collectio	**0**	**3,300**	**4,350**	**4,300**	**4,300**
TREVENUE Total Revenues	**0**	**3,300**	**4,350**	**4,300**	**4,300**
53150 Electricity	204	198	223	225	234
53200 Water and Sewer	631	403	617	477	494
51000 Supplies	**835**	**601**	**840**	**702**	**728**
61200 Postage	16	29	33	29	33
61300 Advertising	535	258	300	258	300
67600 Temporary Labor	1,050	1,300	2,400	2,400	2,400
60000 Contractual Services	**1,601**	**1,587**	**2,733**	**2,687**	**2,733**
77450 Administrative Other	84	241	69	69	85
70000 Other Charges	**84**	**241**	**69**	**69**	**85**
TEXPENSES Total Expenses	**2,520**	**2,429**	**3,642**	**3,459**	**3,546**

VINEYARDS PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2015/16 AND ESTIMATED 2016/17 TO 2021/22

REVISED 23-Aug-17			Actual 2015/16			Revised 2016/17			Proposed 2017/18			Estimated 2018/19			Estimated 2019/20			Estimated 2020/21			Estimated 2021/22
BEGINNING FUND BALANCE			2,889			3,760			4,601			5,355			9,688			13,949			18,136
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	
MAINTENANCE & OPERATION:	INFLATION		2.0%			2.0%			2.0%			2.0%			2.0%			2.0%			2.0%
PARK MAINTENANCE COST:		8,888.29	0.27328091		8888.29	0.38916372		8888.29	0.39895188	0	8888.29	0.40693092	0	8888.29	0.41506954	0	8888.29	0.42337093	0	8888.29	0.43183834
53150 Electricity			198			225			234			239			243			248			253
53200 Water			403			477			494			504			514			524			535
67600 Temporary Labor (Mowing, Watering, Etc.)			1,300			2,400			2,400			2,448			2,497			2,547			2,598
68300 Maintenance of Improvements			0			0			0			0			0			0			0
68312 Other Improvements			0			0			0			0			0			0			0
TOTAL MAINTENANCE			1,901			3,102			3,128			3,191			3,254			3,319			3,386
ADMINISTRATION:																					
61200 Postage			29			30			33			34			34			35			36
61300 Advertising Public Notices			258			258			300			306			312			318			325
62000 Professional Collection Contract			0			0			0			0			0			0			0
77450 Admin Fee			241			69			85			87			88			90			92
TOTAL ADMINISTRATION			528			357			418			426			435			444			452
TOTAL MAINTENANCE & OPERATION			2,429			3,459			3,546			3,617			3,689			3,763			3,838
TOTAL			2,429			3,459			3,546			3,617			3,689			3,763			3,838
	UNITS	RATE		UNITS	RATE		UNITS	RATE		UNITS	RATE		UNITS	RATE		UNITS	RATE		UNITS	RATE	
Assessments	66	50	3,300	86	50	4,300	86	50	4,300	159	50	7,950	159	50	7,950	159	50	7,950	159	50	7,950
TOTAL ASSESSMENTS			3,300			4,300			4,300			7,950			7,950			7,950			7,950
COLLECTION RATE			100.00%			100.00%			100.00%			100.00%			100.00%			100.00%			100.00%
TOTAL COLLECTIONS			3,300			4,300			4,300			7,950			7,950			7,950			7,950
INTEREST INCOME 1.00%						0			0			0			0			0			0
INCREASE (DECREASE) IN CASH			871			841			754			4,333			4,261			4,187			4,112
Ending Fund Balance			3,760			4,601			5,355			9,688			13,949			18,136			22,247
Three Month Operating Reserve			607			865			887			904			922			941			960
Surplus			3,153			3,736			4,469			8,784			13,027			17,195			21,288

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy an assessment on property within the Redstone Public Improvement District.

Agenda Item Summary

The Redstone PID Advisory Board discussed the proposed FY 2017/18 budget and service plan with Planning Staff on August 15, 2017. The Redstone PID budget projects total maintenance and operation expenses (administrative expenses only) to be $318 for FY 2017/18. Whereas public improvements have yet to be constructed, the Developer recommends waiving the 2017/18 assessments associated with the platted property. The Developer agrees to submit the total payment necessary for the administrative expenses for FY 2017/18.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness within the Redstone PID. Attached is the Redstone Public Improvement District Fiscal Year 2017/18 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 Redstone 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 Redstone PID boundary regarding this item. At this time of writing, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

___/____/17_____

ORDINANCE NO. 7183

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE REDSTONE PUBLIC IMPROVEMENT DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2017-2018; ADOPTING A BUDGET FOR THE FISCAL YEAR 2017-2018 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; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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 Redstone 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 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

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 assessment roll for each parcel for the 2017-2018 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 3: A Budget for the fiscal year of 2017-2018 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 herby approved.

SECTION 4: Parcels depicted on the 2017-2018 assessment roll shall not be assessed in the 2016-2017 fiscal year as approved by the Public Improvement District Advisory Body.

SECTION 5: 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 6: 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 7: This Ordinance shall become effective upon its second and final reading.

SECTION 8: 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 _____ day of _____, 2017; and PASSED on Second and Final Reading on this _____ day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____

William McKamie, City Attorney

EXHIBIT

Redstone Public Improvement District

Fiscal Year 2017-18

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

All of Section 37, Block 9, BS&F Survey, Randall County, Texas, SAVE AND EXCEPT that part of this Section conveyed by Road Deeds dated January 5, 1959, and recorded in Volume 232, Pages 211-215 of the Deed Records of Randall County, Texas; Road Deed dated October 26, 1981, recorded in Volume 754, Page 569 of the Deed Records of Randall County, Texas; and Road Deed dated March 6, 1989, recorded in Volume 1194, Page 173 of the Deed Records of Randall County Texas.

B. The total estimated costs for maintenance, operation, and administrative fees proposed for the Redstone Public Improvement District is $318. Such costs will be apportioned over the development as follows:

Cost of Maintenance and Operation.....$0

Administrative Expense.....$318

Total.....$318

C. The Redstone Public Improvement District Advisory Board, consisting of the Developer and an Owner, unanimously approved waiving the 2017-2018 assessments associated with platted property as there have been no improvements constructed which require maintenance. The Developer agrees to submit payment for all administrative expenses for the fiscal year 2017-2018 by October 1, 2017.

D. The assessment roll per parcel has been properly filed with the City Secretary's office and is approved for fiscal year 2017-2018.

City of Amarillo

Redstone PID

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30310 Collec Potter County As	0	0	0	1,673	0
30311 Collec Randall County A	0	327	2,000	327	318
30300 Current Year's Levy	**0**	**327**	**2,000**	**2,000**	**318**
30200 Ad Valorem Tax Collectio	**0**	**327**	**2,000**	**2,000**	**318**
TREVENUE Total Revenues	**0**	**327**	**2,000**	**2,000**	**318**
61200 Postage	0	1	0	1	0
61300 Advertising	553	264	553	264	300
62000 Professional	8	8	8	8	8
60000 Contractual Services	**561**	**273**	**561**	**273**	**308**
77450 Administrative Other	72	19	17	17	10
70000 Other Charges	**72**	**19**	**17**	**17**	**10**
TEXPENSES Total Expenses	**633**	**292**	**578**	**290**	**318**

REDSTONE PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2015/16 AND ESTIMATED 2016/17 TO 2021/22
REVISED 30-Aug-17

	2015/16 Actual		2016/17 Revised	2017/18 Proposed	2018/19 Estimated	2019/20 Estimated	2020/21 Estimated	2021/22 Estimated
BEGINNING FUND BALANCE	(880)		(845)	865	869	873	878	882
PROJECTED COSTS								
	Inflation	2.00%						
MAINTENANCE & OPERATION:								
PARK MAINTENANCE COST								
53150 Electricity	0		0	0	0	0	0	0
53200 Water	0		0	0	0	0	0	0
67600 Temporary Labor (Mowing, Waterning, Etc.)	0		0	0	0	0	0	0
68300 Maintenance of Improvements	0		0	0	0	0	0	0
68312 Other Improvements	0		0	0	0	0	0	0
TOTAL MAINTENANCE	0		0	0	0	0	0	0
ADMINISTRATION								
61200 Postage	1		1	0	0	0	0	0
61300 Advertising Public Notices	264		264	300	306	312	318	325
62000 Professional (PID Assessments Collection Contract)	8		8	8	8	8	8	9
77450 Admin Fee	19		17	10	10	10	11	11
TOTAL MAINTENANCE & OPERATION	$292		$290	$318	$324	$331	$337	$344
ASSESSMENTS	$327		$2,000	$318	$324	$331	$337	$344
COLLECTION RATE	100.00%		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
TOTAL COLLECTIONS	327		2,000	318	324	331	337	344
INTEREST INCOME 0.50%	0		0	4	4	4	4	4
ENDING FUND BALANCE	($845)		$865	$869	$873	$878	$882	$886
THREE MONTH OPERATING RESERVE	*$73*		*$73*	*$80*	*$81*	*$83*	*$84*	*$86*
SURPLUS	*($918)*		*$793*	*$790*	*$792*	*$795*	*$797*	*$800*

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	September 5, 2017	Council Priority	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy 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 August 23, 2017 to review the proposed FY 2017/18 budget and service plan. The Quail Creek PID budget projects total maintenance and operation expenses for FY 2017/18 to be $8,450. 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 2017/18 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, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

___/____/17 _____

ORDINANCE NO. 7684

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 2017-2018; ADOPTING A BUDGET FOR FISCAL YEAR 2017-2018 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 SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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 2017-2018 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 2017-2018 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 _____day of _____, 2017; and PASSED on Second and Final Reading on this _____day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____

William McKamie, City Attorney

EXHIBIT A

Quail Creek Public Improvement District

Fiscal Year 2017-18

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 $8,450. Such cost will be apportioned over the development as follows:

Cost of Maintenance and Operation	$7,921
Administration Expense	$529
Total	$8,450

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, 2017.
2. These assessments become delinquent if not paid prior to February 1, 2018 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 2017-2018.

City of Amarillo

Quail Creek PID

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30310 Collec Potter County As	0	10,150	10,150	10,150	10,150
30300 Current Year's Levy	**0**	**10,150**	**10,150**	**10,150**	**10,150**
30200 Ad Valorem Tax Collectio	**0**	**10,150**	**10,150**	**10,150**	**10,150**
37110 Interest Income	2	0	12	0	12
37109 Interest Earnings	**2**	**0**	**12**	**0**	**12**
TREVENUE Total Revenues	**2**	**10,150**	**10,162**	**10,150**	**10,162**
53150 Electricity	164	153	178	181	185
53200 Water and Sewer	4,690	4,183	4,183	3,141	3,236
51000 Supplies	**4,854**	**4,337**	**4,361**	**3,322**	**3,421**
61200 Postage	15	15	15	15	15
61300 Advertising	270	264	280	264	280
67600 Temporary Labor	3,112	2,772	3,050	2,772	3,050
68300 R & M - Improvements	0	0	510	550	510
60000 Contractual Services	**3,397**	**3,051**	**3,855**	**3,601**	**3,855**
77450 Administrative Other	384	567	234	234	274
70000 Other Charges	**384**	**567**	**234**	**234**	**274**
TEXPENSES Total Expenses	**8,635**	**7,955**	**8,450**	**7,158**	**7,550**

QUAIL CREEK PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2015/16 AND ESTIMATED 2016/17 to 2021/22
REVISED 22-Aug-17

			2015/16 Actual		2016/17 Revised		2017/18 Proposed		2018/19 Estimated		2019/20 Estimated		2020/21 Estimated		2021/22 Estimated
BEGINNING FUND BALANCE			$3,737		$5,933		$8,639		$10,351		$11,889		$13,310		$14,563
PROJECTED COSTS															
		2.00%													
MAINTENANCE & OPERATION:															
PARK MAINTENANCE COST															
53150 Electricity			153		181		178		182		185		189		193
53200 Water			4,183		3,141		4,183		4,267		4,352		4,439		4,528
67600 Temporary Labor (Mowing, Watering, Etc.)			2,772		3,050		3,050		3,111		3,173		3,237		3,301
68300 Maintenance of Improvements			0		550		510		520		531		541		552
68312 Other Improvements			0		0		0		0		0		0		0
83200 Improvements			0		0		0		0		0		0		0
TOTAL MAINTENANCE			7,108		6,922		7,921		8,079		8,241		8,406		8,574
ADMINISTRATION															
61200 Postage			15		15		15		15		16		16		16
61300 Advertising Public Notices			264		280		280		286		291		297		303
77450 Admin Fee			567		234		234		239		243		248		253
Professional Collection Contract			0		0		0		0		0		0		0
TOTAL MAINTENANCE & OPERATION			7,954		7,451		8,450		8,619		8,791		8,967		9,147
					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			10,150		10,150		10,150		10,150		10,150		10,150		10,150
INTEREST INCOME	0.50%		0		7		12		7		63		70		75
ENDING FUND BALANCE			$5,933		$8,639		$10,351		$11,889		$13,310		$14,563		$15,642
THREE MONTH OPERATING RESERVE			*$1,989*		*$1,863*		*$2,113*		*$2,155*		*$2,198*		*$2,242*		*$2,287*
SURPLUS			*$3,945*		*$6,776*		*$8,239*		*$9,734*		*$11,113*		*$12,321*		*$13,355*

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	September 5, 2017	Council Priority	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy 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 August 30, 2017 to review the proposed FY 2017/18 budget and service plan. The Tutbury PID budget projects total maintenance and operation expenses for FY 2017/18 to be $8,899. 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 2017/18 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, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

____/____/17_____

ORDINANCE NO. 7685

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 2017-2018; ADOPTING A BUDGET FOR FISCAL YEAR 2017-2018 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 SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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 2017-2018 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 2017-2018 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 _____day of _____, 2017; and PASSED on Second and Final Reading on this _____day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____

William McKamie, City Attorney

EXHIBIT

Tutbury Public Improvement District

Budget: Fiscal Year 2017-18

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 $8,899. Such cost will be apportioned over the development as follows:

Cost of Maintenance and Operation.....$7,873

Administration Expense.....$1,026

Total $8.899

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, 2017.
2. These assessments become delinquent if not paid prior to February 1, 2018 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 2017-2018.

City of Amarillo

Tutbury Imprv Dist

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30311 Collec Randall County A	16,296	16,296	16,296	16,296	16,296
30300 Current Year's Levy	**16,296**	**16,296**	**16,296**	**16,296**	**16,296**
30200 Ad Valorem Tax Collectio	**16,296**	**16,296**	**16,296**	**16,296**	**16,296**
37110 Interest Income	6	0	11	0	110
37109 Interest Earnings	**6**	**0**	**11**	**0**	**110**
TREVENUE Total Revenues	**16,302**	**16,296**	**16,307**	**16,296**	**16,406**
53150 Electricity	439	413	497	514	530
53200 Water and Sewer	1,679	1,993	1,669	1,533	1,578
51000 Supplies	**2,119**	**2,406**	**2,166**	**2,047**	**2,108**
61200 Postage	13	0	13	13	13
61300 Advertising	523	258	523	300	300
62000 Professional	240	240	240	240	240
67600 Temporary Labor	0	2,382	0	0	0
68300 R & M - Improvements	6,528	6,630	10,700	8,000	5,765
68312 Other Improvement	863	973	0	0	0
60000 Contractual Services	**8,166**	**10,483**	**11,476**	**8,553**	**6,318**
77450 Administrative Other	828	852	300	300	473
70000 Other Charges	**828**	**852**	**300**	**300**	**473**
TEXPENSES Total Expenses	**11,113**	**13,741**	**13,942**	**10,900**	**8,899**

TUTBURY PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2015/16 AND ESTIMATED 2016/17 TO 2021/22
REVISED 28-Jun-17

				2015/16 Actual		2016/17 Revised		2017/18 Proposed		2018/19 Estimated		2019/20 Estimated		2020/21 Estimated		2021/22 Estimated
BEGINNING FUND BALANCE				$12,866		$15,421		$20,817		$28,337		$35,715		$42,949		$50,033
				Inflation	2.00%											
PROJECTED COSTS																
MAINTENANCE & OPERATION:																
53150 Electricity				413		514		530		541		551		562		574
53200 Water				1,993		1,533		1,578		1,610		1,642		1,675		1,708
67600 Temporary Labor				2,382		0		0		0		0		0		0
68300 Maintenance of Improvements				6,630		8,000		5,765		5,880		5,998		6,118		6,240
68312 Other Improvements				973		0		0		0		0		0		0
83200 Improvements				0		0		0		0		0		0		0
TOTAL MAINTENANCE				12,391		10,047		7,873		8,030		8,191		8,355		8,522
ADMINISTRATION																
61200 Postage				0		13		13		13		14		14		14
61300 Advertising Public Notices				258		300		300		306		312		318		325
62000 Professional - Collection Contract				240		240		240		245		250		255		260
77450 Admin Fee				852		300		473		482		492		502		512
TOTAL MAINTENANCE & OPERATION				13,741		10,900		8,899		9,077		9,259		9,444		9,633
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				16,296		16,296		16,296		16,296		16,296		16,296		16,296
INTEREST INCOME	0.50%			0		0		123		160		196		232		267
Increase/Decrease in Cash				2,555		5,396		7,520		7,379		7,234		7,084		6,930
ENDING FUND BALANCE				$15,421		$20,817		$28,337		$35,715		$42,949		$50,033		$56,963
THREE MONTH OPERATING RESERVE				*$3,435*		*$2,725*		*$2,225*		*$2,269*		*$2,315*		*$2,361*		*$2,408*
SURPLUS				*$11,986*		*$18,092*		*$26,112*		*$33,446*		*$40,634*		*$47,672*		*$54,555*

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	**Council Priority**	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy 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 August 21, 2017 to review the proposed FY 2017/18 budget and service plan. The Colonies PID budget projects total maintenance, operation and debt service expenses for FY 2017/18 to be $872,666. The Board recommended unanimously to increasing the property owner assessment rates to $0.10 per square foot. This will result in assessments totaling $904,644. This decision was made in order to continue to cover all operating costs as well as an additional $6,000 annual debt service payment resulting from a proposed $3 million bond issuance to reimburse the developer for improvement costs.

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 2017/18 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 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, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

___/___/17_____

ORDINANCE NO. 7626

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 2016-2017; ADOPTING A BUDGET FOR FISCAL YEAR 2016-2017 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 SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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;

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: A Budget for the fiscal year of 2017-2018 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 3: 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 4: The assessment roll for each parcel, method of assessment and amount of assessment for the 2017-2018 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 5: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 6: 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 7: 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 8: 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 9: 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 10: 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 11: This Ordinance shall become effective upon its second and final reading.

SECTION 12: 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 _____day of _____, 2017; and PASSED on Second and Final Reading on this _____day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____

William McKamie, City Attorney

EXHIBIT

Colonies Public Improvement District

Fiscal Year 2017-2018

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 $872,666. Such cost will be apportioned over the development as follows:

Cost of Maintenance	$364,513
Administration Expense	$18,680
Debt Service Obligation	$489,473
Total	$872,666

C. This year's assessment will total $900,121. 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, 2017.
2. These assessments become delinquent if not paid prior to February 1, 2018 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 2017-2018.

City of Amarillo

Colonies

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30311 Collec Randall County A	604,408	611,362	690,453	694,812	900,121
30300 Current Year's Levy	**604,408**	**611,362**	**690,453**	**694,812**	**900,121**
30200 Ad Valorem Tax Collectio	**604,408**	**611,362**	**690,453**	**694,812**	**900,121**
37110 Interest Income	128	1	70	5	0
37109 Interest Earnings	**128**	**1**	**70**	**5**	**0**
TREVENUE Total Revenues	**604,536**	**611,363**	**690,523**	**694,817**	**900,121**
41100 Salaries and Wages	17,470	0	0	0	0
41000 Personal Services	**17,470**	**0**	**0**	**0**	**0**
51200 Operating	499	21	0	12	0
51250 Janitor	252	0	500	0	500
51450 Botany & Agrigulture	22,533	35,414	21,800	40,000	21,800
53150 Electricity	13,841	13,062	16,937	16,717	17,219
53200 Water and Sewer	89,500	120,468	133,167	159,776	164,570
51000 Supplies	**126,625**	**168,964**	**172,404**	**216,505**	**204,089**
61200 Postage	302	299	366	299	366
61300 Advertising	499	240	499	240	499
62000 Professional	5,344	6,288	5,848	6,296	6,984
62015 PID Management Fees (pri	0	15,806	30,000	30,000	30,000
67600 Temporary Labor	83,898	57,969	85,785	104,987	85,785
68300 R & M - Improvements	12,720	43,441	40,000	40,000	40,000
68400 R & M - Irrigation	1,993	2,957	4,500	3,000	4,500
69210 Rental City Equipment	1,044	0	0	0	0
60000 Contractual Services	**105,799**	**127,002**	**166,998**	**184,823**	**168,134**
71100 Insurance and Bonds	83	0	89	0	139
77450 Administrative Other	14,304	18,441	7,044	7,044	10,831
70000 Other Charges	**14,387**	**18,441**	**7,133**	**7,044**	**10,970**
92150 Cert of Obligation	263,458	259,090	268,385	266,885	489,473
92000 Operating Transfers	**263,458**	**259,090**	**268,385**	**266,885**	**489,473**
TEXPENSES Total Expenses	**527,740**	**573,497**	**614,920**	**675,257**	**872,666**

COLONIES # 5 PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: Actual 2015/16 and ESTIMATED 2016/17 to 2021/22
REVISED 21-Aug-17

		Actual 2015/16	Revised 2016/17	Proposed 2017/18	Estimated 2018/19	Estimated 2019/20	Estimated 2020/21	Estimated 2021/22
BEGINNING FUND BALANCE		151,180	189,047	208,608	236,062	255,762	386,631	509,638
	INFLATION		0.0%	0.0%	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
MAINTENANCE & OPERATION:								
PARK MAINTENANCE COST:	1,003 630,599	0.498583093	47,987 676,586 0.601796972	0 676,586 0.564693348	0 676,586 0.575987215	0 676,586 0.587506959	0 676,586 0.599257098	0 676,586 0.61124224
41100 Labor (City Parks Staff)		0	0	0	0	0	0	0
51200 Operating		21	12	0				
51250 Janitorial Supplies		0	0	500	510	520	531	541
51450 Botanical & Agricultural		35,414	40,000	21,800	22,236	22,681	23,134	23,597
53150 Electricity		13,062	16,717	17,219	0.025375 17,563	17,915	18,273	18,638
53200 Water		120,468	159,776	164,570	0.242519 167,861	171,219	174,643	178,136
62015 PID Management Fees (private)		15,806	30,000	30,000	30,600	31,212	31,836	32,473
67600 Temporary Labor (Contract Labor)		57,969	104,987	85,785	0.126417 87,501	89,251	91,036	92,856
68300 Maintenance of Improvements		43,441	40,000	0.058946 40,000	0.058946 40,800	41,616	42,448	43,297
68312 Other Improvements		0	0	0	0	0	0	0
68400 Maintenance of Irrigation		2,957	3,000	4,500	4,590	4,682	4,775	4,871
69210 Equipment Rental		0	0	0	0	0	0	0
71100 Insurance		0	0	139	142	145	148	150
83200 Improvements - Parks		0	0					
TOTAL MAINTENANCE		289,138	394,492	364,513	371,803	379,239	386,824	394,561
ADMINISTRATION:								
61200 Postage		299	299	366	373	381	388	396
61300 Advertising Public Notices		240	240	499	509	519	530	540
62000 Professional Collection Contract		6,288	6,296	6,984	7,124	7,266	7,411	7,560
77450 Admin Fee		18,441	7,044	10,831	11,048	11,269	11,494	11,724
TOTAL ADMINISTRATION		25,268	13,879	18,680	19,054	19,435	19,823	20,220
TOTAL MAINTENANCE & OPERATION		314,406	408,371	383,193	390,857	398,674	406,647	414,780
Bond Proceeds				3,000,000				
Developer Reimbursements				(3,000,000)				
Debt Service First Issue (2006 2/15/26 mat)	585,000	45,946	45,946	45,945	45,944	45,946	45,946	45,946
Debt Service Second Issue (2008B 2/15/28 mat)	1,500,000	108,962	111,208	108,352	110,394	107,334	109,172	110,806
Debt Service Third Issue (2014 8/15/34 mat)	1,535,000	105,931	109,731	108,431	106,481	104,531	102,581	105,631
Debt Service Proposed Issue	3,000,000	0	0	220,745	220,745	220,745	220,745	220,745
Fiscal Agent Fees		(1,749)	0	6,000	6,000	6,000	6,000	6,000
Total Debt Service		259,090	266,885	489,473	489,564	484,556	484,444	489,128
TOTAL EXPENDITURES		573,496	675,256	872,666	880,421	883,230	891,092	903,909
		UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE	UNITS RATE
ASSESSMENTS								
RESIDENTIAL (excluding Unit 62)		8,169,309 0.0700 571,852	8,169,309 0.0700 571,852	8,169,309 0.1000 816,931	8,169,309 0.1000 816,931	8,169,309 0.1000 816,931	8,169,309 0.1000 816,931	8,169,309 0.1000 816,931
RESIDENTAL (Unit 62)		- 0.0700 0	1,143,780 0.0700 80,065	- 0.1000 0	- 0.1000 0	1,145,512 0.1000 114,551	1,145,512 0.1000 114,551	1,145,512 0.1000 114,551
COMMERCIAL		676,548 0.0700 47,358	792,407 0.0700 55,468	877,130 0.1000 87,713	877,130 0.1000 87,713	877,130 0.1000 87,713	877,130 0.1000 87,713	877,130 0.1000 87,713
MULTIFAMILY		0.0840	0.0960	0.1200	0.1200	0.1200	0.1200	0.1200
CHURCH		0.0700	0.0800	0.1000	0.1000	0.1000	0.1000	0.1000
TOTAL ASSESSMENTS		619,210	707,385	904,644	904,644	1,019,195	1,019,195	1,019,195
COLLECTION RATE		98.73%	99.50%	99.50%	99.50%	99.50%	99.50%	99.50%
TOTAL COLLECTIONS		611,362	694,812	900,121	900,121	1,014,099	1,014,099	1,014,099
INTEREST INCOME	1.00%	1	5	0	0	0	0	0
MISCELLANEOUS INCOME								
INCREASE (DECREASE) IN CASH		37,867	19,561	27,454	19,700	130,889	123,007	110,190
Ending Fund Balance		189,047	208,608	236,062	255,762	386,631	509,638	619,829
Three Month Operating Reserve		143,374	168,814	218,167	220,105	220,808	222,773	225,977
Surplus		45,673	39,794	17,896	35,657	165,823	286,865	393,852

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	N/A

Department	Planning Department

Agenda Caption

Ordinance to levy 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 August 18, 2017 to review the proposed FY 2017/18 budget and service plan. The Greenways PID budget projects total maintenance, operation and debt service expenses for FY 2017/18 to be $563,311. The Board recommends increasing property owner assessment rates to $720 (+$30) for type A lots, $600 (+$25) for type B lots, $864 (+$36) for type D lots, and $1,800 (+$75) per acre for commercial property. This will result in assessments totaling $630,024. 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 2017/18 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 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, the Planning Department has not received any comments regarding this request.

Staff Recommendation

Legal, Accounting, and Planning Department staff have reviewed the associated instruments and recommend approval as submitted

_____/_____/17 _____

ORDINANCE NO. 7687

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 2017-2018; ADOPTING A BUDGET FOR FISCAL YEAR 2017-2018 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 SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND 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;

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: A Budget for the fiscal year of 2017-2018 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 3: 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 4: The assessment roll for each parcel, method of assessment and amount of assessment for the 2017-2018 fiscal year is described on the attached exhibit and is hereby approved.

SECTION 5: The method of payment of the assessment is described on the attached exhibit and is hereby approved.

SECTION 6: 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 7: 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 8: If the Developer and City agree, after required public bidding, the PID shall reimburse the Developer for the soft costs and hard costs for capital improvements, plus interest at a rate equal to the prime rate of interest published in the Money Rates column of the first issue of the Wall Street Journal published in October of each year. Interest will begin accruing on the soft and hard costs on the date the City accepts each separate phase of capital improvements. Notwithstanding the foregoing, interest will cease accruing five years after the City accepts each separate phase of capital improvements. The soft costs to be reimbursed to the Developer may not exceed 15.0% of the total hard costs.

SECTION 9: 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 10: 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 11: 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 12: This Ordinance shall become effective upon its second and final reading.

SECTION 13: 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 _____ day of _____, 2017; and PASSED on Second and Final Reading on this _____ day of _____, 2017.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____

William McKamie, City Attorney

EXHIBIT

Greenways Public Improvement District
Fiscal Year 2017-18

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 $563,311. Such cost will be apportioned over the development as follows:

Cost of Maintenance $397,835

Administration Expense.....$20,159

Debt Service.....$145,317

Total $563,311

C. This year's assessment will total $632,544. 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 2017-2018 Class A lot assessment will be $720.00 per lot, the Class B lot assessment will be $600.00 per lot, and the Class D lot assessment will be $864.00 per lot.
2. Commercial Property: The 2017-2018 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, 2017.
2. These assessments become delinquent if not paid prior to February 1, 2018 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 2017-2018.

City of Amarillo

Greenways at Hillside

DESCRIPTION	Actual 2014	Actual 2015	Budget 2016	RevEst 2016	Dept Req 2017
30311 Collec Randall County A	537,322	550,743	528,094	551,765	632,544
30300 Current Year's Levy	**537,322**	**550,743**	**528,094**	**551,765**	**632,544**
30200 Ad Valorem Tax Collectio	**537,322**	**550,743**	**528,094**	**551,765**	**632,544**
37110 Interest Income	94	39	112	66	112
37109 Interest Earnings	**94**	**39**	**112**	**66**	**112**
TREVENUE Total Revenues	**537,416**	**550,782**	**528,206**	**551,831**	**632,656**
41100 Salaries and Wages	17,864	0	0	0	0
41000 Personal Services	**17,864**	**0**	**0**	**0**	**0**
51250 Janitor	9	0	0	0	0
51450 Botany & Agrigulture	17,315	0	2,000	0	2,000
53150 Electricity	2,491	2,239	2,496	2,271	2,336
53200 Water and Sewer	94,261	151,146	150,775	153,882	158,499
51000 Supplies	**114,075**	**153,384**	**155,271**	**156,153**	**162,835**
61200 Postage	418	438	450	438	450
61300 Advertising	529	258	529	258	529
61600 Unassigned	0	0	15,000	15,000	15,000
62000 Professional	6,586	7,360	7,176	7,600	7,664
67600 Temporary Labor	79,462	152,915	114,366	131,971	150,000
68300 R & M - Improvements	31,305	0	10,000	2,490	10,000
68312 Other Improvement	0	0	35,000	35,270	35,000
68400 R & M - Irrigation	2,006	0	25,000	2,105	25,000
69210 Rental City Equipment	1,071	0	0	0	0
60000 Contractual Services	**121,376**	**160,971**	**207,521**	**195,132**	**243,643**
77450 Administrative Other	15,336	19,619	7,167	7,167	11,516
70000 Other Charges	**15,336**	**19,619**	**7,167**	**7,167**	**11,516**
92170 Trsf to Debt Service	190,783	198,507	141,389	143,389	145,317
92000 Operating Transfers	**190,783**	**198,507**	**141,389**	**143,389**	**145,317**
TEXPENSES Total Expenses	**459,434**	**532,481**	**511,348**	**501,841**	**563,311**

GREENWAYS AT HILLSIDE PUBLIC IMPROVEMENT DISTRICT
FIVE YEAR IMPROVEMENT PLAN
FISCAL YEARS: ACTUAL 2015/16 AND ESTIMATED 2016/17 TO 2021/22
REVISED 21-Aug-17

			Actual 2015/16		Revised 2016/17		Proposed 2017/18		Estimated 2018/19		Estimated 2019/20		Estimated 2020/21		Estimated 2021/22	
BEGINNING FUND BALANCE			144,775		163,076		213,067		282,412		344,336		425,311		501,252	
PROJECTED COSTS		NEW	ACREAGE TOTAL		NEW	ACREAGE TOTAL	NEW	ACREAGE TOTAL	NEW	ACREAGE TOTAL	NEW	ACREAGE TOTAL		ACREAGE TOTAL		ACREAGE TOTAL
MAINTENANCE & OPERATION:		INFLATION	2.0%		2.0%		2.0%		2.0%		2.0%		2.0%		2.0%	
PARK MAINTENANCE COST:	0.30	28.75	11,617		28.75	12,468	28.75	14,539	28.75	14,830	28.75	15,126	29	15,429	29	15,737
51450 Botanical & Agricultural			0			0		2,000		2,040		2,081		2,122		2,165
53150 Electricity			2,239			2,271		2,336		2,383		2,430		2,479		2,529
53200 Water			151,146			152,141		156,724		159,858		163,055		166,316		169,643
53200 Drainage Utility Fee			0			1,741		1,775		1,811		1,847		1,884		1,922
61600 Miscellaneous (unassigned)			0			15,000		15,000		15,300		15,606		15,918		16,236
67600 Temporary Labor (Contract Labor)			152,915			131,971		150,000		153,000		156,060		159,181		162,365
68300 Repair & Maintenance of Improvements			0			2,490		10,000		10,200		10,404		10,612		10,824
68312 Other Improvements			0			35,270		35,000		35,700		36,414		37,142		37,885
68318 Repair & Maintenance of Lighting			0			0		0		0		0		0		0
68400 Repair & Maintenance of Irrigation			0			2,105		25,000		25,500		26,010		26,530		27,061
69210 Equipment Rental			0			0		0		0		0		0		0
TOTAL MAINTENANCE			306,300			342,989		397,635		405,792		413,908		422,186		430,629
ADMINISTRATION:																
61200 Postage			438			438		450		459		468		478		487
61300 Advertising Public Notices			258			258		529		540		550		561		573
62000 Professional Collection Contract			7,360			7,600		7,664		7,817		7,974		8,133		8,296
77450 Administrative fee			19,619			7,167		11,516		11,746		11,981		12,221		12,465
TOTAL ADMINISTRATION			27,675			15,463		20,159		20,562		20,973		21,393		21,821
TOTAL MAINTENANCE & OPERATION			333,975			358,452		417,994		426,354		434,881		443,579		452,450
Developer Reimbursement			0			0		0		0						
Bond Proceeds																
DEBT SERVICE PAYMENTS																
FOURTH ISSUE PAYMENT (COs 2014, 08/15/34 Maturity Date)	725,000		50,862			51,088		50,488		49,588		49,586		48,688		48,688
THIRD ISSUE PAYMENT (2008A Cos, 2/15/28 Maturity Date)	600,000		43,502			42,441		46,264		46,264		44,980		43,696		43,696
SECOND ISSUE PAYMENT (2003 COs, 8/15/23 Maturity Date)	620,000		46,655			45,360		44,065		44,065		47,770		46,290		46,290
FIRST ISSUE (2001 COs, 8/15/16 Maturity Date)	600,000		57,448			0		0		0						
Fiscal Agent Fees			39			4,500		4,500		4,500		4,500		4,500		4,500
Total Debt Service			198,506			143,389		145,317		144,417		146,836		143,174		143,174
TOTAL EXPENDITURES			532,481			501,841		563,311		570,770		581,719		586,753		595,624
ASSESSMENTS	UNITS	UNITS Yearly Increase	RATE		UNITS Yearly Increase	RATE	UNITS Yearly Increase	RATE	UNITS Yearly Increase	RATE	UNITS Yearly Increase	RATE	UNITS	RATE	UNITS	RATE
				$0		$0		$25		$0		$0				
RESIDENTIAL B	643	826	575	474,950	826	575	474,950	919 600	551,400	919 600	551,400	969 600	581,400	969 600	581,400	969 600	581,400
RESIDENTIAL A	46	68	690	46,920	68	690	46,920	68 720	48,960	68 720	48,960	68 720	48,960	68 720	48,960	68 720	48,960
RESIDENTIAL D	26	26	828	21,528	26	828	21,528	26 864	22,464	26 864	22,464	26 864	22,464	26 864	22,464	26 864	22,464
MULTI-FAMILY	-	-	1,150	0	-	1,150	0	- 1,200	0	- 1,200	0	- 1,200	0	- 1,200	0	- 1,200	0
COMMERCIAL	1.8	1.8	1,725	3,105	1.8	1,725	3,105	5.4 1,800	9,720	5.4 1,800	9,720	5.4 1,800	9,720	5.4 1,800	9,720	5.4 1,800	9,720
TOTAL ASSESSMENTS				546,503			546,503		632,544		632,544		662,544		662,544		662,544
COLLECTION RATE				100.78%			100.96%		100.00%		100.00%		100.00%		100.00%		100.00%
TOTAL COLLECTIONS				550,743			551,765		632,544		632,544		662,544		662,544		662,544
INTEREST INCOME				39			66		112		150		150		150		150
MISCELLANEOUS INCOME																	
INCREASE (DECREASE) IN CASH				18,301			49,991		69,346		61,924		80,975		75,941		67,070
ENDING FUND BALANCE				163,076			213,067		282,412		344,336		425,311		501,252		568,322
Three Month Operating Reserve				83,494			89,613		104,499		106,588		108,720		110,895		113,113
Surplus				79,582			123,454		177,914		237,747		316,590		390,357		455,209

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

Meeting Date	September 5, 2017	Council Priority	

Department	City Manager Michelle Bonner, Assistant City Manager

Agenda Caption

PUBLIC HEARING ON TAX INCREASE:

THE CITY OF AMARILLO IS CONSIDERING A TAX RATE OF $0.36364, WHICH IS GREATER THAN THE CURRENT RATE. THIS PROPOSED RATE WILL RAISE MORE TAXES THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.33 PERCENT. THE TAX ON AN AVERAGE HOME LAST YEAR WAS $434.32 THE TAX ON AN AVERAGE HOME WOULD BE $476.49 UNDER THE PROPOSED RATE.

Agenda Item Summary

This public hearing is the second public hearing on the proposed tax rate: at this meeting Council must have a public hearing on the tax rate and announce meeting dates and times to adopt the tax rate.

Requested Action

Council hold a public hearing on the tax rate and announce the meeting dates and times to adopt the tax rate. Those meeting times are September 5, 2017 at 5:00 P.M. and September 12, 2017 at 5:00 P.M.

Funding Summary

N/A

Community Engagement Summary

The City Council met on August 8th, 9th and 10th to review the proposed 2017/2018 budget. At the August 8th Council meeting, City Staff presented an overview of the proposed 2017 tax rate and required tax notices. On August 15, 2017 the City Council discussed the tax rate and approved a motion to consider a $0.36364 property tax rate. On August 29, 2017 Council held the first mandatory public hearing on the 2017 tax rate.

Staff Recommendation

No action at this hearing.

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Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	September 5, 2017	Council Priority	

Department	City Manager Michelle Bonner, Assistant City Manager

Agenda Caption

PUBLIC HEARING ON FISCAL YEAR 2017/2018 BUDGET:

This Budget will raise more total property taxes than last year's budget by $3,147,752 or 7.73%, and of that amount $862,593 is tax revenue to be raised from new property added to the tax roll this year.

Agenda Item Summary

This is the public hearing on the 2017/2018 budget.

Requested Action

Council hold a public hearing on the budget.

Funding Summary

N/A

Community Engagement Summary

The City Council met on August 8th, 9th and 10th to review the proposed 2017/2018 budget. At the August 8th Council meeting, City Staff presented an overview of the proposed 2017 tax rate and required tax notices. On August 15, 2017 the City Council discussed the tax rate and approved a motion to consider a $0.36364 property tax rate. On August 29, 2017 Council held the first mandatory public hearing on the 2017 tax rate. (The property tax rate generates the amount necessary to fund the proposed 2017/2018 Budget.)

Staff Recommendation

No action at this hearing.

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	

Department	City Manager Michelle Bonner, Assistant City Manager

Agenda Caption

ORDINANCE NO. _____:

This is the first reading of an ordinance adopting the City of Amarillo budget for the 2017/2018 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year.

Agenda Item Summary

This is the first reading of the ordinance adopting the City of Amarillo budget for the 2017/2018 fiscal year.

Requested Action

Council approval of the ordinance. The wording on the motion to approve the budget ordinance:

'I move that we adopt the proposed budget which reflects an increase in revenue derived from property tax revenues over last year's budget."

A record vote is required for approval of the budget ordinance, with the name and vote of each member officially recorded.

Funding Summary

N/A

Community Engagement Summary

The City Council met on August 8th, 9th and 10th to review the proposed 2017/2018 budget. At the August 8th Council meeting, City Staff presented an overview of the proposed 2017 tax rate and required tax notices. On August 15, 2017 the City Council discussed the tax rate and approved a motion to consider a $0.36364 property tax rate. On August 29, 2017 Council held the first mandatory public hearing on the 2017 tax rate. (The property tax rate generates the amount necessary to fund the proposed 2017/2018 Budget.) On September 5, 2017 Council held a public hearing on the 2017/2018 budget.

Staff Recommendation

Staff recommendation is to approve the first reading of the ordinance adopting the City of Amarillo budget for the 2017/2018 fiscal year.

09/1/17 BSM

ORDINANCE NO. 7688

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2017, THROUGH SEPTEMBER 30, 2018, FOR THE CITY OF AMARILLO; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET; AMENDING VARIOUS TERMS AND PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO ADD, MODIFY, INCREASE, OR DELETE VARIOUS FEES AND RATES; CHAPTER 4-6, ARTICLE 1, AND CHAPTER 4-1, ARTICLE I, CONCERNING VARIOUS FEES FOR PLAN REVIEW, INSPECTIONS AND PERMITS; CHAPTER 8-5, ARTICLE IV, CONCERING CERTAIN ENVIRONMENTAL HEALTH FEES; CHAPTER 10-1 CONCERNING FIRE PREVENTION FEES; CHAPTERS 12-1 AND 12-4 CONCERNING ZOO FEES AND GOLF RATES; CHAPTERS 18-2, 18-3, AND 18-4, CONCERNING VARIOUS WATER AND SEWER RATES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a budget for operating the municipal government of the City of Amarillo for the fiscal year October 1, 2017 through September 30, 2018 (hereafter, "fiscal year" or "FY") has been prepared by the City Manager of the City of Amarillo; and

WHEREAS, all public notices and hearings required by State law and the City Charter have been duly and legally advertised, published and conducted as required; and

WHEREAS, said budget has been filed with the City Secretary for more than fifteen (15) days immediately prior to the public hearing heretofore held upon said budget; and

WHEREAS, at the public hearing the financial condition, comparative expenditures as filed, and public comments were duly considered;

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

SECTION 1. That the budget as filed with the City Secretary of the City of Amarillo for the fiscal year of October 1, 2017 through September 30, 2018 (hereafter, "the fiscal year"), together with any amendments made upon motion, second, and majority vote during public hearings, is hereby approved, adopted and ratified as the Annual Budget for the City of Amarillo, Texas, for the fiscal year.

SECTION 2. That the number, classification, and designation of each position, as listed in the Annual Budget and incorporated herein by reference, is hereby created, established and adopted as the official plan for the classified service and unclassified service (managerial schedule and part-time schedule) of the City of Amarillo for the fiscal year. Any classified or unclassified position which is not

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listed in said Annual Budget is expressly found, after having been examined in budget work sessions to be a surplus position and, in order to increase efficiency of providing service and to reduce expenditures, such position is hereby abolished. The number of authorized positions may be increased by subsequent action if grants or other revenue sources become available during the fiscal year to fund such position(s). On October 1, 2017, four (4) new patrolmen positions and four (4) sergeant positions will be removed from authorized positions. (CHECK CIVIL SERVICE)

SECTION 3. That in accordance with the annual personnel budget for the City, effective January 1, 2018, the City contribution rate to the Texas Municipal Retirement System will be 12.44%. Effective January 1, 2018, the City contribution rate to the Amarillo Firemen's Relief and Retirement Fund will be 19.57%. Effective January 1, 2018, the City contribution rate towards the City's Other Post Employment Benefits (OPEB) liability will be two point forty-three percent (2.43%). This does not change the amounts contributed by employees each payroll period.

SECTION 4. Chapter 2-4, Article I, Section 2-4-3, of the Amarillo Municipal Code is hereby added to read as follows:

Sec. 2-4-3. - Dues accruing to city payable in current money.

(a) Taxes levied to defray the current expenses of City government, and all licenses and occupation taxes levied, and all fines, forfeitures, penalties and other dues accruing to the City shall be payable in current money.

(b) ~~Returned check fee:~~ A charge of t~~T~~hirty dollars ($30.00) will be assessed on all returned checks or drafts, dishonored money orders, dishonored credit card transactions, bank debits, and all other payments made through electronic means.

SECTION 5. That, in accordance with the annual budget adopted for the Planning Department, Chapter 4-6, Article I, Section 4-6-3, of the Amarillo Municipal Code is hereby added to read as follows:

Sec. 4-6-3. Fees.

(a) Fees related to the processing of applicable permits and services described in this Chapter shall be set out as follows:

TABLE NUMBER ONE

~~*Description* — *Fee*~~

~~(1) Right of Way (ROW) Permit Fee.....$ 260.00~~

~~(2) ROW Re-inspection Fee .....$ 50.00~~

~~(3) ROW No Permit Fee (per day).....$ 500.00~~

~~(4) Flood Plain Development Permit.....$ 200.00~~

~~(5) Sidewalk Wavier -Commercial .....$ 800.00~~

~~(6) Sidewalk Wavier -Residential .....$ 80.00~~

~~(7) Drainage Report Application Fee.....$ 250.00~~

~~(8) Drainage Report Fee (Per Acre).....$ 3.00~~

~~(9) Construction Plan Review.....1% of the total cost of the project.~~

	Description	*Fee*	*Technology Fee*
(1)	Right of Way (ROW) Permit Fee	$260.00	$10.00
(2)	ROW Re-inspection Fee	$50.00	$10.00
(3)	ROW No Permit Fee (per day)	$500.00	$10.00
(4)	Flood Plain Development Permit	$200.00	$10.00
(5)	Sidewalk Wavier -Commercial	$800.00	$10.00
(6)	Sidewalk Wavier -Residential	$80.00	$10.00
(7)	Street Name Change	$660.00 + cost of sign	$10.00
(8)	Drainage Report Application Fee	$250.00	$10.00
(9)	Drainage Report Fee (Per Acre	$3.00	$10.00
(10)	Notification Supplementary Fee	$160.00	$10.00
(11)	Construction Plan Review	1% of the total cost of the project.	$10.00
(12)	Construction Application Fee	$250.00	$10.00

SECTION 6. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article II, Section 4-1-110, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-21. – Building permit and inspection fee schedule.

(a)-(g) [NO TEXT CHANGE]

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(h) *Table of Contractor Registration Requirements.* The specific requirements for each contractor category are as listed in the following Table 4-1-110, Contractor Registration Requirements.

Table 4-1-110 Contractor Registration Requirements

Contractor Categories	State License or Registration Required	City Registration In Addition to State License or Registration	Annual City Registration Fee	License and Permit Surety Bond	General Liability Insurance
Building Contractor					
General Contractor (fn. 1)	no	yes	~~$40~~50.00	none	none
New Residential Contractor (fn. 2)	No	yes	~~$40~~50.00	none	none
Residential Remodeling Contr. (fn. 3)	No	yes	~~$40~~50.00	$20,000.00	none
Additional requirements for building demolition	no	any of the above	any of the above	lot clearance bond (fn. 4)	yes (fn. 5)
Electrical Contractor,	State Lic.	yes	$40.00	none	State Required Min.

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Master Electrician License (fn. 6)					
Glass and Glazing Contractor	no	yes	$~~40~~50.00	None	$500,000.00 (fn. 12)
HVAC Contractor, A and B (fn. 7)	State Lic. (fn. 7)	yes	$~~40~~50.00	none	State Required Min.
Insulation Contractor	no	yes	$~~40~~50.00	$20,000.00	$300,000.00 (fn. 11)
Landscape Irrigator or Irrigation Technician	State Lic.	yes	$~~40~~50.00	$10,000.00	none
House Moving Contractor	no	yes	$~~40~~50.00	$10,000.00	none
Plumbing Contractor, Master Plumber License (fn. 7)	State Lic.	yes	none	none	State Required Min.
With Medical Gas endorsement (MGE) (fn. 8)	MGE	yes	none	none	State Required Min.

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Commercial Roofing Contractor	no	yes	$~~40~~50.00	$20,000.00	$1,000,000.00 (fn. 13)
Residential Roofing Contractor	no	yes	$~~40~~50.00	$20,000.00	$300,000.00 (fn. 11)
Sign Contractor					
Electrical Sign Contractor (fn. 9)	State Lic. (fn. 9)	yes	$~~40~~50.00	none	State Required Min.
Non-electrical Sign Contractor (fn. 10)	no (fn. 10)	yes	$~~40~~50.00	$10,000.00	none
Swimming Pool and Spa Contractor	no	yes	$~~40~~50.00	$10,000.00	none
Water Treatment Equipment Installation Contractor	State Lic.	yes	$~~40~~50.00	$10,000.00	none

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SECTION 7. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 2, Section 4-1-21, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-21. - Building permit and inspection fee schedule.

(a) [NO TEXT CHANGE]

(b) *Building Permit Fee Schedule.*

(1) All Projects: $ Value x 0.0030 = Permit Fee: Rounded to whole dollars.

(2) Minimum Permit Fees:

a. New construction: One hundred twenty dollars ($120.00) plus fifty dollars ($50.00) times the number of other permits required for electrical, plumbing and HVAC work.

b. Remodels and Additions: Sixty dollars ($60.00) plus fifty dollars ($50.00) times the number of other permits required for electrical, plumbing and HVAC work.

(3) Other Permits and Inspection Fees:

a. Certificate of Occupancy review and inspection when not associated with a building permit: $120.00

b. ~~Duplication or~~ Rrecreation of existing Certificate of Occupancy: 40.00

c. Wrecking permit and Moving permits: 90.00

d. Permit for the installation of flammable liquids tanks and pumps: 60.00

This includes the fees for electrical and plumbing permits

e. Residential Re-roofing permit: 50.00

f. Manufactured home installation: 180.00

This includes the fees for electrical and plumbing permits.

g. Inspection not otherwise noted above, and those requested after hours, two hour minimum charge per hour: ..... ~~60~~80.00

h. Re-inspection: 50.00

i. Construction and Advisory and Appeals Board application: 150.00

j. Siding and exterior veneer: Value of project × 0.0030 minimum: 50.00

k. Expedited Review Fee 500.00

l. Same Day Inspection Fee ..... ~~60~~100.00

m. Insulation and energy conservation: value of project × 0.0030, minimum of 40.00

n. Technology Fee 10.00

o. Glass/Glazing Permit 50.00

p. Insulation Permit 50.00

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SECTION 8. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 3, Section 4-1-30, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-30. - Fee schedule.

(a) [NO TEXT CHANGE]

(b) (1) -(4) [NO TEXT CHANGE]

(5) Technology Fee: . . . 10.00

SECTION 9. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article II, Division 2, Section 4-1-36, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-10-36. - Zoning board of adjustment.

(a) [No TEXT CHANGE]

(b) *Procedure.*

(1) The Board shall adopt rules, operate, and exercise all duties and powers as prescribed in Chapter 2-6.

(2) Upon filing of an application for either a special exception or Variance with the Building Safety Department, the applicant shall pay the sum of ~~three~~ five hundred dollars ($~~3~~*500*.00) to the City.

SECTION 10. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 4, Section 4-1-40, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-40. - Heating, Ventilation, and Air Conditioning, HVAC, Permit Fee Schedule.

(a) – (f) [NO TEXT CHANGE]

(g) Technology Fee: . . . 10.00.

SECTION 11. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 5, Section 4-1-50, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-50. - Plumbing permit fees.

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(a) [NO TEXT CHANGE]

(b) (1)-(6) [NO TEXT CHANGE]

(7)) Technology Fee: . . . 10.00

(~~7~~8) Minimum permit fee is ninety dollars ($90.00) for the first seventy-five (75) heads plus fifty cents ($0.50) per head thereafter.

SECTION 12. That, in accordance with the annual budget adopted for the Planning Department, Chapter 4-6, Article II, Division 5, Section 4-6-41, of the Amarillo Municipal Code is hereby amended:

Sec. 4-6-41. - Application and procedures.

(a) [NO TEXT CHANGE]

(b) *Fees.* The Developer shall pay a non-refundable application fee of ~~three hundred fifty dollar ($350.00)~~ four hundred and fifty dollar ($450.00) for the first acre and an additional ten dollar ($10.00) per additional acre for each Minor Plat submitted or if no notification is required, three hundred and twenty-five ($325.00) for the first acre and an additional ten dollar ($10.00) per acre per additional acre for each Minor Plat submitted.

(c) –(g) [NO TEXT CHANGE]

SECTION 13. That, in accordance with the annual budget adopted for the Planning Department, Chapter 4-6, Article II, Division 6, Section 4-6-51, of the Amarillo Municipal Code is hereby amended:

(a) – (d) [NO TEXT CHANGE]

(e) Fees. The Developer shall pay a non-refundable application fee of ~~three hundred fifty dollars ($350.00)~~ four hundred and fifty dollar ($450.00) for the first acre and an additional ten dollars ($10.00) per additional acre for each Amending Plat submitted~~.~~ if no notification is required, three hundred and twenty-five ($325.00) for the first acre and an additional ten dollar ($10.00) per acre per additional acre for each Amending Plat submitted.

(f) – (h) [NO TEXT CHANGE]

SECTION 14. That, in accordance with the annual budget adopted for the Planning Department, Chapter 4-6, Article II, Division 4, Section 4-6-31, of the Amarillo Municipal Code is hereby amended:

Sec. 4-6-31. - Application and procedures.

(a) [NO TEXT CHANGE]

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(b) *Fees.* The Developer shall pay a non-refundable application fee of ~~three~~ five hundred ~~fifty~~ ~~dollars~~ ($~~350~~500.00) for the first acre and an additional ten dollars ($10.00) per additional acre for each Final Plat submitted.

(c) - (g) [NO TEXT CHANGE]

SECTION 15. That, in accordance with the annual budget adopted for the Planning Department, Chapter 4-6, Article IV, Section 4-6-190, of the Amarillo Municipal Code is hereby amended:

Sec. 4-6-190. - Abandonment of public right-of-way.

In addition to the requirements set forth in V.T.C.A., Local Government Code, Ch. 272, the following shall control the consideration of requests for abandonment of Public Rights-of-Way that are abandoned by separate legal instrument:

(1) [NO TEXT CHANGE]

(2) The applicant shall pay the following filing fees for Public Right-of-Way abandonment: ~~Three~~ four hundred ~~fifty~~ eighty-five dollars ($~~350~~485.00) for each alley, easement, or street abandonment request filed for consideration.

(3) [NO TEXT CHANGE]

SECTION 16. That, in accordance with the annual budget adopted for the Planning Department, Chapter 4-10, Article II, Division 1, Section 4-10-23, of the Amarillo Municipal Code is hereby amended:

Sec. 4-10-23. - Amending procedure

(a) *Application to Planning and Zoning Commission and planning department; fee.*

(1) Any person desiring a change in regulations, restrictions or boundaries of the Zoning District Map of any property from one (1) Zoning District classification to another Zoning District classification under this chapter shall make application for such change to the Planning and Zoning Commission in writing and by filing such written application with the Planning Department of the City, requesting a change in Zoning District classification. Such application shall contain the following information:

a. Legal description of the land on which such Zoning District classification is requested, together with the local Street address of same;

b. Name and address of each owner or owners of the property which is the subject of the application;

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c. Name and address of the person making the application, if made by anyone other than the owner, together with a statement on a form prescribed and furnished by the Planning Department of the City, that the person making the application is authorized to act for the owner or owners in making such application;

d. Zoning District classification use under which the property regulated at the time of making such application and the Zoning District classification use requested by the applicant;

e. Any other information concerning the property as may be requested by the Planning Department of the City or the Planning and Zoning Commission of the City.

(2) Upon the filing of any application for a Zoning District classification change with the Planning Department of the City, the applicant shall pay to the City Planning Department the following applicable sum:

a. For a Zoning District classification change, the sum of ~~three~~ eight hundred dollars (~~$300~~800.00):

b. For a specific use permit, the sum of six hundred and eighty-five dollars ~~three hundred twenty-five dollars ($325~~685.00) ~~plus ten dollars ($10.00) per acre if greater than one (1) acre~~.

c. For a Planned Development District classification, the sum of ~~four~~ eight hundred dollars (~~$400~~800.00).

d. For an amendment to a Planned Development District, the sum of six hundred dollars ($600.00)

(3) These fees are utilized to help defray necessary administrative costs of processing the application as required, including publication and mailing of required notices.

(b) *Public hearings; notice.*

(1) –(4) [NO TEXT CHANGE]

(5) If the Planning and Zoning Commission recommends that a Zoning District classification change not be granted, the case will not be processed further and shall not be forwarded to the City Council for public hearing, unless the applicant shall, within ten (10) days after the date the Planning and Zoning Commission votes to recommend that the Zoning District classification change not be granted, file with the Planning Department a request

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in writing requesting that such application be forwarded to the City Council for a public hearing and determination of the Zoning District classification change request. If the written appeal is filed by noon of the day following the Planning and Zoning Commission meeting, the case shall be processed for consideration to the City Council at its next regularly scheduled meeting. If the written appeal is filed after noon of the day following the Planning and Zoning Commission meeting, but within ten (10) days, the case shall require new publication and mailing of notices and scheduling to the City Council at a later date. The applicant shall pay a fee of ~~one~~ three hundred and fifty dollars (~~$100~~350.00) with the notice of appeal to defray publication, notice and other expenses.

(6) [NO TEXT CHANGE]

(c) [NO TEXT CHANGE]

SECTION 17. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-10, Article II, Division 2, Section 4-10-36, of the Amarillo Municipal Code is hereby amended:

Sec. 4-10-36. - Zoning board of adjustment.

(a) *Established.* See now, Chapter 2-6 of this Code.

(b) *Procedure.*

(1) The Board shall adopt rules, operate, and exercise all duties and powers as prescribed in Chapter 2-6.

(2) Upon filing of an application for either a special exception or Variance with the Building Safety Department, the applicant shall pay the sum of ~~three~~ five hundred dollars (~~$300~~500.00) to the City.

SECTION 18. That, in accordance with the annual budget adopted for the Environmental Health Department, Chapter 8-5, Article IV, Section 8-5-15, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 8-5-15 Fees

(a) Environmental Health Fees.

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(1) Food Establishments that are eating or drinking establishments; permit fees and renewal of fees are based on Occupancy Loads as established by the City Building Official and are as follows:

0 to 50 ..... ~~$250.00~~ $258.00

51 to 150 ..... ~~350.00~~ $361.00

151 to 250 ..... ~~450.00~~ $464.00

251 to 350 ..... ~~550.00~~ $567.00

Over 350 ..... ~~650.0~~ $670.00

2) Food Establishments where 50% or more of their business is for offsite consumption permit fees and renewal fees are based on square footage of the business and area as follows:

Square Feet

0 to 500 ..... ~~$250.00~~ $258

501 to 3,000 ..... ~~350.00~~ $361

3,001 to 5,000 ..... ~~450.00~~ $464

5,001 to 15,000 ..... ~~550.00~~ $567

15,001 and Over ..... ~~650.00~~ $670

(3) Food Establishment permit fees for Caterers, Farmers Markets, Mobile Food Units (to include snow cone stands) ..... ~~$250.00~~ $258.00

(4) Food Establishment permit fees for schools and child care facilities ..... ~~250.00~~ $258.00

(5) Produce Vendor ..... ~~50.00~~ 52.00

(6) Food Establishment Application Fee for New, Change of Owner, Remodel, or Repair ..... ~~25~~26.00

(7) Food Establishment Plan Review and Inspection for New, Change of Owner, Remodel, or Repair ..... ~~85~~88.00

(8) Prepackaged Food Vendors less than 200 square feet of total food operation area are exempt from permit and fees.

(9) TCS Vending Machine permit fees ..... ~~100.00~~ 103.00 per unit.

(10) Food Establishment Re-inspection Fee ..... ~~75~~78.00

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(11) Duplicate copy of permit, registration, or *license* ..... ~~25.00~~ 26.00

(12) Late Food Establishment Permit Fee ..... ~~50~~52.00

(13) Application fee for New and Change of Owner for *Liquor License* ..... ~~25~~26.00

(14) Late Renewal fee of *Liquor License* ..... ~~25~~26.00

(15) Application fee for New and Change of Owner for Beer and Wine *License* ..... ~~25~~26.00

(16) Late Renewal fee for Beer and Wine *License* ..... ~~25~~26.00

(17) Environmental Inspection of a child care facility or group home ..... ~~50~~52.00

(18) Temporary Food Establishment permit per day per booth. *Licensed* caterers must obtain a Temporary Food Establishment permit but are exempt from fees.

# of Booths	Large Events (21 booths or greater)	Small Events (20 booths or less)
0-5	X	$~~25~~26.00
6-12	X	$~~20~~21.00
13-20	X	$~~15~~16.00
21-40	$~~20~~21.00	X
41-80	$~~15~~16.00	X
81 or more	$~~10~~11.00	X

(19) Certified Food Manager annual registration ..... ~~40~~42.00.

(20) Late Certified Food Manager annual registration ..... ~~10~~11.00

(21) Certified Food Manager Certification (course and exam) ..... ~~150~~155.00 per person.

(22) Food Handler Certification (course and exam) ..... ~~20~~21.00 per person.

(23) Water sample collection ..... ~~40~~42.00.

(24) OSSF - Primary Treatment systems for single family dwellings ..... ~~250~~258.00

(25) OSSF - Primary Treatment systems for multi-family dwellings ..... ~~280~~289.00

(26) OSSF - Advanced Treatment systems (secondary treatment or greater) ..... ~~300~~309.00

(27) OSSF - Existing system inspection ..... ~~150~~155.00

(28) OSSF - Re-inspection fee ..... ~~75~~78.00

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(29) (Annual permit (year round usage) for Public pools and spas, PIWF; Semi-public pools, spas, PIWF ..... ~~200~~206.00 or, if more than one (1) at the same property, then $~~50~~52.00 for each unit after the first. Fees will not be pro-rated. Permits are non-transferable.

(30) Seasonal permit (Operating less than 9 months of the permit year) for Public pools, spas. PIWF: Semi-public pools, spas, PIWF ..... ~~100~~103.00 or, if more than one (1) at the same property, then $~~50~~52.00 for each unit after the first.

(31) Re-inspections to re-open a closed pool: $~~50~~52.00. Every effort will be made to re-inspect the same day of notification that the violation(s) has been corrected. Re-inspections of closed pools will be made within one (1) working day. A re-inspection fee for code compliance may be required on the 2nd re-inspection.

(32) Late fees for annual public pool permits will be $~~50~~52.00 and for seasonal permits will be $~~25~~26.00.

(33) Cost per seat in the Certified Pool Technician course will be $~~125~~129.00 for the initial 2-day course and exam. A one (1) day refresher course with exam will be offered for $~~50~~52.00 per seat for those who have taken the initial course with the City. Payments must be made in advance and are non-refundable.

(34) Application and plan review for new construction, modification, or repair of a public swimming pool, spa, or PIFW: $~~50~~52.

(35) A Technology Fee of $10.00 will apply to all applications excluding environmental health applications, temporary event applications and water samples.

(~~35~~36) All Environmental Health fees will increase annually by 3% or consumer Price Index (CPI), whichever is greater.

(37) Merchant card service charge.....2.5%

SECTION 19. That, in accordance with the annual budget adopted for the Fire Marshall's Office, Chapter 10-1, Article II, Section 10-2-15, Table 113.2.1, of the Amarillo Municipal Code is hereby amended to read as follows:

TABLE 113.2.1 INSPECTION FEES

	Occupant Load	Fee

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Day Care	Up to 50	$40.00
	51 to 150	$80.00
	Over 150	$80.00 for first 150 plus $40.00 For each additional 100 or fraction thereof
Foster/Group Home/Shelter	1 to 5	$40.00
	6 to 15	$80.00
	Over 15	$80.00 for first 15 plus $40.00 For each additional 15 or fraction thereof
Nursing Homes	Up to 50 beds	$160.00
	51 to 100 beds	$240.00
	Over 200 beds	$240 for first 100 beds Plus $80.00 for each additional 100 beds or fraction thereof
Hospitals	Up to 100 beds	$320.00
	101 to 200 beds	$400.00
	Over 200 beds	$400.00 for first 200 beds Plus $80.00 for each additional 100 beds or Fraction thereof
Other	Up to 2,500 sq. ft	$40.00

DRAFT

	Occupant Load	Fee
Facilities		
	2,501 to 5,000 sq. ft	$80.00
	5,001 to 10,000 sq. ft	$120.00
	10,001 to 50,000 sq. ft	$160.00
	Over 50,000 sq. ft	$160.00 for first 50,000 sq. ft. plus $40.00 for each additional 25.000 sq. ft. or fraction thereof
TABC Licensed Facilities		$40.00

SECTION 20. That, in accordance with the annual budget adopted for the Parks and Recreation Department, Chapter 12-1, Article II, Section 12-1-11, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 12-1-11. - Zoo Fees.

There is hereby assessed an admission fee on each person entering the Amarillo *Zoo* as follows:

Adults: Monday Admission	(ages 13—61)	$4.00 $2.00
Seniors Monday Admission	(62—over)	$3.00 $1.50

DRAFT

Children Monday Admission	(3—12)	$2.00 $1.00
Children	(2 & under)	free

SECTION 21. Chapter 12-4, Article II, Section 12-4-4, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 12-4-4. - Annual ~~permits~~pass.

The Golf Course Manager shall issue annual golf course playing ~~permits~~ passes at rates and with conditions as stated in Section 12-4-5 of this Code.

SECTION 22. That, in accordance with the annual budget adopted for the Parks and Recreation Department, Chapter 12-4, Article II, Section 12-4-5, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 12-4-5. - Golf fees.

(a) A green fee for the use of the golf course shall be paid prior to commencement of play by all players except those players holding annual permits or discount green fee cards, as follows:

	Weekend Fee (Friday—Sunday & holidays)	Daily Fee(Monday—Thursday)	Twilight Fee (after 3:00 p.m., ~~Monday—Thursday, 18 holes~~)	Twilight Fee (Monday—Thursday, after 5:00 p.m.~~, 9 holes~~)	Junior (18 or younger)/Senior (65 or older) Fee(Monday—Thursday)
Ross/Wildhorse	~~$24~~28.00	~~$21~~25.00	~~$17~~20.00	~~$14~~17.00	~~$17~~20.00
Ross/~~East~~ Mustang course	~~24~~28.00	~~21~~25.00	~~17~~20.00	~~14~~17.00	~~17~~20.00
Comanche/Tomahawk	~~18~~25.00	~~15~~22.00	~~11~~17.00	~~11~~14.00	~~11~~17.00
Comanche/Arrowhead	~~18~~25.00	~~15~~22.00	~~11~~17.00	~~11~~14.00	~~11~~17.00

(b) Golf cart rental fees (tax included):

9 holes ..... ~~$13~~14.00

18 holes ..... ~~26~~28.00

(c) Annual ~~permits~~ Pass: Regular (any age) ..... ~~$930~~3000.00 Unlimited play. All days, all courses)

~~Additional regular family member ..... 595.00~~

Senior Pass (age ~~62~~ 65 as of purchase date, play Monday~~—Thursday~~Friday, excludes holidays) ..... ~~570~~$1,500.00

Ultimate Senior Golf Pass .....$2,500.00 (age 65 as of purchase date, Unlimited play. Monday –Friday excludes holidays, all courses, includes cart)

~~Additional senior family member ..... 525.00~~

Mini Golf Pass .....$400.00 (20-Rounds, All days, All courses, good for 12 months from date of purchase)

Ultimate Annual Golf Pass .....$4,400.00 (Unlimited play. All days, all courses, includes cart)

~~Junior permit (age 13—18, Monday—Thursday, June 1 to August 31) ..... 240.00~~

(d) Capital Improvement Fee ~~(per round) shall be separately collected at time of play on all permits~~(fee is incorporated into the cost of each green fee).

Comanche/Arrowhead and Tomahawk ..... $~~2~~3.00

Ross/Wildhorse ..... ~~3~~4.00

Ross/~~East~~ Mustang..... ~~3~~4.00

(e) Unless specifically described otherwise, all golf passes are good for the issued calendar year (Jan.-Dec.) only and are non-transferrable.

(f) Golf Passes cannot be used to pay for tournaments.

(g) The City Manager may adjust green fees for off-peak hours and tournament play.

SECTION 23. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 14-4, Article II, Division 1, Section 14-4-31, of the Amarillo Municipal Code is hereby amended to read as follows

Sec. 14-4-31. - Required; classification; fees; exemption.

(a) – (b) [NO TEXT CHANGE]

(c) The annual *license* fee for each Topless Establishment shall be ~~two~~ five hundred dollars ($500.00).

(d) [NO TEXT CHANGE]

SECTION 24. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 14-6, Article II, Division 2, Section 14-6-29, of the Amarillo Municipal Code is hereby amended to read as follows

Sec. 14-6-29. - Fee; term; reapplication upon change in information.

A Transient Retail Business license issued under this division shall require a fee of ~~twenty-five dollars ($25.00)~~ fifty dollars ($50.00) for each issuance. A license issued to a Transient Retail Business shall expire at the end of thirty (30) days from its issuance. Any change in the information required in the application shall require the reissuance of the license by submitting a new application.

SECTION 25. That, in accordance with the annual budget adopted for the Utility Division, the water rates and charges in Chapter 18-2, Article III, Section 18-2-57 of the Amarillo Municipal Code are hereby amended in part to read as follows:

(a) The following minimum monthly meter service charges include the first three thousand (3 (3,000) gallons consumption:

Meter Size (inches)	Size Code	Water Rate 1 Inside City	Water Rate 2 Outside City
5/8 or ¾	A	$ ~~13.50~~ 13.91	$ ~~20.26~~ 20.87
1	B	~~18.13~~ 18.67	~~27.19~~ 28.01
1 ½	C	~~23.23~~ 23.92	~~34.84~~ 35.89
2	D	~~36.09~~ 37.17	~~54.14~~ 55.76
3 or FH Meter	L, H, X	~~132.76~~ 136.74	~~199.14~~ 205.11
4	E, Y	~~168.48~~ 173.53	~~252.72~~ 260.30
6	F A	~~251.91~~ 259.46	~~377.87~~ 389.20
8 or larger	G, J, K, M, W	~~347.30~~ 357.71	~~520.94~~ 536.57

DRAFT

(b) In addition to the monthly meter charge set forth in subsection (a) above, the following shall apply to the amount of water used in excess of three thousand (3000) gallons per month:

TABLE INSET:

Quantity (gallons)	Inside City per 1,000 Gallons	Outside City per 1,000 Gallons
Residential:		
0 -- 3,000	Minimum Charge	Minimum Charge
3,001 --10,000	$ ~~2.41~~ 2.48	$ ~~3.62~~ 3.72
10,001-30,000	~~3.15~~ 3.25	~~4.73~~ 4.87
30,001 – 50,000	~~4.67~~ 4.81	~~7.00~~ 7.21
Over 50,000	~~5.30~~ 5.46	~~7.96~~ 8.20

TABLE INSET:

Commercial / Industrial:		
0 -- 3,000	Minimum Charge	Minimum Charge
Over 3,000	$ ~~2.75~~ 2.83	$ ~~4.13~~ 4.25

TABLE INSET:

Irrigation (all service groups) 0 -- 3,000	Minimum charge	Minimum charge
3,001 – 10,000	~~$2.75~~ 2.83	$ ~~4.13~~ 4.25
10,001 – 30,000	~~3.15~~ 3.25	~~4.73~~ 4.87
30,001 – 50,000	~~4.67~~ 4.81	~~7.00~~ 7.21
Over 50,000	~~5.30~~ 5.46	~~7.96~~ 8.20

SECTION 26. That, in accordance with the annual budget adopted for the Utility Division, the waste water rates and charges in Chapter 18-3, Article IV, Section 18-3-73 and Section 18-3-74 of the Amarillo Municipal Code are hereby amended in part to read as follows

Meter Size (inches)	Charge for the first 3,000 gallons
5/8 or ¾	$ ~~15.30~~ 15.75

DRAFT

1	~~15.80~~ 16.27
1½	~~16.21~~ 16.70
2	~~17.60~~ 18.13
3	~~19.90~~ 20.50
4	~~29.09~~ 29.96
6	~~42.81~~ 44.09
8 or larger	~~56.58~~ 58.28

(2) For usage in excess of three thousand (3,000) gallons a monthly service charge shall also be charged to all Residential users in the amount of ~~one dollar and eighty-two cents ($1.82)~~ one dollar and eighty-eight cents ($1.88) per one thousand (1,000) gallons of water used over the initial allotment of 3,000 gallons. The service charge for all Commercial and Industrial users shall be ~~one dollar and ninety-eight cents ($1.98)~~ two dollars and four cents ($2.04) per one thousand (1,000) gallons over the initial allotment, unless the Wastewater is metered in which case the service charge shall be ~~two dollars and eighteen cents ($2.18)~~ two dollars and twenty-five cents ($2.25) per thousand over the initial allotment as more specifically set forth hereinafter.

a. – d. [NO TEXT CHANGE]

(3) [TEXT UNCHANGED]

(4) [TEXT UNCHANGED]

Sec. 18-3-74. Rates beyond corporate limits.

(1) [NO TEXT CHANGE]

(2) A monthly service charge shall also be charged to residential Users outside the corporate limits in the amount of ~~two dollars and seventy-four cents ($2.74)~~ two dollars and eighty-two cents ($2.82) per one thousand (1,000) gallons of water used over the initial allotment of 3,000 gallons. The service charge for all Commercial and Industrial users outside the corporate limits shall be ~~two~~ three dollars ~~and ninety-seven cents ($2.97)~~ and six cents ($3.06) per one thousand (1,000) gallons over the initial allotment of 3,000 gallons, unless the wastewater is actually metered, in which case the service charge shall be three dollars and ~~twenty-eight cents ($3.28)~~ thirty-seven cents ($3.37) or as contracted.

DRAFT

SECTION 27. That, in accordance with the annual budget adopted for the Utility Division, drainage fees in Chapter 18-4, Article II, Section 18-4-14 of the Amarillo Municipal Code are hereby amended in part to read as follows:

(a) – (f) [NO TEXT CHANGE]

(g) The following ERU monthly billing rate is hereby established and shall be used to calculate the total monthly Drainage Utility Charge for all property located in the City, both residential and commercial, in accordance with the applicable formula established in this subsection: ERU rate = ~~$2.51~~ 2.61 per ERU per month.

(h) – (j) [NO TEXT CHANGE]

SECTION 28. That should any part, portion, section, fee, charge, or expenditure enacted by or contained within either this ordinance or the budget that it adopts, be declared inoperative, unconstitutional, invalid, or void for any reason by a court of competent jurisdiction, then such decision, opinion, or judgment shall in no way affect the remaining portions, parts, sections, fees, charges, or expenditures of either this ordinance or the budget, which remaining provisions shall be and remain in full force and effect.

SECTION 29. That all ordinances, resolutions, and appropriations for which provisions have heretofore been made are hereby expressly repealed to the extent of any conflict with the provisions of this ordinance.

SECTION 30. That the City Manager is authorized to approve transfers between line items in any departmental budget and to make transfers between funds within the budget which will neither decrease a program or service adopted in said budget, nor increase expenditures over the total amount of expenditures approved in said budget, in order to meet unanticipated expenditures within any department, program, or service.

SECTION 31. That this ordinance shall be effective on and after its adoption; provided, however, that the Annual Budget adopted herein, along with fees and charges established herein, shall be effective on October 1, 2017, unless a different effective date is specified for a particular Section hereof.

DRAFT

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the _____ day of _____, 2017; and PASSED on Second and Final Reading the _____ day of _____, 2017.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____
William M. McKamie, City Attorney

DRAFT

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	

Department	City Manager Michelle Bonner, Assistant City Manager

Agenda Caption

ORDINANCE NO. :

This is the first reading of an ordinance approving the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2017 tax year. This ordinance establishes an ad valorem tax rate of $0.32698 per $100.00 property valuation for City maintenance and operations expenses and $0.03666 per $100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of $0.36364 per $100.00 property valuation.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.33 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $0.00.

Agenda Item Summary

This is the first reading of the ordinance adopting the City of Amarillo tax rate for the 2017/2018 fiscal year.

Requested Action

Council consideration and approval of the ordinance. The wording on the motion to approve the tax rate ordinance: (Per Texas Tax Code, is required only on the 2nd/final reading; that is:..."on the vote...setting the tax rate." City Attorney recommendation is to use this language on both readings of the ordinance.)

"I move that the property tax rate be increased by the adoption of a tax rate of $0.36364, which is effectively an 8.33 percent increase in the tax rate."

A record vote is required for approval of the tax rate ordinance, with the name and vote of each member officially recorded, and must be approved by at least 60 percent of the members of the governing body

Funding Summary

N/A

Community Engagement Summary

The City Council met on August 8th, 9th and 10th to review the proposed 2017/2018 budget. At the August 8th Council meeting, City Staff presented an overview of the proposed 2017 tax rate and required

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

tax notices. On August 15, 2017 the City Council discussed the tax rate and approved a motion to consider a $0.36364 property tax rate. On August 29, 2017 and September 5, 2017 Council held mandatory public hearings on the 2017 tax rate. On September 5, 2017 Council held a public hearing on the 2017/2018 budget.

Staff Recommendation

Staff recommendation is to approve the first reading of the ordinance adopting the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2017 tax year.

08/31/17BSM

ORDINANCE NO. 7489

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: APPROVING TAX ROLL; SETTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF AMARILLO FOR THE TAX YEAR 2017; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES.

WHEREAS, the Chief Appraisers of the Potter and Randall Counties Tax Appraisal Districts have prepared and certified the appraisal roll for the City of Amarillo, Texas, said roll being that portion of the approved appraisal roll from each Tax Appraisal District which lists property taxable by the City of Amarillo within each respective county; and

WHEREAS, the Chief Appraisers of the Potter and Randall Counties Tax Appraisal Districts have performed the statutory calculations required by Section 26.04 of the Texas Property Tax Code and has submitted said rates to the City Council of said City prior to its adoption of this ordinance; and,

WHEREAS, the City has published the effective tax rate, the rollback tax rate, and other information as allowed or required by the Texas Local Government Code, and has fulfilled all other requirements for publication and postings as required by law, in a manner designated to call to the attention of all residents of said City; and,

WHEREAS, the City Council has complied with all applicable posting, hearing, filing, and meeting requirements of Texas law prior to the setting of the tax rate for 2017; and

WHEREAS, a quorum of the City Council is present in a regular meeting open to the public; NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That the appraisal roll with the amount of tax calculated thereon by the Tax Assessor Collectors of Potter and Randall Counties is hereby approved.

SECTION 2. That for the year 2017, there is hereby levied on all of the property located in the City of Amarillo, Texas, on the first day of January, 2017, and not exempted from taxation by the Constitution and Statutes of the State of Texas, an ad valorem tax of $0.03666 for debt expenses plus $0.32698 for maintenance and operation expenses (total of $0.36364, per $100.00 valuation of all such property to provide revenue for carrying on the City Government and the current expenses thereof. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.33% PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $0.00.

SECTION 3. Monies collected pursuant to this ordinance shall be expended in accordance with the ordinance adopting the City of Amarillo budget for fiscal year 2017-2018, and any monies collected which are not specifically appropriated shall be deposited in the general fund.

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

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the 5th day of September, 2017 upon a voice roll call vote as follows:

Mayor Ginger Nelson _____
Councilmember Place 1 Elaine Hays _____
Councilmember Place 2 Freda Powell _____
Councilmember Place 3 Eddy Sauer _____
Councilmember Place 4 Howard Smith _____

and PASSED on Second and Final Reading the 12th day of September, 2017 upon a voice roll call vote as follows:

Mayor Ginger Nelson _____
Councilmember Place 1 Elaine Hays _____
Councilmember Place 2 Freda Powell _____
Councilmember Place 3 Eddy Sauer _____
Councilmember Place 4 Howard Smith _____

_____
Ginger Nelson, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
William M. McKamie, City Attorney

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	**Council Priority**	Community Appearance

Department	Planning Department	**Contact Person**	AJ Fawver

Agenda Caption

Vicinity: West Farmers Avenue & Nasa Avenue

Rezoning of a 10.37 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to Residential District 3 (R-3).

Agenda Item Summary

Staff's analysis of zoning change requests begins with referring to the Comprehensive Plan's Future Land Use and Character Map in order to identify what it recommends for future land uses. Staff also considers how any zoning change would impact the Comprehensive Plan's recommended Neighborhood Unit Concept (NUC) of development whereby non-residential land uses are encouraged at section-line arterial intersections with a transition to residential uses as development occurs away and inward from the arterial intersections. Staff also considers the principles and recommendations laid out within the Comprehensive Plan, as well existing zoning and development patterns in the area.

This rezoning request is consistent with the current pattern of development within the South Georgia Place Subdivision which is currently zoned R-3.

This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which designates this area for a future "suburban residential" land use. The Comprehensive Plan states that the development type in this designation should be that associated with detached residential dwellings, parks or public spaces, and public or institutional facilities. R-3 allows for detached single-family residential dwellings and some educational and institutional uses while prohibiting multi-family dwellings that might better be suited for a denser "general residential" or "multi-family residential" land use designation.

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from areas of higher density at section line corners to areas of lower density toward the center of the section. This concept of development ensures that commercial areas will have less of an impact to residential areas. This rezoning request does follow the Neighborhood Unit Concept as it would allow for a higher density type of residential development to occur along a section line while the interior would remain, at this time, Agriculture District (A) and Residential District 1 (R-1). The section line intersections in this area are currently undeveloped and remain Agriculture district as well for which the Neighborhood Unit Concept might support future neighborhood services, retail, or commercial activity. This type of development at these intersections would further the compliance of the Neighborhood Unit Concept within this section of land.

Amarillo City Council
Agenda Transmittal Memo

The adopted Comprehensive Plan contains a number of action strategies that are to be followed when making decisions about land use, development, and other community elements. One of these strategies is an emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. (page 3.3, Growth Management & Capacity) This action strategy is supported in this situation as the requested zoning change would create the opportunity to further the development in this location which was annexed on 3/20/2007.

Requested Action

The applicant is requesting the rezoning of a 10.37 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to Residential District 3 (R-3) in order to continue development of the subdivision known as South Georgia Place.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 41 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request.

The item was recommended for approval by 7:0 vote of the Planning and Zoning Commission at its August 28, 2017 public meeting.

City Manager Recommendation

Planning Staff has reviewed the associated ordinance and exhibit and recommends the City Council approve the item as submitted.

ORDINANCE NO. 7690

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF WEST FARMERS AVENUE AND NASA AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has held public hearings on proposed zoning changes on the property hereinafter described and has filed its final recommendation and report on such proposed zoning changes with the City Council; and,

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

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1. The zoning map of the City of Amarillo adopted by Section 4-10 of the Amarillo Municipal Code and on file in the office of the Planning Director is hereby amended to reflect the following zoning use changes:

Rezoning of a 10.37 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3). Further described in Exhibit A.

SECTION 2. All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

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

SECTION 4. This ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the ____ day of September, 2017 and PASSED on Second and Final Reading on this the _____ day of September, 2017.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

Ordinance No._____

EXHIBIT A

Rezoning A to R-3

A 10.373 acre tract of land situated in Section 183, Block 2, A. B. & M. Survey, Randall County, Texas, and being a portion of a tract of land as conveyed in that certain Special Warranty Deed of record under Clerk's File Number 2006021200 of the Official Public Records of Randall County, Texas, said 10.373 acre tract of land being further described as follows:

BEGINNING at a 5/8 inch iron rod with a green plastic cap stamped "RPLS 5437" set for the Northeast corner of South Georgia Place Unit No. 31, an Addition to the City of Amarillo, according to the recorded map or plat thereof, of record under Clerk's File Number 2016007810 of the Official Public Records of Randall County, Texas, being in the North line of said tract of land as conveyed in that certain Special Warranty Deed of record under Clerk's File Number 2006021200 of the Official Public Records of Randall County, Texas, the Northwest corner of this tract of land;

THENCE North 89 degrees 57 minutes 00 seconds East, along the North line of said tract of land as conveyed in that certain Special Warranty Deed of record under Clerk's File Number 2006021200 of the Official Public Records of Randall County, Texas, a distance of 272.50 feet to a 5/8 inch iron rod with a green plastic cap stamped "RPLS 5437" set, the Northeast corner of this tract of land;

THENCE South 00 degrees 03 minutes 00 seconds East, a distance of 60.25 feet to a 5/8 inch iron rod with a green plastic cap stamped "RPLS 5437" set, the beginning of a curve to the right whose radius bears S 05 degrees 41 minutes 21 seconds West, a distance of 50.00 feet;

THENCE Southeasterly along said curve to the right, an arc length of 119.90 with a chord bearing and distance of South 15 degrees 36 minutes 55 seconds East, 93.17 feet to a 5/8 inch iron rod with a green plastic cap stamped "RPLS 5437" set;

THENCE South 00 degrees 03 minutes 00 seconds East, a distance of 1250.00 feet to a 5/8 inch iron rod with a green plastic cap stamped "RPLS 5437" set, the beginning of a curve to the right whose radius bears S 36 degrees 49 minutes 12 seconds West, a distance of 50.00 feet;

THENCE Southwesterly along said curve to the right, an arc length of 124.90 with a chord bearing and distance of South 18 degrees 23 minutes 06 seconds West, 94.87 feet to a 5/8 inch iron rod with a green plastic cap stamped "RPLS 5437" set;

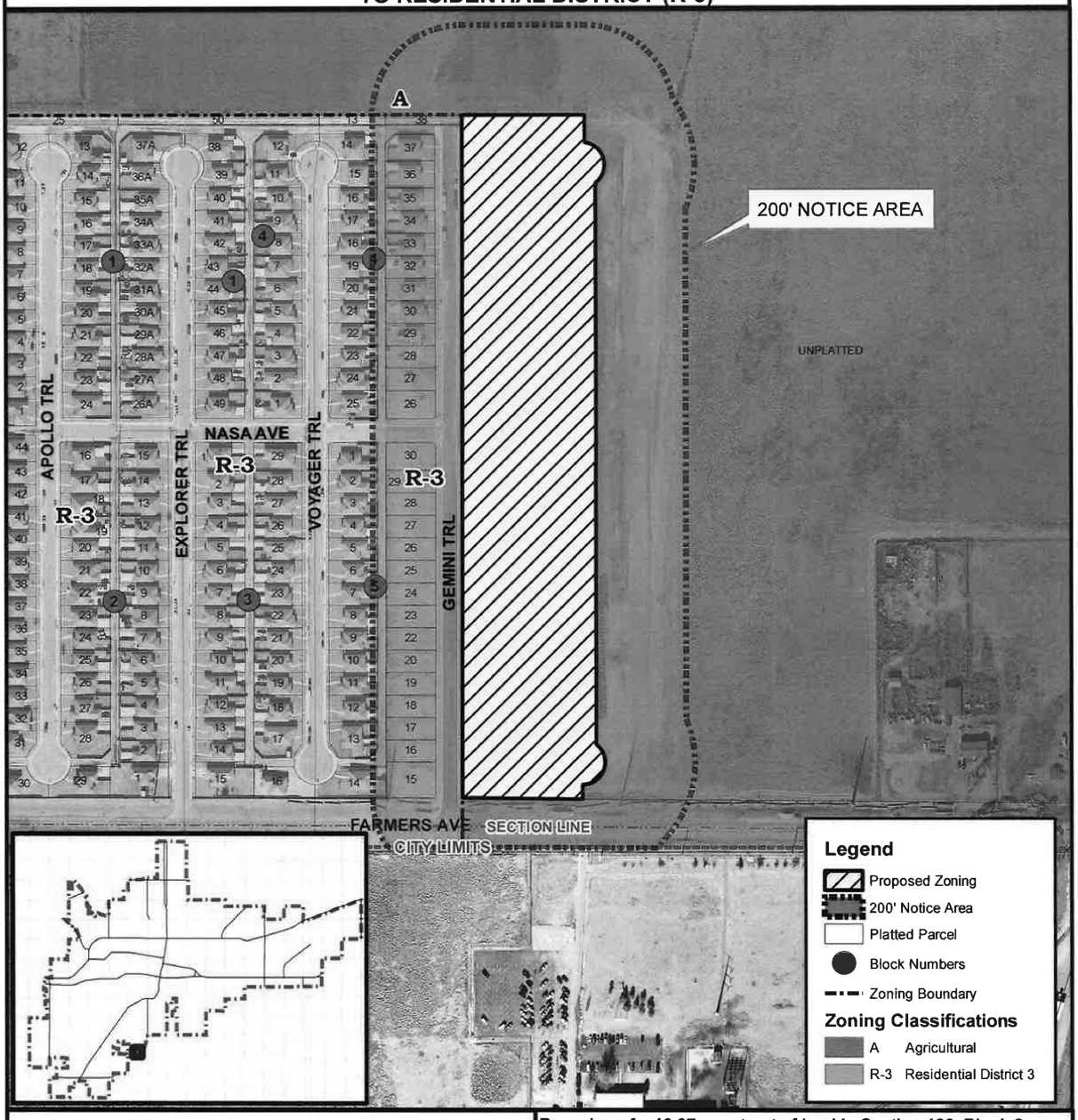
THENCE South 00 degrees 03 minutes 00 seconds East, a distance of 30.00 feet to a 5/8 inch iron rod with a green plastic cap stamped "RPLS 5437" set in the South line of said tract of land as conveyed in that certain Special Warranty Deed of record under Clerk's File Number 2006021200 of the Official Public Records of Randall County, Texas, being in the North monumented line of Farmers Avenue;

THENCE South 89 degrees 57 minutes 00 seconds West, along the South line of said tract of land as conveyed in that certain Special Warranty Deed of record under Clerk's File Number 2006021200 of the Official Public Records of Randall County, Texas, and the North monumented line of Farmers Avenue, a distance of 267.50 feet to a 5/8 inch iron rod found "CEI

RPLS 2601" for the Southeast corner of said South Georgia Place Unit No. 31, the Southwest corner of this tract of land;

THENCE North 00 degrees 03 minutes 00 seconds West, along the East line of said South Georgia Place Unit No. 31, a distance of 1520.00 feet to the POINT OF BEGINNING.

CASE Z-17-20
REZONING FROM AGRICULTURAL DISTRICT (A) TO RESIDENTIAL DISTRICT (R-3)



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 8/8/2017

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Rezoning of a 10.37 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3).

Applicant: David Miller / Atlas Land Surveying

Vicinity: W Farmers Ave. & Nasa Ave.

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

CITY OF AMARILLO®
CITY MANAGER

Meeting Date	September 5, 2017	Council Priority	Community Appearance

Department	Planning Department	Contact Person	AJ Fawver

Agenda Caption

Vicinity: Crestline Dr. & Cagle Dr.

Rezoning of 14.97 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3).

Agenda Item Summary

Staff's analysis of zoning change requests begins with referring to the Comprehensive Plan's Future Land Use and Character Map in order to identify what it recommends for future land uses. Staff also considers how any zoning change would impact the Comprehensive Plan's recommended Neighborhood Unit Concept (NUC) of development whereby non-residential land uses are encouraged at section-line arterial intersections with a transition to residential uses as development occurs away and inward from the arterial intersections. Staff also considers the principles and recommendations laid out within the Comprehensive Plan, as well existing zoning and development patterns in the area.

This rezoning request is consistent with the preliminary plan for this development, approved 10/9/2015. The preliminary plan was designed for the creation of a large residential subdivision that is incorporated in a Public Improvement District.

This rezoning request is inconsistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which designates this area for a future "estate residential" land use. The Comprehensive Plan states that the character and intensity of the land use category would encompass lower density developments with open space. Although the portion of the site to be developed will not represent the large lot sizes mentioned in the future land use description, it is also recognized that there has been a change in conditions within the area that did not exist at the time of the Future Land Use Map adoption.

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from areas of higher density at section line corners to areas of lower density toward the center of the section. This concept of development ensures that commercial areas will have less of an impact to residential areas. This rezoning request does follow the Neighborhood Unit Concept as it would allow for a higher density type of residential development to occur along a section line while the interior would remain, at this time, Agricultural district (A). Most of the section line intersections in this area are currently undeveloped and remain Agriculture district, except at the intersection of Arden Road & South Soncy Road, as well for which the Neighborhood Unit Concept might support future neighborhood services, retail, or commercial activity. This type of development at these intersections would further the compliance of the Neighborhood Unit Concept by this section of land.

Amarillo City Council
Agenda Transmittal Memo

The adopted Comprehensive Plan contains a number of action strategies that are to be followed when making decisions about land use, development, and other community elements. One of these strategies is an emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. *(page 3.3, Growth Management & Capacity)* This action strategy is supported in this situation as the requested zoning change would create the opportunity for development in a place where little development besides this subdivision has occurred since its annexation on 9/24/2013.

Requested Action

The applicant is requesting rezoning of 14.97 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3) in order to continue on to the next phase of the Heritage Hills Subdivision.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 17 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request.

The item was recommended for approval by 7:0 vote of the Planning and Zoning Commission at its August 28, 2017 public meeting.

City Manager Recommendation

Planning Staff has reviewed the associated ordinance and exhibit and recommends the City Council approve the item as submitted.

ORDINANCE NO. 7691

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF CRESTLINE DRIVE AND CAGLE DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has held public hearings on proposed zoning changes on the property hereinafter described and has filed its final recommendation and report on such proposed zoning changes with the City Council; and,

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

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1. The zoning map of the City of Amarillo adopted by Section 4-10 of the Amarillo Municipal Code and on file in the office of the Planning Director is hereby amended to reflect the following zoning use changes:

Rezoning of 14.97 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3).

SECTION 2. All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

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

SECTION 4. This ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the ____ day of September, 2017 and PASSED on Second and Final Reading on this the _____ day of September, 2017.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
William M. McKamie, City Attorney



Looking west from Crestline Drive at the proposed rezoning tract.



Looking south from Crestline Drive at Heritage Hills Unit #4 (Also zoned R-3) from the proposed rezoning tract.

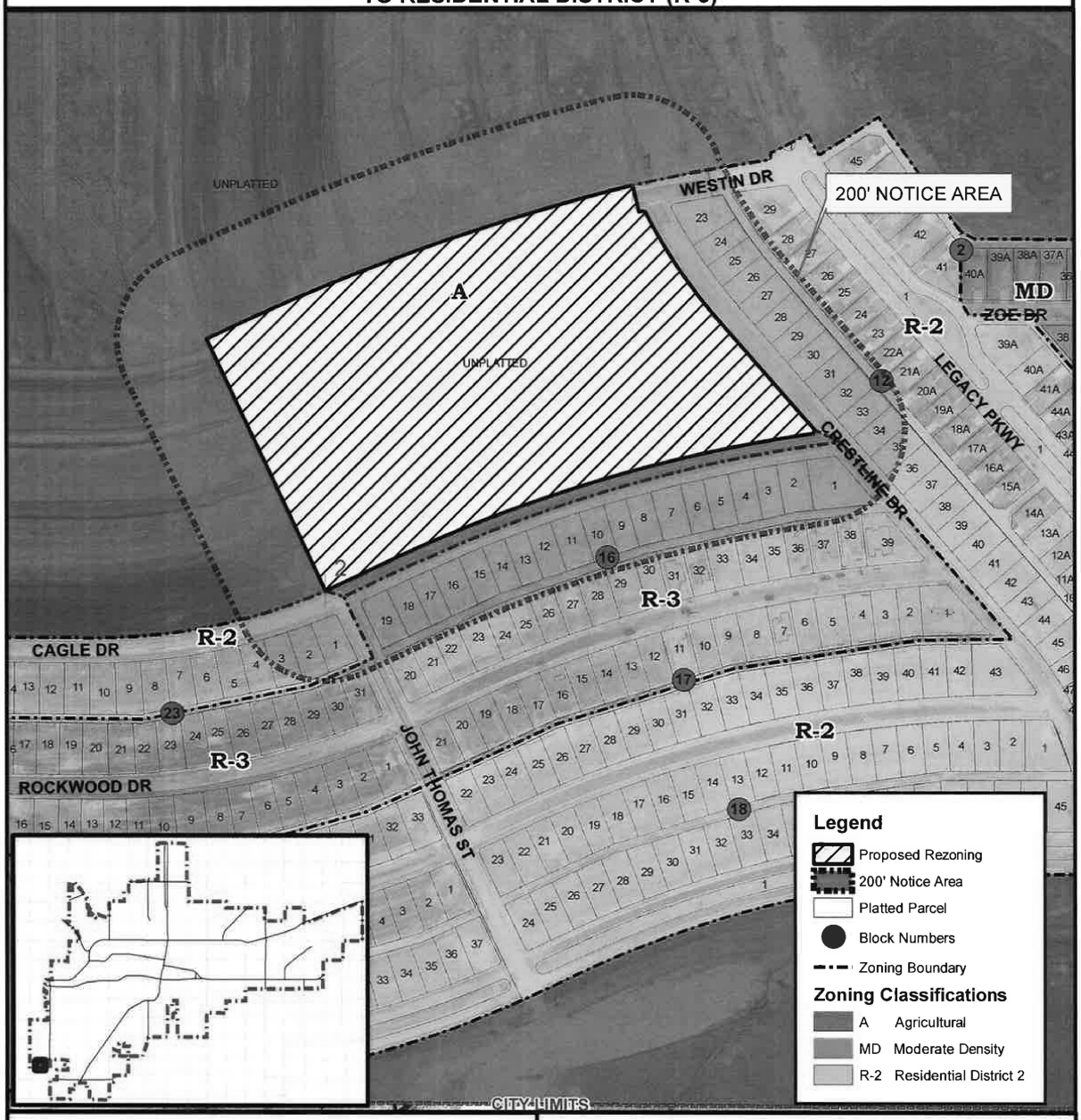


Looking east across Crestline Drive from the proposed rezoning tract at Heritage Hills Unit 4 (Zoned R-2).



Looking north from Crestline Drive from the proposed rezoning tract at Hillside Terrace.

CASE Z-17-21
REZONING FROM AGRICUTURAL DISTRICT (A) TO RESIDENTIAL DISTRICT (R-3)



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 8/8/2017

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Rezoning of 14.97 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to Residential District 3 (R-3).

Applicant: Daryl Furman

Vicinity: Crestline Dr. & Cagle Dr.

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Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	Community Appearance

Department	Planning Department	Contact Person	AJ Fawver

Agenda Caption

Vicinity: Arlo Dr. & Cagle Dr.

Rezoning of 13.79 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3).

Agenda Item Summary

Staff's analysis of zoning change requests begins with referring to the Comprehensive Plan's Future Land Use and Character Map in order to identify what it recommends for future land uses. Staff also considers how any zoning change would impact the Comprehensive Plan's recommended Neighborhood Unit Concept (NUC) of development whereby non-residential land uses are encouraged at section-line arterial intersections with a transition to residential uses as development occurs away and inward from the arterial intersections. Staff also considers the principles and recommendations laid out within the Comprehensive Plan, as well existing zoning and development patterns in the area.

This rezoning request is consistent with the preliminary plan for this development, approved 10/9/2015. The preliminary plan was designed for the creation of a large residential subdivision that is incorporated in a Public Improvement District.

This rezoning request is inconsistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which designates this area for a future "estate residential" land use. The Comprehensive Plan states that the character and intensity of the land use category would encompass lower density developments with open space. Although the portion of the site to be developed will not represent the large lot sizes mentioned in the future land use description, it is also recognized that there has been a change in conditions within the area that did not exist at the time of the Future Land Use Map adoption.

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from areas of higher density at section line corners to areas of lower density toward the center of the section. This concept of development ensures that commercial areas will have less of an impact to residential areas. This rezoning request does follow the Neighborhood Unit Concept as it would allow for a higher density type of residential development to occur along a section line while the interior would remain, at this time, Agricultural district (A). Most of the section line intersections in this area are currently undeveloped and remain Agriculture district, except at the intersection of Arden Road & South Soncy Road, as well for which the Neighborhood Unit Concept might support future neighborhood services, retail, or commercial activity. This type of development at these intersections would further the compliance of the Neighborhood Unit Concept by this section of land.

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

The adopted Comprehensive Plan contains a number of action strategies that are to be followed when making decisions about land use, development, and other community elements. One of these strategies is an emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. *(page 3.3, Growth Management & Capacity)* This action strategy is supported in this situation as the requested zoning change would create the opportunity for development in a place where little development besides this subdivision has occurred since its annexation on 9/24/2013.

Requested Action

The applicant is requesting rezoning of 13.79 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3) in order to continue on to the next phase of the Heritage Hills Subdivision.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 3 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request.

The item was recommended for approval by 7:0 vote of the Planning and Zoning Commission at its August 28, 2017 public meeting.

City Manager Recommendation

Planning Staff has reviewed the associated ordinance and exhibit and recommends the City Council approve the item as submitted.

ORDINANCE NO. 7692

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF ARLO DRIVE AND CAGLE DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has held public hearings on proposed zoning changes on the property hereinafter described and has filed its final recommendation and report on such proposed zoning changes with the City Council; and,

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

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1. The zoning map of the City of Amarillo adopted by Section 4-10 of the Amarillo Municipal Code and on file in the office of the Planning Director is hereby amended to reflect the following zoning use changes:

Rezoning of 13.79 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3).

SECTION 2. All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

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

SECTION 4. This ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the ____ day of September, 2017 and PASSED on Second and Final Reading on this the _____ day of September, 2017.

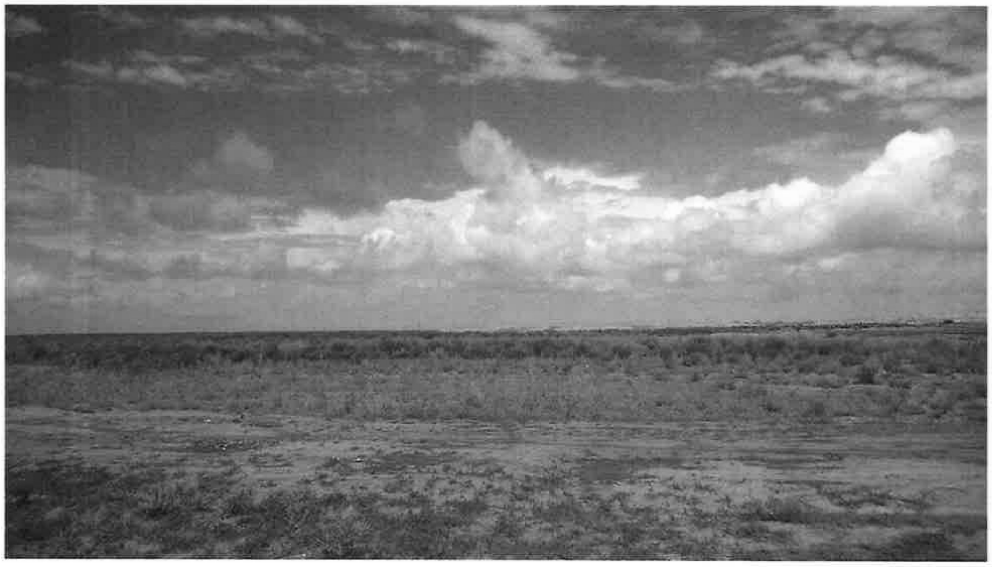
Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Looking north from Cagle Street at proposed rezoning tract (Zoned Agricultural District currently).



Looking west down Cagle St. across from the proposed rezoning at Heritage Hills Unit 7 (Zoned R-2).

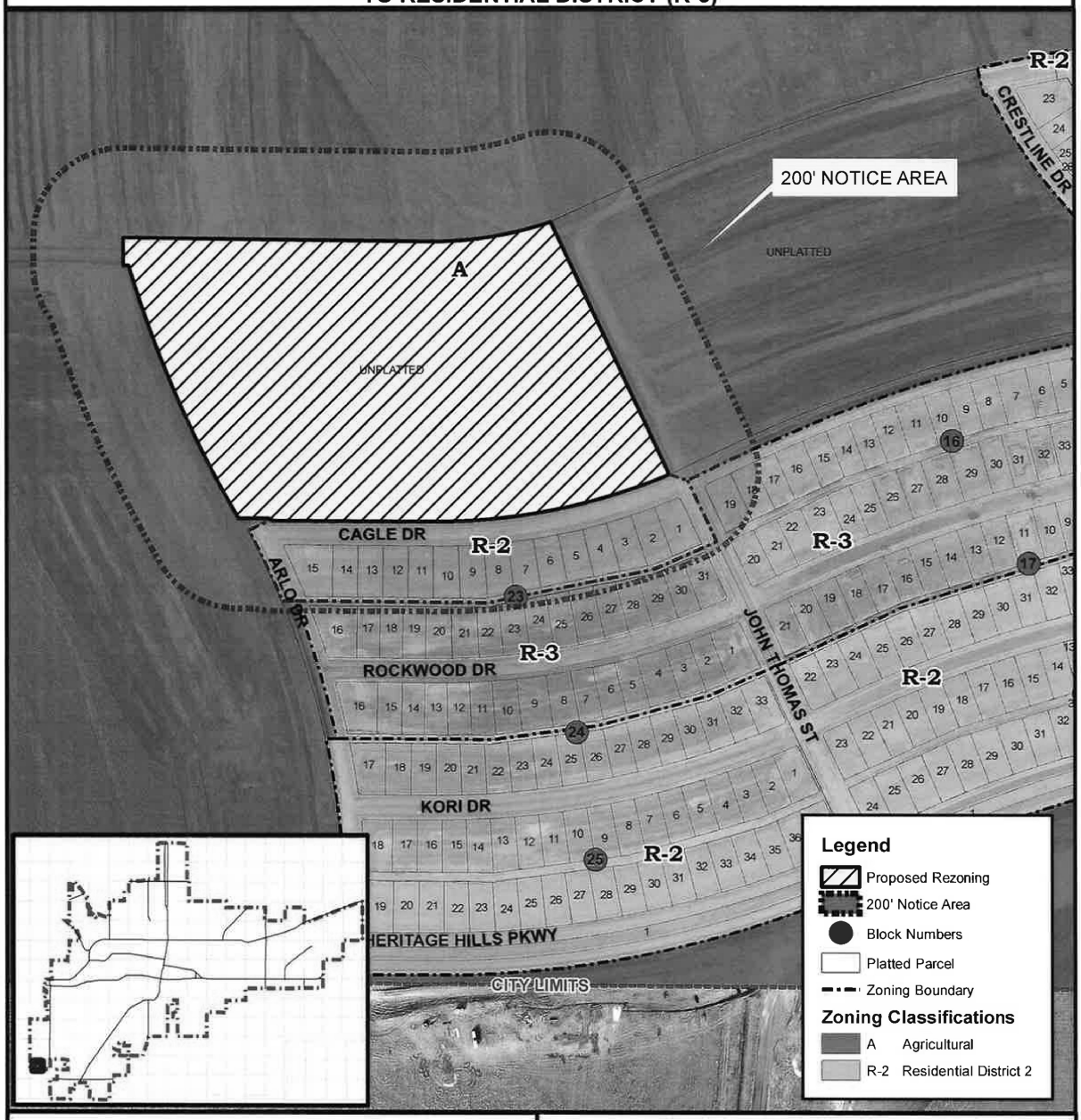


Looking south across from the proposed rezoning tract at Heritage Hills Unit No. 7 (Zoned R-2).



Looking east down Cagle St. from the proposed rezoning tract at HH #7 (Zoned R-2).

CASE Z-17-21
REZONING FROM AGRICUTURAL DISTRICT (A) TO RESIDENTIAL DISTRICT (R-3)



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 8/8/2017

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Rezoning of 13.79 acres of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to Residential District 3 (R-3).

Applicant: Daryl Furman

Vicinity: Arlo Dr. & Cagle Dr.

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Amarillo City Council
Agenda Transmittal Memo

Meeting Date	September 5, 2017	Council Priority	Redevelopment

Department	Office of Economic Development	Contact Person	Andrew Freeman, Economic Development Manager

Agenda Caption

Public Hearing and Consider Approval of Resolution Establishing the City of Amarillo PACE Program

Agenda Item Summary

On August 15, 2017 city staff made a presentation on the PACE (Property Assessed Clean Energy) program, how the program works, who/what could qualify for improvements and what the benefits would be. Staff has heard from developers interested in using this program in the near future to help fund their redevelopment project. Similar to a PID (Public Improvement District), this program uses property assessments to obtain low-cost, long-term loans for water conservation, energy-efficiency improvements, and distributed generation retrofits. The required report regarding this program has been posted on the City's website and is available in the City Manager's Office for review.

City Council completed the first step of the process by adopting a resolution of intent to establish the program on August 29th, and setting the public hearing date for September 5th. The final steps to implement PACE are to hold the public hearing and approve a resolution establishing the City of Amarillo PACE Program.

Requested Action

Approval of Resolution Establishing the City of Amarillo PACE Program

Funding Summary

N/A – there is no cost to the City if this program were to be initiated.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval as presented

08/23/17 CMW _____

RESOLUTION NO. _____

A RESOLUTION OF THE AMARILLO CITY COUNCIL ESTABLISHING A CITY OF AMARILLO PACE PROGRAM; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

WHEREAS, The 83rd Regular Session of the Texas Legislature enacted the Property Assessed Clean Energy Act, Texas Local Government Code Chapter 399 (the "**PACE Act**"), which allows the governing body of a local government, including a City, to designate an area of the territory of the local government as a region within which an authorized representative of a local government and the record owners of commercial, industrial, and large multifamily residential (five or more dwelling units) real property may enter into written contracts to impose assessments on the property to repay the financing by the owners of permanent improvements fixed to the property intended to decrease energy or water consumption or demand;

WHEREAS, the installation or modification by property owners of qualified energy or water saving improvements to commercial, industrial, and large multifamily residential real property in the City of Amarillo will further the goals of energy and water conservation without cost to the public;

WHEREAS, the City Council finds that third-party financing of energy and water conservation projects through contractual assessments maintained by the City of Amarillo ("**PACE Financing**") furthers essential government purposes, including but not limited to economic development, reducing energy consumption and costs, conserving water resources, and reducing greenhouse gas emissions;

WHEREAS, the City Council adopted a Resolution of Intent to establish a PACE program for the City of Amarillo on August 29, 2017, including a reference to the report on the proposed program prepared as required by Section 399.009 of the PACE Act, and made the report available to the public on the City of Amarillo website and for inspection in the City Manager's office;

WHEREAS, the City Council finds that the administration of the PACE program by a qualified non-profit organization as an independent third-party authorized representative contracted by the City of Amarillo and compensated by application and administration fees paid by the participating property owners will enable the program to be administered without use of City resources, will assure the objectives of impartiality and confidentiality of owner information, and will be convenient and advantageous to the City of Amarillo; and

WHEREAS, the City Council held a public hearing on September 5, 2017 at 5 p.m. in the in the City Council Chambers, 509 S.E. Seventh Avenue, Third Floor, at which the public could comment on the proposed program and the report available for public inspection as mentioned above and as required by Section 399.008(a)(2);

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

SECTION 1. Recitals. The recitals to this Resolution are true and correct and are incorporated into this Resolution for all purposes.

SECTION 2. Establishment of Program. The City of Amarillo hereby adopts this Resolution Establishing the City of Amarillo Property Assessed Clean Energy Program ("**City of Amarillo PACE Program**" or the "**Program**") and finds that financing qualified projects through contractual assessments pursuant to the PACE Act is a valid public purpose and is convenient and advantageous to the City of Amarillo and its citizens.

SECTION 3. Contractual Assessments. The City of Amarillo will, at the property owner's request, impose contractual assessments on the property to repay PACE Financing for qualified

energy and water conserving projects available to owners of privately owned commercial, industrial, and large multifamily residential real property.

SECTION 4. Qualified Projects. The following types of projects are qualified projects for PACE Financing that may be subject to such contractual assessments:

> Projects that (a) involve the installation or modification of a permanent improvement fixed to privately owned commercial, industrial, or residential real property with five or more dwelling units, and (b) are intended to decrease energy or water consumption or demand, including a product, device, or interacting group of products or devices on the customer's side of the meter that uses energy technology to generate electricity, provide thermal energy, or regulate temperature.

An assessment may not be imposed to repay the financing of facilities for undeveloped lots or lots undergoing development at the time of the assessment or the purchase or installation of products or devices not permanently fixed to real property.

SECTION 5. Region. The boundaries of the entire geographic area within City's jurisdiction (including the extraterritorial jurisdiction) are included in the boundaries of the region where PACE Financing and assessments can occur.

SECTION 6. Third-Party Financing. Financing for qualified projects under the Program will be provided by qualified third-party lenders chosen by the owners. Such lenders will execute written contracts with the City's authorized representative to service the debt through assessments, as required by the PACE Act. The contracts will provide for the lenders to determine the financial ability of owners to fulfill the financial obligations to be repaid through assessments, advance the funds to owners on such terms as are agreed between the lenders and the owners for the installation or modification of qualified projects, and service the debt secured by the assessments, directly or through a servicer, by collecting payments from the owners pursuant to financing documents executed between the lenders and the owners. The lender contracts will provide that the City will maintain and continue the assessments for the benefit of such lenders and will enforce the assessment lien for the benefit of a lender in the event of a default by an owner. The City will not, at this time, provide financing of any sort for the Program.

SECTION 7. Authorized Representative. The City Council will designate, through inter-local agreement, a non-profit organization to act as the Authorized Representative with authority to enter into written contracts with the record owners of real property in the City of Amarillo to impose assessments pursuant to the PACE Act to repay the financing of qualified projects on the owners' property, to enter into written contracts with the parties that provide third-party financing for such projects to service the debts through assessments, and to file written notice of each contractual assessment in the real property records, all on behalf of the City of Amarillo. The City Manager or his designee will be the liaison with the authorized representative. The City will have the authority to audit the records of the authorized representative.

SECTION 8. Enforcement. The Tax Assessors-Collectors for Potter and Randall Counties will enforce the collection of past due assessments and may contract with a qualified law firm to assist in collection efforts.

SECTION 9. Fees. Pursuant to Texas Local Government Code § 399.008(e), the City may impose fees to offset the costs of administering the Program.

SECTION 10. Report. The final report on the Program, prepared in accordance with Texas Local Government Code § 399.009, is attached and incorporated into this Resolution. The City will post this Resolution and the report on the City's website.

SECTION 11. Amendment of Program. The City Council may amend the Program by resolution; however, another public hearing is required before the Program may be amended to provide for City financing of qualified improvements through assessments.

SECTION 12. Repealer. Should any part of this Resolution conflict with any other resolution, then such other resolution is hereby repealed to the extent of the conflict with this

Resolution.

SECTION 13. 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, September 5, 2017.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
William M. McKamie, City Attorney

REPORT REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009

FOR CITY OF AMARILLO

PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM

REPORT REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009

FOR PROPOSED CITY OF AMARILLO

PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM

This Report is adopted by the City of Amarillo City Council for the City of Amarillo Property Assessed Clean Energy (PACE) Program (**the "program"**) in accordance with the requirements of the Property Assessed Clean Energy Act (**the "PACE Act"**) as set forth in Texas Local Government Code Chapter 399.

The City of Amarillo and its constituents benefit when older existing buildings are modified with new technology and equipment that increases energy efficiency and reduces water consumption. As described in this Report, the City of Amarillo is establishing the commercial PACE Program to encourage private sector investment in energy efficiency and water conservation. The PACE program will be offered to property owners on a strictly voluntary basis and will not require the use of any public funds or resources.

Authorized under the PACE Act enacted in 2013, the PACE program is an innovative financing program that enables private sector owners of privately owned commercial, industrial, and multi-family residential properties with five or more dwelling units to obtain low-cost, long-term loans to pay for water conservation, energy-efficiency improvements, and renewable energy retrofits. PACE loans provide up to 100% financing of all project costs, with little or no up-front out-of-pocket cost to the owner. The 2015 legislative session streamlined the process.

Loans made under the PACE Program will be secured by assessments on the property that are voluntarily imposed by the owner. Assessments may be amortized over the projected life of the improvements. The annual utility cost savings derived from improvements financed with PACE loans are expected to exceed the amount of the annual assessment payments. In turn, these improvements are able to generate positive cash flow upon installation because the debt service will be less than the savings.

PACE assessments are tied to the property and follow title from one owner to the next. Each owner is responsible only for payment of the assessments accruing during its period of ownership. When the property is sold, the payment obligation for the remaining balance of the assessment is transferred automatically to the next owner. As a result, the program will help property owners overcome market barriers which often discourage investment in energy efficiency and water conservation improvements.

1. Eligible Properties

The City of Amarillo PACE program is a strictly voluntary program. All private sector owners of Eligible Properties located within the City of Amarillo PACE region may participate in PACE

financing. ***"Eligible Properties"*** include commercial, industrial, and multi-family residential properties with five or more dwelling units. Government, residential[1], and undeveloped property and property undergoing development at the time of the assessment are not Eligible Properties.

2. Qualified Improvements

PACE financing may be used to pay for Qualified Improvements to Eligible Properties. ***"Qualified Improvements"*** are permanent improvements intended to decrease water or energy consumption or demand, including a product, device, or interacting group of products or devices on the customer's side of the meter that use energy technology to generate electricity, provide thermal energy, or regulate temperature. Under the PACE Act, products or devices that are not permanently fixed to real property are not considered to be Qualified Improvements.

The following items may constitute Qualified Improvements:

- High efficiency heating, ventilating and air conditioning ("HVAC") systems
- High efficiency chillers, boilers, and furnaces
- High efficiency water heating systems
- Energy management systems and controls
- Distributed generation systems
- High efficiency lighting system upgrades
- Building enclosure and envelope improvements
- Water conservation and wastewater recovery and reuse systems
- Combustion and burner upgrades
- Heat recovery and steam traps
- Water management systems and controls (indoor and outdoor)
- High efficiency irrigation equipment

3. Benefits of PACE to Property Owners

The PACE program will enable owners of Eligible Properties to overcome traditional barriers to capital investments in energy efficiency and water conservation improvements, such as unattractive returns on investment, split incentives between landlords and tenants, and uncertainty of recouping the investment upon sale of the property.

By financing Qualified Improvements through the program, property owners may achieve utility cost savings that exceed the amount of the assessment and reduce their exposure to utility price volatility. As a result, the value of the property will be enhanced, and the owner will only be obligated to pay the assessment installments that accrue during its period of ownership of the property. Additionally, by investing in energy efficiency and water conservation with PACE financing, property owners may also qualify for various rebate, tax credit, and incentive programs offered by utility providers and state or federal governmental authorities to encourage these types of investments.

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[1] This encompasses single family residential and any multi-family properties less than five units.

4. Benefits of PACE to the City of Amarillo

Considering existing commercial buildings within the City of Amarillo, the City of Amarillo City Council believes that there should be ample opportunity to make renovations under the PACE program that will not only benefit property owners, but also have a wider beneficial effect on the greater community.

Among other things, projects financed through PACE will:

- Enable property owners and occupants to save substantial amounts in utility costs
- Reduce demand on the electricity grid
- Mitigate greenhouse gas emissions associated with energy generation
- Enhance the value and efficiency of existing buildings
- Boost the local economy by creating new job opportunities for laborers and new business opportunities for contractors, engineers, commercial lenders, professionals, and equipment vendors and manufactures
- Increase business retention and expansion in the PACE region by enabling cost effective energy and water saving updates to existing property
- Improve productivity through optimized energy usage
- Support the State's water conservation plan
- Better enable the City of Amarillo to meet its water conservation goals

Finally, there are multiple regulatory schemes being promulgated by EPA that will have significant impacts on air quality in Texas. For example, the recent adjustment in the NAAQS to a lower standard increased the difficulty for the City of Amarillo maintain its attainment status. Being non-attainment for priority pollutants in the Clean Air Act endangers federal transportation funding. Through the reduction in energy consumption, as a result of the PACE program, there will be a decreased demand for power resulting in lower emissions from power plants.

The PACE program requires minimal support from the City of Amarillo. It is designed to be self-sustaining. Furthermore, because the PACE program is tax neutral, it achieves all of the benefits listed in this Report without imposing a burden on the City of Amarillo general fund.

The 84th Texas Legislature added a provision that explicitly shields the City and its employees, members of the governing body of a local government, employees of a local government, and board members, executives, employees, and contractors of a third party who enter into a contract with a local government to provide administrative services for a program under this chapter.[2]

5. The Benefits of PACE to Lenders

PACE loans are attractive to lenders because they are very secure investments. Like a property tax lien, the assessment lien securing the PACE loan has priority over other liens on the property.

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[2] TX. Local Gov't Code §399.019. In the 85th legislature, HB 2654 clarified that the personal immunity provisions apply to all elected officials performing rights and duties under chapter 399 of the Local Government Code.

Therefore, the risk of loss from non-payment of a PACE loan is low compared to most other types of loans. PACE assessments provide lenders with an attractive new product to assist existing and new customers in addressing an almost universal pent-up demand for needed commercial and industrial property equipment modernization. In order to protect the interests of holders of existing mortgage loans on the property, the PACE Act requires their written consent to the PACE assessment as a condition to obtaining a PACE loan.

6. The Benefits of PACE to Contractors, Engineers, and Manufacturers

PACE loans provide attractive sources of financing for water and energy saving retrofits and upgrades, thereby encouraging property owners to make substantial investments in existing commercial and industrial buildings. As a result, PACE will unlock business opportunities for contractors, engineers, and manufacturers throughout the commercial and industrial sectors.

7. Administration of the PACE Program

Under the PACE Act, the establishment and operation of the program are considered to be governmental functions. The PACE Act further authorizes the City of Amarillo to enter into a contract with a third party to provide administrative services for the PACE program (the ***"Authorized Representative"***). The City of Amarillo may delegate administration of the PACE program to a qualified, non-profit organization that can administer the program at no cost to the City of Amarillo.

The Authorized Representative will be funded by transaction fees paid by the parties, charitable grants or other sources of revenue. The Authorized Representative will not receive compensation or reimbursement from the City of Amarillo. Periodic updates to the standard form documents (described in Section 9) will be necessary as the program evolves, incorporating best practices and standardizing the PACE contracts across various PACE programs. The Authorized Representative will be tasked with maintaining the form contracts and making technical and conforming updates as necessary so long as the changes are consistent with the resolution to establish the PACE program and the statute.

8. Eligible Lenders

The PACE Act does not set criteria for financial institutions or investors to be PACE lenders. The City of Amarillo will follow best practices of other PACE programs by recommending that lenders be:

- Any federally insured depository institution such as a bank, savings bank, savings and loan association and federal or state credit union;
- Any insurance company authorized to conduct business in one or more states;
- Any registered investment company, registered business development company, or a Small Business
- Small business investment company;
- Any publicly traded entity; or
- Any private entity that:
  - Has a minimum net worth of $5 million; and

- Has at least three years' experience in business or industrial lending or commercial real estate lending (including multifamily lending), or has a lending officer that has at least three years' experience in business or industrial lending or commercial real estate lending; and
- Can provide independent certification as to availability of funds; and

- All lenders must have the ability to carry out, either directly or through a servicer, the bookkeeping and customer service work necessary to manage the assessment accounts.

Any lender can participate in the PACE program as long as it is a financially stable entity with the ability to carry out, either directly or through a servicer, the bookkeeping and customer service work necessary to manage the assessment accounts. The property owner, not the City of Amarillo or the Authorized Representative, selects the lender.

The PACE administrator will not guarantee or imply that funding will automatically be provided from a third-party lender, imply or create any endorsement of, or responsibility for, any lender; or create any type of express or implied favoritism for any eligible lender.

9. Components of the PACE Program

As required under Section 399.009 of the PACE Act, the following describes all aspects of the PACE Program:

a. Map of Region. A map of the boundaries of the region included in the program is attached to this Report as Exhibit 1. The region encompasses the City of Amarillo city limits and its extra-territorial jurisdiction.

b. Form Contract With Owner. A form contract between the City of Amarillo and the record owner of the Eligible Property is attached as Exhibit 2. It specifies the terms of the assessment under the PACE program and the financing to be provided by an Eligible Lender of the property owner's choosing.

c. Form Contract with Lender. A form contract between the City of Amarillo and the Eligible Lender chosen by a property owner is attached to this Report as Exhibit 3. It specifies the financing and servicing of the debt through assessments.

Form Notice of Contractual Assessment Lien. A form Notice of Assessment Lien to be filed by the City of Amarillo with the county Clerk is attached to this Report as Exhibit 4.

d. Qualified Improvement. The following types of projects are qualified improvements that may be subject to contractual assessments under the PACE program:

Projects that (a) involve the installation or modification of a permanent improvement fixed to privately owned commercial,

industrial or residential real property with five (5) or more dwelling units;[3] and (b) are intended to decrease energy or water consumption or demand by installing a product, device, or interacting group of products or devices on the customer's side of the meter that uses energy technology to generate electricity, provide thermal energy, or regulate temperature.[4]

A sample list of potential Qualified Improvements appears in Section 2 above.

The PACE program may not be used to finance improvements to undeveloped lots or lots undergoing development at the time of the assessment, or for the purchase or installation of products or devices not permanently fixed to real property.[5]

e. Authorized Representative. HB 3187 was signed into law on June 16, 2015. It authorizes the City of Amarillo to delegate administration of the PACE program to a third-party "representative." The City of Amarillo may delegate all official administrative responsibilities, like the execution of individual contracts with property owners and lenders, to an Authorized Representative. This relationship will be monitored and maintained by the City of Amarillo City Manager's Office and the City of Amarillo Legal Department.

f. Plans for Insuring Sufficient Capital[6]. Lenders will extend loans to finance Qualified Improvements. Financing documents executed between owners and lenders will impose a contractual assessment on Eligible Property to repay the owner's financing of the Qualified Improvements. The lenders will ensure that property owners demonstrate the financial ability to fulfill the financial obligations to be repaid through contractual assessments.

g. No Use of Bonds or Public Funds. The City of Amarillo does not intend to issue bonds or use any other public monies to fund PACE projects. Property owners will obtain all financing from the Eligible Lenders they choose.

h. Limit on Length of Loan. One of the statutory criteria of a PACE loan is that the assessment payment period cannot exceed the useful life of the Qualified Improvement that is the basis for the loan and assessment. As part of the application process, the property owners will submit a third-party review showing the water or energy baseline conditions and the projected water or energy savings. This review will aid the Authorized Representative in making a determination that

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3 TX. Local Gov't Code §399.002(5).

4 TX. Local Gov't Code §399.002(3).

5 TX. Local Gov't Code §399.004.

6 The Texas PACE Authority's website (www.texaspaceauthority.org) offers a non-exhaustive list of interested and qualified lenders to assist property owners in funding PACE projects in Texas.

the period of the requested assessment does not exceed the useful life of the Qualified Improvement.

i. Application Process. The Authorized Representative will accept applications from property owners seeking to finance Qualified Improvements under the program. Each application must be accompanied by the required application fee and must include:

(1) A description of the specific Qualified Improvements to be installed or modified on the property,
(2) A description of the specific real property to which the qualified improvements will be permanently fixed, and
(3) The total amount of financing, including any transaction costs, to be repaid through assessments.

Based on this information, the Authorized Representative may issue a preliminary letter indicating that, subject to verification of all requirements at closing, the proposed project appears to meet program requirements. Based on this preliminary letter, the property owner may initiate an independent third-party review of the project and submit the project to Eligible Lenders for approval of financing.

Once the above processes are completed, the property owner will submit the application to the Authorized Representative to obtain preliminary approval. The property owner is expected to produce the following documentation prior to closing on the PACE loan:

(1) A Report conducted by a qualified, independent third party, showing water or energy baseline conditions and the projected water or energy savings, or the amount of renewable energy generated attributable to the project;
(2) Such financial information about the owner and the property as the lender chosen by the owner deems necessary to determine that the owner has demonstrated the financial ability to fulfill the financial obligations to be paid through assessments; and
(3) All other information required by the Authorized Representative.

j. Financial Eligibility Requirements. The Authorized Representative will determine whether the owner, the property and the improvements are eligible for financing under the program. The Eligible Lender chosen by the owner will determine whether the owner has demonstrated the financial ability to repay the financial obligations to be collected through contractual assessments. The statutory method[7] for ensuring such a demonstration of financial ability must be based on appropriate underwriting factors, including the following:

(1) verification that the person requesting to participate in the program is the legal record owner of the benefitted property,

[7] TX. Local Gov't Code §399.009(b).

(2) the applicant is current on mortgage and property tax payments,
(3) the applicant is not insolvent or in bankruptcy proceedings,
(4) the title of the benefitted property is not in dispute; and
(5) there is an appropriate ratio of the amount of the assessment to the assessed value of the property.

k. Mortgage Holder Notice and Consent. As a condition to the execution of a written contract between the Authorized Representative and the property owner imposing an assessment under the program, the holder of any mortgage lien on the property must be given notice of the owner's intention to participate in the program on or before the 30th day before the date the contract is executed, and the owner must obtain the written consent of all mortgage holders.[8]

l. Imposition of Assessment. The Authorized Representative will enter into a written contract with the property owner, only after:

(1) The property owner delivers to the Authorized Representative written consent of all mortgage lien holders;
(2) The Authorized Representative's determination that the owner and the property are eligible to participate in the program, that the proposed improvements are reasonably likely to decrease energy or water consumption or demand, and that the period of the requested assessment does not exceed the useful life of the Qualified Improvements; and
(3) The Eligible Lender notifies the Authorized Representative that the owner has demonstrated the financial ability to fulfill the financial obligations to be repaid through contractual assessments.

The contract will impose a contractual assessment on the owner's Eligible Property to repay the lender's financing of the Qualified Improvements. The Eligible Lender will file "A Notice of Contractual Assessment Lien," in substantially the form in Exhibit 4 in the Official Public Records of Potter or Randall County, depending on where the Eligible Property is located, as notice to the public of the assessment, from the date of filing. The contract and the notice must contain the amount of the assessment, the legal description of the property, the name of the property owner, and a reference to the statutory assessment lien provided under the PACE Act.

m. Collection of Assessments. The execution of the written contract between the Authorized Representative and the property owner and recording of the Notice of Contractual Assessment Lien incorporate the terms of the financing documents executed between the property owner and with the lender to repay the financing secured by the assessment. The third-party lender will advance financing to the owner, and the terms for repayment will be such terms as are agreed between the lender and the owner. Under the form lender contract attached as Exhibit 3, the

[8] TX. Local Gov't Code §399.010.

lender or a designated servicer will agree to service the debt secured by the assessment.[9]

With funds from the lender, the property owner can purchase directly the equipment and materials for the Qualified Improvement and contract directly, including through lease, power purchase agreement, or other service contract, for the installation or modification of the Qualified Improvements. Alternatively, the lender may make progress payments to the property owner as the Qualified Improvement is installed.

The lender will receive the owner's assessment payments to repay the debt and remit to the Authorized Representative any administrative fees. The lender will have the right to assign or transfer the right to receive the installments of the debt secured by the assessment, provided all of the following conditions are met:

(1) The assignment or transfer is made to an Eligible Lender, as defined above; and

(2) The property owner and the Authorized Representative are notified in writing of the assignment or transfer and the address to which payment of the future installments should be mailed at least 30 days before the next installment is due according to the schedule for repayment of the debt; and

(3) The assignee or transferee, by operation of the financing documents or otherwise, written evidence of which shall be provided, assumes lender's obligations under the lender contract.

n. Verification Review. After a Qualified Improvement is completed, the Authorized Representative will require the property owner to provide verification by a qualified independent third-party reviewer that the Qualified Improvement was properly completed and is operating as intended.[10] The verification report conclusively establishes that the improvement is a Qualified Improvement and the project is qualified under the PACE program.

o. Marketing and Education Services. The City of Amarillo may subsequently enter into agreements with one or more other local governments or non-profit organizations that promote energy and water conservation and/or economic development to provide marketing and education services for the PACE program.

p. Quality Assurance and Antifraud Measures. The Authorized Representative will institute quality assurance and antifraud measures for the Program. The Authorized Representative will review each PACE application for completeness and supporting documents through independent review and verification procedures. The application and required attachments will identify and supply the information necessary to ensure that the property owner, the property itself, and

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[9] The servicer will be responsible for maintaining payment records, account balances, and reporting to the PACE administrator as required.

[10] TX. Local Gov't Code §399.011.

the proposed project all satisfy PACE program underwriting and technical standard requirements. Measures will be put in place to provide safeguards, including a review of the energy and water savings baseline and certification of compliance with the technical standards manual from an independent third-party reviewer (ITPR), who must be a registered professional engineer, before the project can proceed. This review will include a site visit, report, and a letter from the ITPR certifying that he or she has no financial interest in the project and is an independent reviewer. After the construction of the project is complete, an ITPR will conduct a final site inspection and determine whether the project was completed and is operating properly. The reviewer's certification will also include a statement that the reviewer is qualified and has no financial interest in the project.

q. Delinquency. Under the terms of the form lender contract attached as Exhibit 3, if a property owner fails to pay an agreed installment when due on the PACE assessment, the lender will agree to take at least the following steps to collect the delinquent installment:

(1) Mail to the owner a written notice of delinquency and demand for payment by both certified mail (return receipt requested) and first class mail, and

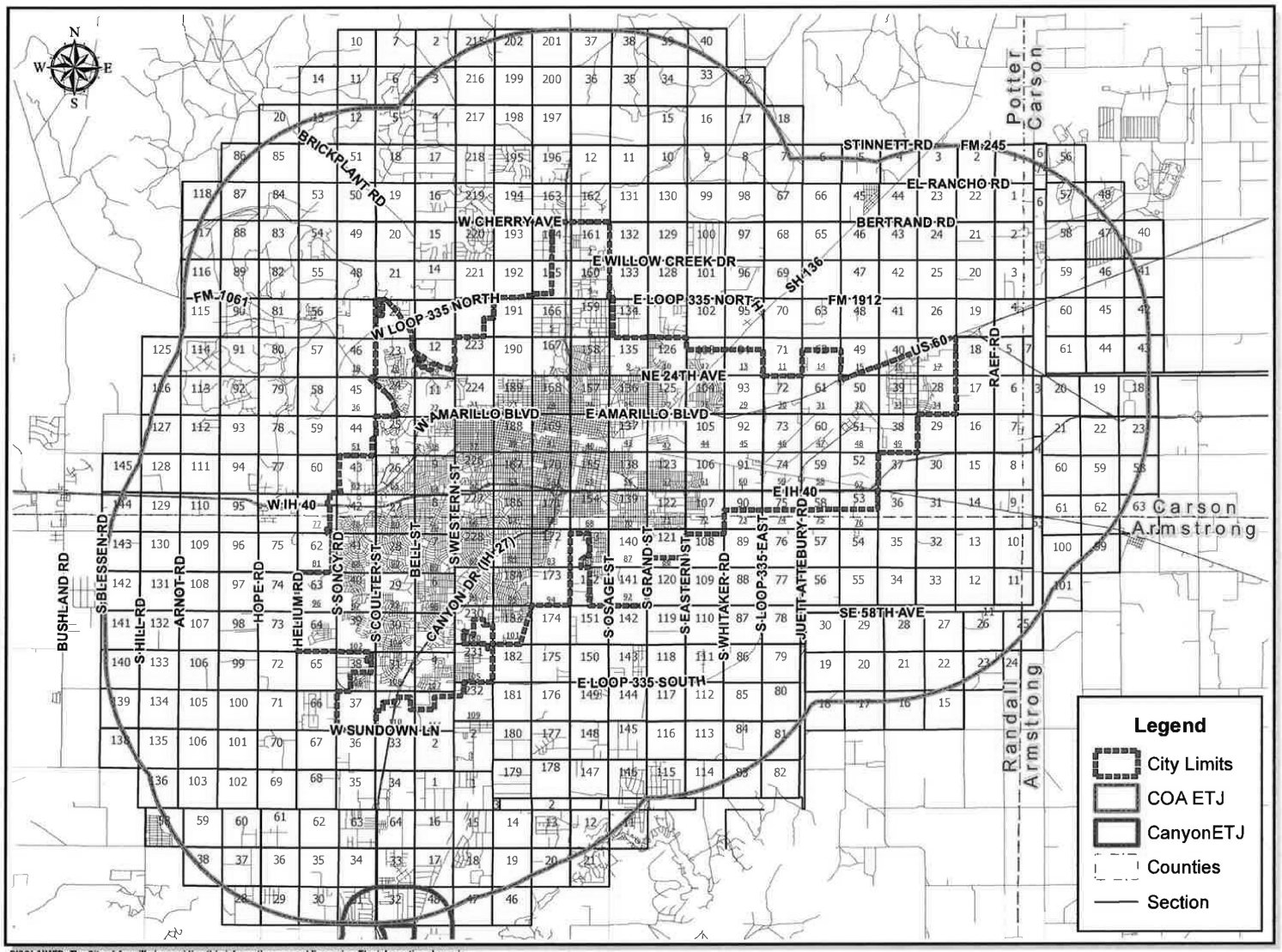
(2) Mail to the owner a second notice of delinquency and demand for payment by both certified mail (return receipt requested) and first class mail, at least 30 days after the date of the first notice if the delinquency is continuing.

If the owner fails to cure the delinquency within 30 days after mailing the second notice of delinquency, the lender may notify the Authorized Representative of the owner's default. Pursuant to Texas Local Government Code Section 399.014(c), the Authorized Representative will initiate steps for the City of Amarillo to enforce the assessment lien in the same manner as a property tax lien against real property may be enforced, to the extent the enforcement is consistent with Section 50, Article XVI, of the Texas Constitution. Delinquent installments will incur penalties and interest in the same manner and at the same rate as delinquent property taxes, according to Texas Local Government Code Section 399.014(d), and such statutory penalties and interest will be due to the City of Amarillo to offset the cost of collection.

If the City of Amarillo files suit to enforce collection, the City of Amarillo may also recover costs and expenses, including attorney's fees, in a suit to collect a delinquent installment of an assessment in the same manner and at the same rate as in suit to collect a delinquent property tax. If a delinquent installment of an assessment is collected after the filing of a suit, the City of Amarillo will remit to the lender the net amount of the delinquent installments and contractual interest collected and remit to the Authorized Representative the amount of any administrative fees collected but will retain any statutory penalties, interest, and attorney's fees collected.

EXHIBIT 1

MAP OF CITY/COUNTY PACE REGION



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.

CITY OF AMARILLO, TEXAS

Planning Department
11/9/2012

EXHIBIT 2

FORM OWNER CONTRACT

PACE OWNER CONTRACT

THIS PROPERTY ASSESSED CLEAN ENERGY ("PACE") OWNER CONTRACT ("**Owner Contract**") is made as of the _____ day of _____, _____, by and between the City of Amarillo, Texas ("**Local Government**"), and _____ ("**Property Owner**").

RECITALS

A. The Property Assessed Clean Energy Act ("**PACE Act**"), Texas Local Government Code Chapter 399, authorizes the governing body of a local government to establish a program and designate a region within the local government's jurisdiction within which an authorized representative of the local government may enter into written contracts with the record owners of commercial, industrial, and large multifamily residential (5 or more dwelling units) real property to impose assessments on the property to finance the cost of permanent improvements fixed to the property intended to decrease water or energy consumption or demand.

B. Local Government has established a program under the PACE Act pursuant to a _____ dated _____, adopted by the City of Amarillo City Council (the "**PACE Program**"), and has designated _____ ("**Authorized Representative**") as the representative authorized to enter into the Assessment, Owner Contract and Lender Contract described herein, and has designated the entire territory within the City of Amarillo jurisdiction as a region ("Region") within which the Authorized Representative and the record owners of such real property may enter into written contracts to impose assessments to repay the financing by owners of qualified improvements on the owner's property pursuant to the PACE Program.

C. Property Owner is the legal and record owner of the qualified "real property," as defined in Section 399.002 of the PACE Act, within the Region located at _____, _____, Texas, _____ (the "**Property**").

D. Pursuant to Application number _____, Property Owner has applied to Local Government to participate in the PACE Program by installing or modifying on the Property certain permanent improvements which are intended to decrease water or energy consumption or demand, and which are or will be fixed to the Property as "qualified improvements", as defined in Section 399.002 of the PACE Act (the "**Qualified Improvements**"). The installation or modification of such Qualified Improvements on the Property will be a "qualified project" as defined in Section 399.002 of the PACE Act (the "**Project**"). Property Owner has requested that Local Government enter into this Owner Contract pursuant to the PACE Act and the PACE Program and has requested Local Government to impose an assessment (the "**Assessment**") on the Property as set forth in the Notice Of Contractual Assessment Lien Pursuant To Property Assessed Clean Energy Act to be filed in the

in the Official Public Records of _____, Texas (the "**Notice of Contractual Assessment Lien**"), a copy of which is attached hereto as Exhibit A and made a part hereof, to repay the financing of such Qualified Improvements. The Property, Qualified Improvements and Assessment are more fully described in the Notice of Contractual Assessment Lien.

E. The financing of such Qualified Improvements will be provided to Property Owner by _____ ("**Lender**"), a qualified lender selected by Property Owner, pursuant to a written contract executed by Lender and Local Government as required by Section 399.006(c) of the PACE Act and by the PACE Program (the "**Lender Contract**"). The financing will include only those costs and fees for which an assessment may be imposed under the PACE Act. Local Government has agreed to maintain and continue the Assessment for the benefit of Lender until such financing is repaid in full and to release the Assessment upon notice from Lender of such payment, or foreclose the lien securing the Assessment for the benefit of Lender upon notice from Lender of a default by Property Owner.

F. As required by Section 399.010 of the PACE Act, Property Owner notified the holder(s) of any mortgage liens on the Property at least thirty (30) days prior to the date of this Owner Contract of Property Owner's intention to participate in the PACE Program. The written consent of each mortgage holder to the Assessment was obtained prior to the date of this Owner Contract and is attached hereto as Exhibit B and made a part hereof.

AGREEMENT

The parties agree as follows:

1. Imposition of Assessment. In consideration for the financing advanced or to be advanced to Property Owner by Lender for the Project under the PACE Program pursuant to the Lender Contract, Property Owner hereby requests and agrees to the imposition by Local Government of the Assessment in the amount of $_____, as set forth in the Notice of Contractual Assessment Lien, including all interest, fees, penalties, costs, and other sums due under and/or authorized by the PACE Act, PACE Program and the financing documents between Property Owner and Lender (the "**Financing Documents**") which are described or listed on Exhibit C attached hereto and made a part hereof by reference. Property Owner promises and agrees to pay such amount and interest to Local Government, in care of or as directed by Lender, in satisfaction of the Assessment imposed pursuant to the Owner Contract and the PACE Act. Accordingly, Local Government hereby imposes the Assessment on the Property to secure the payment of such amount, in accordance with the requirements of the PACE Program and the provisions of the PACE Act.

2. Maintenance and Enforcement of Assessment. In consideration for Lender's agreement to advance financing to Property Owner for the Project pursuant to the Financing Documents, Local Government agrees to maintain and continue the Assessment on the Property for the benefit of Lender until the Assessment, including all interest, fees, penalties, costs, and other sums due under and/or authorized by the PACE Act, PACE Program and the Financing Documents are paid in full, and to release the Assessment upon notice from Lender of such payment. Local Government agrees to undertake reasonable efforts to enforce the Assessment against the Property for the benefit of Lender in the event of a default by Property Owner. Local

Government agrees to send an annual notice of assessment to the Property Owner with the annual property tax notice each year there is a PACE lien balance. This notification can be listed on said tax notice or as a separate notification.

3. Installments. The Assessment, including the amount financed and contractual interest, is due and payable in installments as set forth in the Notice of Contractual Assessment Lien and the Financing Documents ("**Installments**"). The Assessment shall include: (1) an application fee paid by Property Owner to Authorized Representative at loan closing, and (2) a recurring administration fee paid by Property Owner to the Authorized Representative. The recurring administration fee amount shall be collected by Lender and paid to the Authorized Representative within thirty (30) days of receipt by Lender, unless otherwise agreed to in writing by the Program Administrator. The amounts due to the Authorized Representative are identified in Exhibit C hereto. As required by Section 399.009(a) (8) of the PACE Act, the period during which such Installments are payable does not exceed the useful life of the Project. When the Assessment together with any prepayment premium, and/or default penalties and interest, if any, has been paid in full, Local Government's rights under this Owner Contract will cease and terminate. Upon notice from Lender that all amounts owing have been paid in full, Local Government will execute a release of the Assessment and this Owner Contract. Thereafter, the Authorized Representative will record the release.

4. Assignment of Right to Receive Installments. Lender will have the right to assign or transfer the right to receive the Installments of the financing secured by the Assessment, provided all of the following conditions are met:

(a) The assignment or transfer is made to a qualified lender as defined in the Lender Contract;

(b) Property Owner and Authorized Representative are notified in writing of the assignment or transfer and the address to which payment of the future Installments should be mailed at least 30 days before the next Installment is due according to the payment schedule included in the Notice of Contractual Assessment Lien and the Financing Documents; and

(c) The assignee or transferee, by operation of the Financing Documents or otherwise, written evidence of which shall be provided to Authorized Representative, assumes Lender's obligations under this Lender Contract.

Upon written notice to Property Owner and Authorized Representative of an assignment or transfer of the right to receive the Installments that meets all of these conditions, the assignor shall be released of all of the obligations of the Lender under such Lender Contract accruing after the date of the assignment assumed by and transferred to such assignee or transferee and all of such obligations shall be assumed by and transferred to the assignee. Any attempt to assign or transfer the right to receive the Installments that does not meet all of these conditions is void.

5. Lien Priority and Enforcement. Pursuant to Section 399.014 of the PACE Act,

(a) Delinquent Installments of the Assessment will incur interest and penalties in the same manner and in the same amount as delinquent property taxes, viz., a delinquent Installment incurs a penalty of 6% of the amount of the Installment for the first calendar month it is delinquent plus 1% for each additional month or portion of a month the Installment remains unpaid prior to July 1 of the year in which it becomes delinquent. However, an Installment delinquent on July 1 incurs a total penalty of 12% of the amount of the delinquent Installment without regard to the number of months it has been delinquent. A delinquent Installment will also accrue interest at the rate of 1% for each month or portion of a month that the Installment remains unpaid. Statutory penalties and statutory interest payable under this paragraph will be retained by Local Government to compensate it for the cost of enforcing the Assessment. Additional interest at any default rate imposed by Lender pursuant to the Financing Documents, along with any other fees and charges that become due pursuant to the Financing Documents may be assessed by Lender and retained by Lender.

(b) The Assessment, together with any penalties and interest thereon,

(1) is a first and prior lien against the Property from the date on which the Notice of Contractual Assessment Lien is filed in the Official Public Records of _____ as provided by Section 399.014 of the PACE Act, until the financing secured by the Assessment and any penalties and interest are paid; and

(2) such lien has the same priority status as a lien for any other ad valorem tax, pursuant to Section 399.014(a)(2) of the PACE Act.

(c) The lien created by the Assessment runs with the land, and according to Section 399.014(b) of the PACE Act, any portion of the Assessment that has not yet become due is not eliminated by foreclosure of: (i) a property tax lien, or (ii) the lien for any past due portion of the Assessment. In the event of a sale or transfer of the Property by Property Owner, the obligation for the Assessment and the Property Owner's obligations under the Financing Documents will be transferred to the succeeding owner without recourse on Local Government or the Authorized Representative..

(d) In the event of a default by Property Owner in payment of the Installments called for by the Financing Documents, the lien created by the Assessment will be enforced by Local Government in the same manner according to Texas Tax Code Secs. 33.41 to 34.23 that a property tax lien against real property may be enforced by a local government, to the extent the enforcement is consistent with Section 50, Article XVI, Texas Constitution.

(e) In a suit to collect a delinquent Installment of the Assessment, Local Government will be entitled to recover costs and expenses, including attorney's fees in the amount of 15% of the total amount of the delinquent Installment, penalties, and interest due, in the same manner according to Texas Tax Code Sec. 33.48 as in a suit to collect a delinquent property tax. Lender shall be entitled to any additional sums due to it

under the Financing Documents in connection with a suit to collect a delinquent Installment of the Assessment.

(f) After written notice of the Assessment is recorded in the real property records of the county in which the Property is located as provided under Section 399.013 of the PACE Act, the lien created by the Assessment may not be contested on the basis that the improvement is not a "qualified improvement" or the project is not a "qualified project", as such terms are defined in Section 399.002 of the PACE Act.

6. Written Contract Required by PACE Act. This Owner Contract constitutes a written contract for the Assessment between the Property Owner and Local Government as required by Section 399.005 of the PACE Act. The Notice of Contractual Assessment Lien will be recorded in the Official Public Records of _____ as notice of the contractual Assessment, in accordance with the requirements of Section 399.013 of the PACE Act.

7. Qualified Improvements. Property Owner agrees that all improvements purchased, constructed and/or installed through financing obtained pursuant to this Owner Contract shall be permanently affixed to the Property and will transfer with the Property to the transferee in the event of and sale or assignment of the Property.

8. Water or Energy Savings. For so long as the Assessment encumbers the Property, Property Owner agrees on or before January 31st of each year, to report to Authorized Representative the water or energy savings realized through the Project in accordance with the reporting requirements established by the Local Government.

9. Construction and Definitions. This Owner Contract is to be construed in accordance with and with reference to the PACE Program and PACE Act. Terms used herein, and not otherwise defined herein, shall have the meanings ascribed to them in: (1) the PACE Program, and/or (2) the PACE Act.

10. Binding Effect. This Owner Contract inures to the benefit of Local Government and is binding upon Property Owner, its heirs, successors, and assigns.

11. Notices. All notices and other communications required or permitted by this Owner Contract shall be in writing and mailed by certified mail, return receipt requested, addressed to the other party at its address shown below the signature of such party or at such other address as such party may from time to time designate in writing to the other party, and shall be effective from the date of receipt.

12. Governing Law. This Owner Contract shall in all respects be governed by and construed in accordance with the laws of the State of Texas.

13. Entire Agreement. This Owner Contract constitutes the entire agreement between Local Government and Property Owner with respect to the subject matter hereof and may not be amended or altered in any manner except by a document in writing executed by both parties.

14. Further Assurances. Property Owner further covenants and agrees to do, execute and deliver, or cause to be done, executed, and delivered all such further acts for implementing the intention of this Owner Contract as may be reasonably necessary or required.

15. Captions. Paragraph and section titles are for convenience of reference only and shall not be of any legal effect.

16. Interest. Interest and penalties in the event of default, as provided above, are explicitly authorized by Section 399.014(d) of the PACE Act. However, in no event will the total amount of interest on the Assessment, including statutory interest payable to Local Government and contractual interest payable to Lender under the Financing Documents, exceed the maximum amount or rate of nonusurious interest that may be contracted for, charged, or collected under Texas law (the "usury limit"). If the total amount of interest payable to Local Government and Lender exceeds the usury limit, the interest payable to Local Government will be reduced and any interest in excess of the usury limit will be credited to the amount payable to Local Government or refunded. This provision overrides any conflicting provisions in this Owner Contract.

17. Counterparts. This Owner Contract may be executed in any number of counterparts, each counterpart may be delivered originally or by electronic transmission, all of which when taken together shall constitute one agreement binding on the parties, notwithstanding that all parties are not signatories to the same counterpart.

18. Costs. No provisions of this Owner Contract will require Local Government to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder.

19. Construction Terms. If the Lender Contract includes requirements related to construction of the Project and disbursement of Financing, such requirements are set forth in Exhibit D attached hereto and incorporated herein by reference. Such requirements may include, among other things, (1) the disbursement schedule and (2) any holdback amount to be funded following verification of final project completion.

PROPERTY OWNER:

_____

By:_____

Name: _____

Title: _____

Address: _____

_____

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF _____ §

This PACE Owner Contract pursuant to Property Assessed Clean Energy Act was acknowledged before me on _____, _____ by _____, _____, on behalf of _____.

_____

_____(print name)

NOTARY PUBLIC, STATE OF TEXAS

LOCAL GOVERNMENT:

CITY OF AMARILLO, TEXAS

By:_____
AUTHORIZED REPRESENTATIVE
Pursuant to Tex. Local Gov't Code §399.006(b)

Name: _____

Title: _____

Address: _____

_____

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF _____ §

This PACE Owner Contract pursuant to Property Assessed Clean Energy Act was acknowledged before me on _____, _____ by _____, _____, on behalf of the City of Amarillo, Texas.

_____

_____(print name)

NOTARY PUBLIC, STATE OF TEXAS

EXHIBIT A

NOTICE OF CONTRACTUAL ASSESSMENT LIEN
PURSUANT TO
PROPERTY ASSESSED CLEAN ENERGY ACT

EXHIBIT B

MORTGAGE HOLDER(S) CONSENT

EXHIBIT C

FINANCING DOCUMENTS

Assessment Payment Schedule

Assessment Total:
Payment Frequency:

Payment Date	Total Payment	Principal Paid	Interest Paid	Administration Fee	Remaining Balance

Financing Documents

Document Title	Parties	Date Executed

EXHIBIT D

CONSTRUCTION TERMS

[if applicable]

Date	Draw down Amount	Purpose

EXHIBIT 3

FORM LENDER CONTRACT

PACE LENDER CONTRACT

THIS PROPERTY ASSESSED CLEAN ENERGY ("PACE") LENDER CONTRACT (the "**Lender Contract**") is made as of the _____ day of _____, _____, by and between the City of Amarillo, Texas ("**Local Government**") and _____ ("**Lender**").

RECITALS

A. The Property Assessed Clean Energy Act ("**PACE Act**"), Texas Local Government Code Chapter 399, authorizes the governing body of a local government to establish a program and designate a region within the local government's jurisdiction within which an authorized representative of the local government may enter into written contracts with the record owners of commercial, industrial, agricultural, and large multifamily residential (5 or more dwelling units) real property to impose assessments on the property to finance the cost of permanent improvements fixed to the property intended to decrease water or energy consumption or demand.

B. Local Government has established a program under the PACE Act pursuant to a resolution dated _____, adopted by the City of Amarillo City Council (the "**PACE Program**"), and has designated _____ ("**Authorized Representative**") as the representative authorized to enter into the Assessment, Owner Contract and Lender Contract described herein, and has designated the entire territory within the City of Amarillo, Texas jurisdiction as a region ("**Region**") within which the Authorized Representative and the record owners of such real property may enter into written contracts to impose assessments to repay the financing by owners of qualified improvements on the owner's property pursuant to the PACE Program.

C. Pursuant to Application number _____, _____ ("**Property Owner**") has applied to Local Government to participate in the PACE Program with respect to certain real property located at _____, _____, Texas, _____ (the "**Property**") by installing or modifying on the Property certain permanent improvements which are intended to decrease water or energy consumption or demand, and which are or will be fixed to the Property as "qualified improvements", as defined in Section 399.002 of the PACE Act (the "**Qualified Improvements**"). The installation or modification of such Qualified Improvements on the Property will be a "qualified project" as defined in Section 399.002 of the PACE Act (the "**Project**").

D. Property Owner and Local Government have entered into a written contract as required by Section 399.005 of the PACE Act, a copy of which is attached hereto as Exhibit A and made a part hereof (the "**Owner Contract**"), in which Property Owner has requested that Local Government impose an assessment (the "**Assessment**") on the Property as set forth in the Notice Of Contractual Assessment Lien Pursuant To Property Assessed Clean Energy Act to be

filed in the in the Official Public Records of _____ County, Texas (the "**Notice of Contractual Assessment Lien**"), a copy of which is attached to the Owner Contract as Exhibit A, to repay the financing of such Qualified Improvements. The Property, Qualified Improvements and Assessment are more fully described in the Notice of Contractual Assessment Lien.

E. Financing for the Project (the "**Financing**") will be provided to Property Owner by Lender in accordance with financing documents which are described or listed on Exhibit B attached hereto and made a part hereof (the "**Financing Documents**"). Such Financing includes only those costs and fees for which an assessment may be imposed under the PACE Act. This Lender Contract is entered into between Local Government and Lender as required by Section 399.006(c) of the PACE Act to provide for repayment of the Financing secured by the Assessment.

F. As required by Section 399.010 of the PACE Act, Property Owner notified the holder(s) of any mortgage liens on the Property at least thirty (30) days prior to the date of the Owner Contract of Property Owner's intention to participate in the PACE Program. The written consent of each mortgage lien holder to the Assessment was obtained prior to the date of the Owner Contract, as shown by the copy of such consent(s) attached as Exhibit B to the Owner Contract.

AGREEMENT

The parties agree as follows:

1. Maintenance and Enforcement of Assessment. Lender agrees to provide the Financing for the Project in the total amount of $_____, according to the terms set out in the Financing Documents attached hereto as Exhibit B. In consideration for the Financing provided or to be provided by Lender for the Project, and subject to the terms and conditions of this Lender Contract, Local Government agrees to maintain and continue the Assessment for the benefit of Lender until the Financing, all contractual interest, any prepayment premium, additional penalties and interest imposed by the Lender under the Financing Documents according to the Financing Documents, and any statutory penalties, interest, attorney's fees, or costs accrued in the event of default are paid in full. Local Government will not release the Assessment until which time Lender notifies Local Government that all amounts owing have been paid in full. Local Government shall not sell, assign or transfer the Assessment or the assessment lien against the Property to any third party without the prior written consent of the Lender. Local Government agrees to enforce the assessment lien against the Property for the benefit of Lender in the event of a default by Property Owner in accordance with the provisions set forth in paragraph 6. Local Government shall have no obligation to repurchase the assessment and no liability to Lender should there be a default or an event of default in the payment thereof or should there be any other loss or expense suffered by Lender or under any other circumstances.

2. Installments. The Assessment, including the amount financed and contractual interest, is due and payable to Lender in installments as set forth in the Notice of Contractual Assessment Lien and Financing Documents ("**Installments**"). The Assessment shall include: (1)

an application fee paid by Property Owner to Authorized Representative at loan closing, and (2) a recurring administration fee paid by Property Owner to the Authorized Representative. The recurring administration fee amount shall be collected by Lender and paid to the Authorized Representative within thirty (30) days of receipt by Lender, unless otherwise agreed to in writing by the Program Administrator. The amounts due to the Authorized Representative are identified in Exhibit B hereto. As required by Section 399.009(a)(8) of the PACE Act, the period during which such Installments are payable does not exceed the useful life of the Project. Notwithstanding the foregoing, in event of default by Property Owner resulting in an Installments payment delinquency, Lender 2 will, upon notice to Program Administrator, stay any amounts due to Program Administrator until such default has been cured and payments are received from Property Owner. Lender 2 agrees that any stay in payments due to Program Administrator shall not reduce the total payments due to Program Administrator under the Financing Documents. When the Assessment together with any prepayment premium, and/or default penalties and interest, if any, has been paid in full, Local Government's rights under this Lender Contract will cease and terminate. Upon notice from Lender that all amounts owing have been paid in full, Local Government will execute a release of the Assessment and this Lender Contract. Thereafter, the Authorized Representative will record the release.

3. Assignment of Right to Receive Installments. Lender will have the right to assign or transfer the right to receive the Installments of the Assessment, provided all of the following conditions are met:

(a) The assignment or transfer is made to a qualified lender, which may be one of the following:

(1) Any federally insured depository institution such as a bank, savings bank, savings and loan association and federal or state credit union;

(2) Any insurance company authorized to conduct business in one or more states;

(3) Any registered investment company, registered business development company, or a Small Business Administration small business investment company;

(4) Any publicly traded entity; or

(5) Any private entity that:

(i) Has a minimum net worth of $5 million;

(ii) Has at least three years' experience in business or industrial lending or commercial real estate lending (including multifamily lending), or has a lending officer that has at least three years' experience in business or industrial lending or commercial real estate lending;

(iii) Can provide independent certification as to availability of funds; and

(iv) Has the ability to carry out, either directly or through a servicer, the bookkeeping and customer service work necessary to manage the assessment accounts

(6) A financially stable entity with the ability to carry out, either directly or through a servicer, the bookkeeping and customer service work necessary to manage the assessment accounts.

(b) Property Owner and Authorized Representative are notified in writing of the assignment or transfer and the address to which payment of the future Installments should be mailed at least 30 days before the next Installment is due according to the payment schedule included in the Financing Documents; and

(c) The assignee or transferee, by operation of the Financing Documents or otherwise, written evidence of which shall be provided to Authorized Representative, assumes Lender's obligations under this Lender Contract.

Upon written notice to Property Owner and Authorized Representative of an assignment or transfer of the right to receive the Installments that meets all of these conditions, the assignor shall be released of all of the obligations of the Lender under this Lender Contract accruing after the date of the assignment and all of such obligations shall be assumed by and transferred to the assignee. Any attempt to assign or transfer the right to receive the Installments of the Assessment that does not meet all of these conditions is void.

4. Financing Responsibility. Lender assumes full responsibility for determining the financial ability of the Property Owner to repay the Financing and for advancing the funds as set forth in the Financing Documents and performing Lender's obligations and responsibilities thereunder.

5. Lien Priority and Enforcement. As provided in the Owner Contract and Section 399.014 of the PACE Act:

(a) Delinquent Installments of the Assessment incur interest and penalties in the same manner and in the same amount as delinquent property taxes, viz., a delinquent Installment incurs a penalty of 6% of the amount of the Installment for the first calendar month it is delinquent plus 1% for each additional month or portion of a month the Installment remains unpaid prior to July 1 of the year in which it becomes delinquent. However, an Installment delinquent on July 1 incurs a total penalty of 12% of the amount of the delinquent Installment without regard to the number of months it has been delinquent. A delinquent Installment also accrues interest at the rate of 1% for each month or portion of a month the Installment remains unpaid. Statutory penalties and statutory interest payable under this paragraph will be retained by Local Government to compensate it for the cost of enforcing the Assessment. Additional interest at any default

rate imposed by Lender pursuant to the Financing Documents, along with any other fees and charges that become due pursuant to the Financing Documents may be assessed by Lender and retained by Lender.

(b) The Assessment, together with any penalties and interest thereon,

(1) is a first and prior lien against the Property from the date on which the Notice of Contractual Assessment Lien is filed in the Official Public Records of _____ County, Texas, as provided by Section 399.014 of the PACE Act, until the Assessment and any penalties and interest are paid; and

(2) such lien has the same priority status as a lien for any other ad valorem tax, pursuant to Section 399.014(a)(2) of the PACE Act.

(c) The lien created by the Assessment runs with the land, and according to Section 399.014(b) of the PACE Act, any portion of the Assessment that has not yet become due is not eliminated by foreclosure of: (i) a property tax lien, or (ii) the lien for any past due portion of the Assessment. In the event of a sale or transfer of the Property by Property Owner, the obligation for the Assessment and the Property Owner's obligations under the Financing Documents will be transferred to the succeeding owner without recourse on Local Government or the Authorized Representative.

(d) In the event of a default by Property Owner in payment of the Installments called for by the Financing Documents, the lien created by the Assessment will be enforced by Local Government in the same manner according to Texas Tax Code Secs. 33.41 to 34.23 that a property tax lien against real property may be enforced by a local government, to the extent the enforcement is consistent with Section 50, Article XVI, Texas Constitution.

(e) In a suit to collect a delinquent Installment of the Assessment, Local Government will be entitled to recover costs and expenses, including attorney's fees in the amount of 15% of the total amount of the delinquent Installment, penalties, and interest due, in the same manner according to Texas Tax Code Sec. 33.48 as in a suit to collect a delinquent property tax. Lender shall be entitled to any additional sums due to it under the Financing Documents in connection with a suit to collect a delinquent Installment of the Assessment.

(f) After written notice of the Assessment is recorded in the real property records of the county in which the Property is located as provided under Section 399.013 of the PACE Act, the lien created by the Assessment may not be contested on the basis that the improvement is not a "qualified improvement" or the project is not a "qualified project", as such terms are defined in Section 399.002 of the PACE Act.

6. Servicing and Enforcement of Assessment.

(a) Servicing. The Assessment payments will be billed, collected, received, and disbursed in accordance with the procedures set out in the Financing Documents. Lender will be responsible for all servicing duties other than those specifically

undertaken by Local Government in this Lender Contract. Local Government agrees to send an annual notice of assessment to the Property Owner with the annual property tax notice each year there is a PACE lien balance. This notification can be listed on said tax notice or as a separate notification.

(b) Remittances. Each of the parties covenants and agrees to promptly remit to the other party any payments incorrectly received by such party with respect to the Assessment after the execution of this Lender Contract.

(c) Default and Enforcement. In the event of a default in payment of any installment of the Assessment as specified in the Financing Documents, Lender agrees to take at least the following steps to collect the delinquent Installment:

(1) Mail a written notice of delinquency and demand for payment to the Property Owner by both certified mail, return receipt requested, and first class mail; and

(2) Mail a second notice of delinquency to the Property Owner by both certified mail, return receipt requested, and first class mail at least 30 days after the date of the first notice if the delinquency is continuing.

If the Property Owner fails to cure the delinquency within 30 days after the mailing of the second notice of delinquency, the Lender or its designated servicer may notify the Authorized Representative who will certify to the Local Government in writing of a default by the Property Owner, and upon receipt of such certification and after doing its own due diligence, Local Government will enforce the assessment lien for the benefit of Lender pursuant to Tex. Local Gov't Code Sec. 399.014(c), in the same manner as a property tax lien against real property may be enforced, to the extent the enforcement is consistent with Section 50, Article XVI, Texas Constitution.

(d) Final Payment and Release. When the Assessment has been satisfied and paid in full, together with all interest and prepayment premiums, if any, provided under the Financing Documents and all costs, fees, penalties, and interest applicable under the PACE Act and payable to Lender or Local Government, Local Government's rights under the Owner Contract will cease and terminate. Upon notice from Lender that all amounts owing have been paid in full, Local Government will execute a release of the Assessment and the Owner Contract. Thereafter, the Authorized Representative will record the Release.

(e) Limitations on Local Government's Actions. Without the prior written consent of Lender, Local Government will not enter into any amendment or modification of or deviation from the Owner Contract. Local Government will not institute any legal action with respect to the Owner Contract, the Assessment, or the assessment lien without the prior written request of Lender.

(f) Limitations of Local Government's Obligations. Local Government undertakes to perform only such duties as are specifically set forth in this Lender Contract, and no implied duties on the part of Local Government are to be read into this

Lender Contract. Local Government will not be deemed to have a fiduciary or other similar relationship with Lender. Local Government may request written instructions for action from Lender and refrain from taking action until it receives satisfactory written instructions. Local Government will have no liability to any person for following such instructions, regardless of whether they are to act or refrain from acting.

(g) Costs. No provisions of this Lender Contract will require Local Government to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder.

7. Lender's Warranties and Representations. With respect to this Lender Contract, Lender hereby warrants and represents that on the date on which Lender executes this Lender Contract:

(a) Lender is a qualified lender under the PACE Program, as defined in paragraph 3(a) above, and is fully qualified under the PACE Program to enter into this Lender Contract and the Financing Documents;

(b) Lender has independently and without reliance upon Local Government conducted its own credit evaluation, reviewed such information as it has deemed adequate and appropriate, and made its own analysis of the Owner Contract, the Project, and Property Owner's financial ability to perform the financial obligations set out in the Financing Documents; and

(c) Lender has not relied upon any investigation or analysis conducted by, advice or communication from, or any warranty or representation by Local Government or any agent or employee of Local Government, express or implied, concerning the financial condition of the Property Owner or the tax or economic benefits of an investment in the Assessment.

8. Written Contract Required by the PACE Act. This Lender Contract constitutes a written contract between Local Government and Lender, as required under Section 399.006 (c) of the PACE Act.

9. Construction and Definitions. This Lender Contract is to be construed in accordance with and with reference to the PACE Program and PACE Act. Terms used herein, and not otherwise defined herein, shall have the meanings ascribed to them in: (1) the Notice of Contractual Assessment Lien, (2) the Owner Contract, (3) the PACE Program, and/or (4) the PACE Act.

10. Binding Effect. This Lender Contract is binding upon and shall inure to the benefit of the parties hereto and their respective heirs, representatives, successors, and assigns.

11. Notices. All notices and other communications required or permitted hereunder shall be in writing and mailed by certified mail, return receipt requested, addressed to the other party at the address stated below the signature of such party or at such other address as such party may from time to time designate in writing to the other party, and shall be effective from the date of receipt.

12. Governing Law. This Lender Contract shall in all respects be governed by and construed in accordance with the laws of the State of Texas.

13. Entire Agreement. This Lender Contract constitutes the entire agreement between the parties with respect to the subject matter hereof and shall not be amended or altered in any manner except by a document in writing executed by both parties.

14. Captions. Paragraph and section titles are for convenience of reference only and shall not be of any legal effect.

15. Counterparts. This Lender Contract may be executed in any number of counterparts, each counterpart may be delivered originally or by electronic transmission, all of which when taken together shall constitute one agreement binding on the parties, notwithstanding that all parties are not signatories to the same counterpart.

16. Interest. Interest and penalties in the event of default, as provided above, are explicitly authorized by Section 399.014(d) of the PACE Act. However, in no event will the total amount of interest on the Assessment, including statutory interest payable to Local Government and contractual interest payable to Lender under the Financing Documents, exceed the maximum amount or rate of nonusurious interest that may be contracted for, charged, or collected under Texas law (the "usury limit"). If the total amount of interest payable to Local Government and Lender exceeds the usury limit, interest payable to Local Government will be reduced and any interest in excess of the usury limit will be credited to the amount payable to Local Government or refunded. This provision overrides any conflicting provisions in this Lender Contract.

17. Certification. Local Government certifies that the PACE Program has been duly adopted and is in full force and effect on the date of this Lender Contract. Property Owner has represented to Lender and Local Government that the Project is a "qualified project" as defined in the PACE Program and Section 399.002 of the PACE Act. The Assessment has been imposed on the Property as a lien in accordance with the PACE Owner Contract and the PACE Act. Local Government has not assigned or transferred any interest in the Assessment or the PACE Owner Contract.

18. Construction Terms. If this Lender Contract includes requirements related to construction of the Project and disbursement of Financing, such requirements are set forth in Exhibit C attached hereto and incorporated herein by reference. Such requirements may include, among other things, (1) the disbursement schedule and (2) any holdback amount to be funded following verification of final project completion.

LENDER:

_____

By:_____

Name: _____

Title: _____

Address: _____

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF _____ §

This PACE Lender Contract pursuant to Property Assessed Clean Energy Act was acknowledged before me on _____, _____ by _____, _____, on behalf of _____.

_____

_____(print name)

NOTARY PUBLIC, STATE OF TEXAS

LOCAL GOVERNMENT:

CITY OF AMARILLO, TEXAS

By:_____
AUTHORIZED REPRESENTATIVE
Pursuant to Tex. Local Gov't Code §399.006(b)

Name: _____

Title: _____

Address: _____

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF _____ §

This PACE Lender Contract pursuant to Property Assessed Clean Energy Act was acknowledged before me on _____, _____ by _____, _____, on behalf of the City of Amarillo, Texas.

_____

_____(print name)

NOTARY PUBLIC, STATE OF TEXAS

EXHIBIT A

OWNER CONTRACT

EXHIBIT B

FINANCING DOCUMENTS

Assessment Payment Schedule

Assessment Total:
Payment Frequency:

Payment Date	Total Payment	Principal Paid	Interest Paid	Administration Fee	Remaining Balance

Financing Documents

Document Title	Parties	Date Executed

EXHIBIT C

CONSTRUCTION TERMS

[if applicable]

Date	Draw down Amount	Purpose

EXHIBIT 4

FORM NOTICE OF CONTRACTUAL ASSESSMENT LIEN

PURSUANT TO PROPERTY ASSESSED CLEAN ENERGY ACT

NOTICE OF CONTRACTUAL ASSESSMENT LIEN
PURSUANT TO
PROPERTY ASSESSED CLEAN ENERGY ACT

STATE OF TEXAS §
§
COUNTY OF _____ §

RECITALS

A. The Property Assessed Clean Energy Act ("**PACE Act**"), Texas Local Government Code Chapter 399, authorizes the governing body of a local government to establish a program and designate a region within the local government's jurisdiction within which an authorized representative of the local government may enter into written contracts with the record owners of commercial, industrial, agricultural, and large multifamily residential (5 or more dwelling units) real property to impose assessments on the property to finance the cost of permanent improvements fixed to the property intended to decrease water or energy consumption or demand. Unless otherwise expressly provided herein, all terms used herein have the same meanings ascribed to them in the PACE Act.

B. The City of Amarillo, Texas ("**Local Government**") has established a program under the PACE Act pursuant to a _____ dated _____, adopted by the City of Amarillo City Council (the "**PACE Program**"), and has designated _____ ("**Authorized Representative**") as the representative authorized to enter into and enforce the Assessment, Owner Contract and Lender Contract described herein, and has designated the entire territory within the City of Amarillo jurisdiction as a region ("**Region**") within which the Authorized Representative and the record owners of such real property may enter into written contracts to impose assessments to repay the financing by owners of qualified improvements on the owner's property pursuant to the PACE Program.

C. _____ ("**Property Owner**") is the legal and record owner of the qualified "real property," as defined in Section 399.002 of the PACE Act, within the Region located at _____, _____, Texas, and more fully described in Exhibit A attached hereto and made a part hereof (the "**Property**").

D. Property Owner has applied to Local Government to participate in the PACE Program by installing or modifying on the Property certain permanent improvements described in Exhibit B attached hereto and made a part hereof, which are intended to decrease water or energy consumption or demand, and which are or will be fixed to the Property as "qualified improvements", as defined in Section 399.002 of the PACE Act (the "**Qualified Improvements**"). The installation or modification of such Qualified Improvements on the Property will be a "qualified project" as defined in Section 399.002 of the PACE Act (the **Qualified Project**"). Property Owner has entered into a written contract (the "**Owner Contract**") with Local Government pursuant to the PACE Act and the PACE Program and has

requested Local Government to impose an assessment on the Property to repay the financing of such Qualified Improvements.

E. The financing of such Qualified Improvements will be provided to Property Owner by _____ ("**Lender**"), a qualified lender selected by Property Owner, pursuant to a written contract executed by Lender and Local Government as required by Section 399.006(c) of the PACE Act and by the PACE Program (the "**Lender Contract**"). Lender will be responsible for all servicing duties other than those specifically undertaken by Local Government in the Lender Contract.

THEREFORE, Local Government hereby gives notice to the public pursuant to Section 399.013 of the PACE Act that it has imposed an assessment on the Property in the amount of $_____, as set forth on Exhibit C attached hereto, which together with all interest, fees, penalties, costs and other sums due under and/or authorized by the PACE Act, PACE Program and the financing documents between Property Owner and Lender (the "**Financing Documents**") is herein referred to as the "**Assessment**".

Pursuant to Section 399.014 of the PACE Act,

1. The Assessment, including interest and any penalties, costs, or fees accrued thereon,

   (i) is a first and prior lien on the Property from the date that this Notice of Contractual Assessment Lien is recorded in the Official Public Records of _____, Texas, until such Assessment, interest, penalties, costs, and fees are paid in full; and

   (ii) such lien has the same priority status as a lien for any other ad valorem tax, pursuant to Section 399.014(a)(2) of the PACE Act.

2. The lien created by the Assessment runs with the land, and according to Section 399.014(b) of the PACE Act, any portion of the Assessment that has not yet become due is not eliminated by foreclosure of: (i) a property tax lien, or (ii) the lien for any past due portion of the Assessment. In the event of a sale or transfer of the Property by Property Owner, the obligation for the Assessment and the Property Owner's obligations under the Financing Documents will be transferred to the succeeding owner without recourse on Local Government or the Authorized Representative.

3. After this Notice of Contractual Assessment Lien is recorded in the real property records of the county in which the Property is located as provided under Section 399.013 of the PACE Act, the lien created by the Assessment may not be contested on the basis that the improvement is not a Qualified Improvement or the project is not a Qualified Project..

EXECUTED on _____, _____.

LOCAL GOVERNMENT:
CITY OF AMARILLO, TEXAS

By:

Name: _____

Title: _____

AUTHORIZED REPRESENTATIVE
Pursuant to Tex. Local Gov't Code §399.006(b)

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF _____ §

This Notice of Contractual Assessment Lien pursuant to Property Assessed Clean Energy Act was acknowledged before me on _____, _____ by _____, _____, on behalf of the City of Amarillo, Texas.

_____

_____ (print name)

NOTARY PUBLIC, STATE OF TEXAS

EXHIBIT A

PROPERTY DESCRIPTION

EXHIBIT B

QUALIFIED IMPROVEMENTS

EXHIBIT C

ASSESSMENT

Assessment Payment Schedule

Assessment Total:
Payment Frequency:
Interest Rate:

Payment Date	Total Payment	Principal Paid	Interest Paid	Administration Fee	Remaining Balance

INDEXING INSTRUCTION:

Grantor: _____, Property Owner
Grantees: City of Amarillo, Texas, Local Government
_____, Lender

After recording, return to- _____
_____
_____
_____

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	September 5, 2017	Council Priority	

Department	City Manager Michelle Bonner, Assistant City Manager

Agenda Caption

RESOLUTION – AUTHORIZING THE REFUNDING OF CANADIAN RIVER MUNICIPAL WATER AUTHORITY CONTRACT REVENUE BONDS, SERIES 2009 (CONJUNCTIVE USE GROUNDWATER SUPPLY PROJECT)

This resolution authorizes the Authority to issue refunding bonds to refund all or a part of the outstanding Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009.

Agenda Item Summary

This resolution authorizes the Authority to issue refunding bonds to refund all or a part of the outstanding Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project) if market conditions justify refunding all, or a part of the Series 2009 Bonds.

Requested Action

Council consideration and approval of the resolution.

Funding Summary

N/A

Community Engagement Summary

The Canadian River Municipal Water Authority met on July 12, 2017 and approved the resolution authorizing the issuance and sell of CRMWA refunding bonds series 2017 which will refund the 2009 series.

Staff Recommendation

Staff recommendation is to approve the resolution authorizing the Authority to issue refunding bonds to refund all or a part of the outstanding Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS, AUTHORIZING REFUNDING OF CANADIAN RIVER MUNICIPAL WATER AUTHORITY CONTRACT REVENUE BONDS, SERIES 2009 (CONJUNCTIVE USE GROUNDWATER SUPPLY PROJECT)

WHEREAS, the City of Amarillo, Texas (the "City") has entered into that certain Agreement for the Purchase and Acquisition of Conjunctive Use Groundwater Supply (the "Agreement") entered into as of May 15, 1996, as amended, with the Canadian River Municipal Water Authority (the "Authority"); and

WHEREAS, the Authority has entered similar agreements with each of the other cities that are members of the Authority (the "Member Cities"); and

WHEREAS, the Authority issued and has outstanding its Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project); Canadian River Municipal Water Authority Contract Revenue Refunding Bonds, Series 2010 (Conjunctive Use Groundwater Supply Project); Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Bonds, Series 2011 (Conjunctive Use Groundwater Supply Project); Canadian River Municipal Water Authority Subordinate Line Contract Revenue Refunding Bonds, Series 2012 (Conjunctive Use Groundwater Supply Project); and Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2014 (Conjunctive Use Groundwater Supply Project); and

WHEREAS, at the present time the Authority desires to issue refunding bonds to refund all or a part of the outstanding Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project) (the "Series 2009 Bonds") if market conditions justify refunding all, or a part of, the Series 2009 Bonds; and

WHEREAS, the Agreement provides for certain notice requirements before the Authority may issue Additional Bonds, as defined in the Agreement; and

WHEREAS, the refunding bonds are Additional Bonds under the Agreement; and

WHEREAS, the timing constraints of getting the governing bodies of all Member Cities of the Authority to meet and approve refunding bonds may prevent the Authority from issuing refunding bonds in a timely manner to provide savings to the Member Cities; and

WHEREAS, if the market is such that the Series 2009 Bonds can be refunded, it is in the best interest of the City to waive certain notice requirements under the Agreement and consent to the issuance of the bonds to permit the Authority to refund all or a part of

the outstanding Series 2009 Bonds if a present value savings of at least 6.50% can be achieved; and

WHEREAS, if the market conditions justify the refunding of the Series 2009 Bonds, then the Authority desires to issue refunding bonds in a principal amount not to exceed $15,500,000 to refund all or a part of the outstanding Series 2009 Bonds; and

WHEREAS the City agrees to the Authority's issuance of bonds as subordinate lien bonds to eliminate the need of a reserve fund;

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

SECTION 1. Should market conditions justify the refunding of the Series 2009 Bonds, the City waives the notice requirements of Section 4.1(a) of the Agreement, and consents to the issuance of the Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2017 in a principal amount not to exceed $15,500,000 to refund all or a part of the outstanding Series 2009 Bonds, subject to the requirement that the refunding bonds for the Series 2009 Bonds provide a present value debt service savings of at least 6.50%.

SECTION 2. That the City Secretary be and is hereby authorized to deliver certified copies of this Resolution and minutes pertaining to its adoption to the Authority in such numbers as may be requested for the Authority's records and proceedings.

[The remainder of this page intentionally left blank.]

PASSED, APPROVED AND ENACTED this the _____ day of _____, 2017.

_____
Mayor, City of Amarillo, Texas

ATTEST:

_____
City Secretary
City of Amarillo, Texas

[City Seal]

SEAL

M1

STATE OF TEXAS §

COUNTIES OF POTTER §

AND RANDALL §

CITY OF AMARILLO §

On the 14th day of August, 2017, the Amarillo Planning and Zoning Commission met in a work session at 2:45 PM to review agenda items, then convened in regular session at 3:00 PM in the City Council Chamber on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Mike Good, Vice-Chairman	Y	121	86
Dean Bedwell	Y	206	195
Rob Parker, Chairman	Y	74	61
Rick Thomason	Y	44	37
Bowden Jones	Y	35	27
Dick Ford	Y	19	14
Terry Harman	Y	18	18

PLANNING DEPARTMENT STAFF:
AJ Fawver, AICP, CNU-A, Planning Director
Cody Balzen, Planner I
Jeffrey English, Planner I
Jan Sanders, Recording Secretary

Chairman Parker opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. Cody Balzen and Jeffrey English gave the recommendation for the agenda items.

I. Call to order and establish a quorum is present.

II. Public Comment: Citizens who desire to address the Planning and Zoning Commission with regard to matters on the agenda or having to do with policies, programs, or services will be received at this time. The total time allotted for comments is three (3) minutes per speaker. Planning and Zoning Commission may not discuss items not on this agenda, but may respond with factual, established policy information, or refer to staff. *(Texas Attorney General Opinion. JC-0169)*

No comments were made.

III. Consent Agenda: The Commission may request a consent agenda item to be moved to the Regular Agenda for presentation and comment. Otherwise, the consent agenda will be considered in one vote. Consent agenda items are routine items recommended for approval, and which do not include requests for waivers or variances.

1: Approval of the minutes of the July 24, 2017 meeting.

A motion to approve the Consent Agenda was made by Commissioner Thomason, seconded by Commissioner Bedwell, and carried unanimously.

IV. Regular Agenda:

1: Subdivision Plats: The Planning & Zoning Commission has final authority for approval; appeals may be directed to City Council.

A. P-17-54 Bishop Ranches Unit No. 2, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 81, Block 9, BS&F Survey, Potter County, Texas. (3.92 Acres) (Vicinity: East View Dr. & Ranch Rd.)

Public hearing and consideration of a request for approval of a final plat, and one variance. The variance requested is from the standard that all lots shall front upon a public street, in order to allow creation of a single lot deriving access from an easement.

Mr. English advised the plat is before the board requesting a variance because the site does not front upon public right-of-way, but rather a 60' easement maintained by Potter County. Mr. English stated staff believes the request is appropriate and recommends approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against said request. No comments were made.

A motion to approve P-17-54, with a variance, was made by Commissioner Ford, seconded by Commissioner Good, and carried unanimously.

B. P-17-65 Buffalo Plateau Unit No. 2, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 63, Block 2, TTRR Co. Survey, Randall County, Texas. (1.00 Acre) (Vicinity: W McCormick Rd. & Blanton St.)

Public hearing and consideration of a request for approval of a final plat and one variance. The variance requested is from the standard that all lots shall front upon a public street, in order to allow creation of a single lot deriving access from an easement.

Mr. English advised the plat is before the board requesting a variance because the site does not front upon public right-of-way, but rather a 40' private easement. Mr. English stated staff believes the request is appropriate and recommends approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against said request. No comments were made.

A motion to approve P-17-65, with a variance, was made by Commissioner Bedwell, seconded by Commissioner Good, and carried unanimously.

C. P-17-55 Osage Acres Unit No. 7, a suburban subdivision to the City of Amarillo, being a replat of a portion of Lot 21, Block 5, Osage Acres Unit No. 1, in Section 148, Block 2, AB&M Survey, Randall County, Texas. (2.10 Acres) (Vicinity: Osage St. & Dakota Trail)

Public hearing and consideration of a request for approval of a final plat, and variances. These variances requested are from the standard that all lots shall have a minimum 150 ft width on an arterial road (S Osage St), in order to allow creation of two lots 30' and 110' wide respectively.

Mr. Balzen advised the applicant has requested a variance due to a minimum lot width of less than the required 150'. Mr. Balzen stated staff believes the request is appropriate and recommends approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against said request. No comments were made.

A motion to approve P-17-55, with a variance, was made by Commissioner Thomason, seconded by Commissioner Bedwell, and carried unanimously.

2: Rezoning: The Planning & Zoning Commission makes recommendation for approval or denial; appeals may be directed to City Council.

A. Z-17-16 Rezoning of Rezoning of Lots 1, 2, 4 through 8, and a portion of lot 3, Block 24, Mrs. M D Oliver Eakles Unit No. 1, in Section 171, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 351(PD-351) to Residential District 1 (R-1) with Specific Use Permit 3 (S-3) for Amarillo Junior College. (4.08 Acres) (Vicinity: SW 24th Ave. & S Van Buren St.)

Mr. English advised the applicant is requesting a change in zoning to construct an expansion of the Amarillo College Washington Street campus. Mr. English stated this request is consistent with the Comprehensive Plan for infill development. Mr. English advised staff believes the request is appropriate and recommends approval as submitted.

Mr. Bedwell inquired to the parking requirements for Amarillo College. Mr. English advised the parking requirements have been met for this request.

Chairman Parker asked if anyone wanted to speak in favor of said request. Jeremy Cheatham, and Amber Buscarello, with Parkhill Smith & Cooper, advised parking spaces are determined by enrollment, and the required parking has been met for this particular building.

Chairman Parker asked if anyone wanted to speak against said request. Gemma Mitchell, 2402 S Harrison Street, voiced her concerns with reduced parking for the college.

Mr. Harman inquired if Planning is the only department to review parking requirements. Mr. English advised Planning reviews site plans in regards to parking, but Ms. Mitchell could contact Building Safety for review of the parking in front of her home.

A motion to approve Z-17-16 was made by Commissioner Ford, seconded by Commissioner Thomason, and 6:1 with Commissioner Harman voting against.

B. Z-17-19 Rezoning of a 24.37 acre tract of land in Section 191, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3). (24.37 Acres) (Vicinity: Temecula Creek Blvd. & Cabernet Way)

Mr. Balzen advised the request is in order to continue the development of the Vineyards subdivision, along with phase 2 of the preliminary plan. Mr. Balzen advised staff believes the request is appropriate and recommends approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of or against said request. No comments were made.

A motion to approve P-17-19 was made by Commissioner Bedwell, seconded by Commissioner Thomason, and carried unanimously.

3: Planning Director's Report.

Ms. Fawver advised the City Council is planning to review all of the boards and commissions and will be determining the future of each, along with appointing and re-appointing board members. The North Heights Neighborhood Plan will begin reviewing the zoning patterns within the area. The Barrio Neighborhood Plan is wrapping up the advisory committee meetings, is beginning to formulate the plan and will be reviewing with the citizens of the area before going forward.

4: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:35 P.M.

AJ Fawver

AJ Fawver, AICP, CNU-A
Planning & Zoning Commission