

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

A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, AUGUST 11, 2020 AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS BY VIDEO CONFERENCE (IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS ALSO CALLED "SOCIAL DISTANCING" TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19). THERE WILL BE NO PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE.

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

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

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

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

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

INVOCATION: Davlyn Duesterhaus, BSA Chaplain

PUBLIC ADDRESS

(For items on the agenda for City Council consideration)

The public will be permitted to offer public comment on agenda items. Public Address signup times are available from Sunday 8:00 a.m. until Tuesday 12:45 p.m. at <https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form> or by calling the City Secretary's office at (806) 378-3014. Please call in at 1:00 p.m. at Telephone # 4086380968 when prompted for meeting ID enter: 330267295#.

AGENDA

1. City Council will discuss or receive reports on the following current matters or projects.
 - A. Review agenda items for regular meeting and attachments;
 - B. Coronavirus Update;
 - C. Curbside Cart Program; and
 - D. Request future agenda items and reports from City Manager.

2. **CONSENT ITEMS:**

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

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

- A. **CONSIDER APPROVAL – MINUTES:**
Approval of the City Council minutes for the regular meeting held on July 28, 2020.
- B. **CONSIDERATION OF ORDINANCE NO. 7866 -- ORDERING A SPECIAL ELECTION ON NOVEMBER 3, 2020 TO VOTE ON PROPOSED AMENDMENTS TO THE AMARILLO CITY CHARTER; PROVIDING FOR A JOINT ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION:**
(Contact: Kevin Starbuck, Deputy City Manager)
This is the second and final reading of an ordinance calling a special election to be held in the City of Amarillo, Texas on November 3, 2020 and resolving other matters incident and related thereto.
- C. **CONSIDERATION OF ORDINANCE NO. 7867:**
(Contact: Juliana Kitten, Director of Community Development)
This item is the second and final reading to consider an ordinance amending the Amarillo Municipal Code: Chapter 2-6, modifying Article XII, Section 2-6-96, related to the Community Development Advisory Committee (CDAC).
- D. **CONSIDERATION OF ORDINANCE NO. 7868:**
(Contact: Anthony Spanel, Environmental Health Director)
This is the second and final reading recommending changes to Chapter 14-3 Alcoholic Beverages that will reduce the regulatory burden on businesses applying for an Alcoholic Beverage license.
- E. **CONSIDERATION OF ORDINANCE NO. 7869:**
(Contact: Anthony Spanel, Environmental Health Director)
This item is the second and final reading to consider a revision to Chapter 8-5-23 Public and Environmental Health. This revision will authorize any peace officer to enforce certain health and safety regulations without the necessity, delay, and cost of summoning a Health Officer.
- F. **CONSIDER ACCEPTANCE – TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT – STEP COMPREHENSIVE GRANT:**
(Contact: Sgt. Wes Hill)
Grantor: Texas Department of Transportation
Grant Amount: \$143,996.00
Match Amount: \$ 37,922.20
Total Awarded: \$181,918.20
This item accepts the Fiscal Year 2020 Texas Traffic Safety Program Grant. The Texas Department of Transportation provides funding to the Amarillo Police Department to focus additional resources to fund patrol and enforcement of speed enforcement, occupant protection (seatbelt and child safety seats) distracted driving and Driving While Intoxicated (DWI) offenses.
- G. **CONSIDER APPROVAL -- ADDENDUM - CENTER CITY TAX INCREMENT REINVESTMENT ZONE #1 DEVELOPER AGREEMENT FOR CHASE TOWER, LLC:**
(Contact: Andrew Freeman, Managing Director - Planning and Development Services)
This item approves an addendum to the Tax Increment Reinvestment Zone (TIRZ) #1 Developer Agreement for the FirstBank Southwest Tower building located at 600 S. Tyler to encourage the conversion of two floors of existing office space to residential housing units.
- H. **CONSIDER APPROVAL – OSAGE WATER TREATMENT PLANT FILTER REHABILITATION:**
(Contact: Jonathan Gresham – Director of Utilities)
Stolz Mechanical Contractors, LLC -- \$4,029,950.00
This item considers approval for replacement of Filter Underdrains and Media at the Osage Water Treatment Plant and associated labor for installation.

I. **CONSIDER APPROVAL – INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND POTTER-RANDALL EMERGENCY COMMUNICATIONS DISTRICT (GRANT AGREEMENT):**

(Contact: Martin Birkenfeld, Police Chief and Sam Baucom, Assistant Fire Chief)

This item is an interlocal agreement between the City of Amarillo and the Potter-Randall Emergency Communications District to provide grant funding. The district will provide the City \$88,000 for infrastructure upgrades to the Amarillo Emergency Communications Center (AECC).

J.. **CONSIDER AWARD -- PURCHASE AND INSTALLATION OF REPLACEMENT SAFETY SURFACING AND PLAYGROUND EQUIPMENT COMPONENTS FOR JOHN STIFF MEMORIAL PARK:**

(Contact: Michael Kashuba, Director of Parks and Recreation)

Awarded to Exerplay, Inc. -- \$77,199.30

This item is for the purchase and installation of replacement safety surfacing and playground equipment components for John Stiff Memorial Park.

3. **NON-CONSENT ITEMS:**

A. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7871:**

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

To participate in this public hearing please call 1-408-638-0968. When prompted for the meeting number dial: 330267295# and specify as to what ordinance you are referring to.

This item is the first reading and public hearing to consider an ordinance rezoning a portion of Lot 19, Block 3, Estancia Unit 1, in Section 24, Block 9, B.S.&F. Survey, Potter County Texas, plus one half of all bounding streets, alleys, and public ways to change from Office District 1 to Residential District. (Vicinity: Bridlewood Drive and Lone Mountain Lane.)

B. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7872:**

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

To participate in this public hearing please call 1-408-638-0968. When prompted for the meeting number dial: 330267295# and specify as to what ordinance you are referring to.

This item is the first reading and public hearing to consider an ordinance rezoning Lot 5, Block 2, Soncy Park Unit No. 6, in Section 62, Block 9, B.S.& F. Survey, Randall County Texas, plus one half of all bounding streets, alleys, and public ways to change from Planned Development District 289 to General Retail District. (Vicinity: Soncy Road and Tarter Avenue.)

C. **CONSIDERATION OF ORDINANCE NO. 7870:**

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

This is the second and final reading of an ordinance rezoning Lots 11 and 12, Block 5, Roy Lindsey's Addition, in Section 172, Block 2, A.B.&M. Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 2 to General Retail District. (Vicinity: I-27 and Washington Street) Applicant/s: Bo Wulfman for South Washington St. Ltd.

D. **CONSIDER RESOLUTION – AUTHORIZING THE AMARILLO POLICE DEPARTMENT TO APPLY FOR THE JUSTICE ASSISTANCE GRANT (JAG):**

(Contact: Chief Martin Birkenfeld/Captain Joe Loftus)

This resolution is authorizing the Amarillo Police Department to apply for the 2020-H772-TX-DJ Edward Byrne Memorial JAG.

E. **PRESENTATION AND CONSIDERATION OF THE 5-YEAR CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT:**

(Contact: Vanessa Robinson, CDBG Program Coordinator)

This item is a presentation and consideration of the U.S. Department of Housing and Urban Development (HUD) required 5-year Consolidated Plan for Community Development. This presentation will include a review of the

FY2020/2021 Annual Action Plan for the HOME Investment Partnership program funding.

4. **EXECUTIVE SESSION:**

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

- 1) Section 551.072 – Discuss the purchase, exchange, lease, sale, or value of real property and public discussion of such would not be in the best interests of the City's bargaining position:
 - (a) Discuss properties located in the Central Business District.
- 2) Section 551.087 - Deliberation regarding economic development negotiations; discussion of commercial or financial information received from an existing business or business prospect with which the city is negotiating for the location or retention of a facility, or for incentives the city is willing to extend, or financial information submitted by the same:
 - (a) Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect:
Project # 20-04-04 (Manufacturing)

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 South Buchanan Street) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3013 or the City TDD number at 378-4229.

Posted this 7th day of August 2020.

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

A



STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 28th day of July 2020, the Amarillo City Council met at 1:00 p.m. for a regular session meeting held via conference and in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

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

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

JARED MILLER	CITY MANAGER
KEVIN STARBUCK	DEPUTY CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Vanessa Chavez.

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

PUBLIC ADDRESS:

Commissioner Mercy Murguia, 2705 South Seminole Street, spoke on Item 3A, Ordinance No. 7866, the proposed amendments to the Amarillo City Charter. She requested that Council also consider the size of the Council and the district representation. There were no further comments.

ITEM 1:

- A. Review agenda items for regular meeting and attachments;
- B. Coronavirus Update;
- C. Joe Taco Downtown Update;
- D. Discuss Convention and Visitor Council; and
- E. Request future agenda items and reports from City Manager.

CONSENT ACTION ITEMS:

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

A. **MINUTES:**

Approval of the City Council minutes for the regular meeting held on July 14, 2020; and the work session held on July 21, 2020.

B. **CONSIDERATION OF ORDINANCE NO. 7862:**

(Contact: David Wilson, Assistant Director of Parks and Recreation)

This item is the second and final reading and public hearing to consider an ordinance adopting the 2020-2021 Standards of Care for recreational care programs administered by the Parks and Recreation Department as required by Texas Human Resources Code section 42.041(b)(14).

C. **CONSIDERATION OF ORDINANCE NO. 7863:**

(Contact: Laura Storrs, Assistant City Manager)

This is the second and final reading of an ordinance to amend the Greenways Public Improvement District 2019/2020 Budget included in the City of Amarillo 2019/2020 Budget.

- D. **CONSIDERATION OF ORDINANCE NO. 7864:**
(Contact: Donny Hooper, Assistant Public Works Director)
This is the second and final reading of an ordinance amending the Amarillo Municipal Code, Chapter 18-4, Article II Sections 18-4-14 and 18-4-15 to modify residential drainage utility charge calculation and billing process.
- E. **CONSIDERATION OF ORDINANCE NO. 7865:**
(Contact: Anthony Spanel, Environmental Health Director)
This is the second and final reading of an ordinance considering amendments to the Wastewater Pretreatment Ordinance, Chapter 8-5, Public and Environmental Health. This Ordinance will provide a uniform standard throughout the Amarillo Area Public Health District relating to the installation and maintenance of grease traps. In addition, it will aid in the prevention of sanitary sewer overflows and reduce the costs associated with maintenance of the City sewer system.
- F. **CONSIDER APPROVAL – JOINT ELECTION AGREEMENTS:**
(Contact: Kevin Starbuck, Deputy City Manager)
Terms and conditions as noted
This item approves agreements with the Potter and Randall Counties Election Administrators to conduct joint elections on November 3, 2020 with the City of Amarillo. This allows the participating entities to share vote center locations and authorizes the Potter and Randall Counties Election Administrators to perform the duties associated with an election. The conduct of a joint election reduces election costs for each of the entities.
- G. **CONSIDER AWARD – CONTRACT FOR RANDALL COUNTY TO ASSESS AND COLLECT CITY OF AMARILLO TAXES:**
(Contact: Laura Storrs, Assistant City Manager)
Randall County – Annual fee based on prior year costs
This contract is for assessment and collection of City of Amarillo taxes and will remain in effect indefinitely. Either party has the right to terminate the contract with proper notice.
- H. **CONSIDER APPROVAL -- ADDENDUM BETWEEN THE CITY OF AMARILLO AND NORTH HEIGHTS LINEN SERVICE, LLC FOR A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT FOR A NEW HEALTHCARE LAUNDRY FACILITY:**
(Contact: Andrew Freeman, Managing Director - Planning and Development Services)
This item is for an addendum of a current Chapter 380 agreement with North Heights Linen Service, LLC for the construction of a new healthcare laundry facility to be located at 601 West Amarillo Boulevard. The extension would allow for an additional six months to receive a certificate of occupancy on the building.
- I. **CONSIDER AWARD – CONSTRUCTION MATERIALS ANNUAL CONTRACT:**
(Contact: Trent Davis, Director of Purchasing)
Home Depot in an amount not to exceed \$68,500.00 awarded to Home Depot through Omnia Partners Contract #16154
This award is to approve a contract for the purchase of construction materials.
- J. **CONSIDER AWARD – WATER MAIN EXTENSION ON 81ST AVENUE FROM SONCY ROAD TO COULTER STREET:**
(Contact: Matthew Thomas, City Engineer)
Amarillo Utility Contractors, Inc. -- \$1,135,557.00
This item is to consider award of the construction contract to furnish and install new 20" potable water main in 81st Avenue between Soncy Road and Coulter Street, as well as towards the south of Heritage Hills Parkway along Soncy Road to the City's well site. The total length of the new main is approximately 6,100 linear feet. The services also include the furnishing and installation of appurtenances such as gate valves, fire hydrants, and associated fittings. This pipeline will improve the hydraulic operation between Arden Rd Pump Station and Hillside Elevated Storage Tank.
- K. **CONSIDER AWARD – NORTHWEST SYSTEM SEWER IMPROVEMENTS AND PRESSURE REDUCING VALVES:**
(Contact: Matthew Thomas, City Engineer)
J&H Services, Inc. -- \$ 63,733.55

Change Order 1 adds additional bedding material to be used in locations where the ground is not suitable to provide support for the sanitary sewer pipe due to unknown conditions. The additional bedding material will allow the pipe to have a solid footing and will result in an acceptable final product.

Additionally, four segments of sanitary sewer creek crossings are being deleted from the plans and will not be constructed. This reduction of scope offsets a portion of the cost of the bedding material.

L. CONSIDER APPROVAL -- INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND AMARILLO COLLEGE TO PROVIDE TRANSIT SERVICES:

(Contact: Marita Wellage-Reiley, Transit Director)

This interlocal agreement between the City of Amarillo and Amarillo College (AC) allows for current AC students, faculty, and staff to ride Amarillo City Transit (ACT) in exchange for the sum of \$25,000. This proposed service will extend free service to AC as a means of increasing class participation and enrollment for students with insufficient transportation to get to AC.

M. CONSIDER APPROVAL -- FY2020 CONTRACT AMENDMENT FOR WOMEN, INFANTS, AND CHILDREN (WIC) NUTRITION PROGRAM SERVICES:

(Contact: Margaret Payton, WIC Director)

This item is a contract to provide an amount not to exceed \$10,155,491 of reimbursement from the State Department of Health and Human Services (HHSC) for WIC Nutrition Program services. The FY 2020 contract period is from October 1, 2020 through September 30, 2025.

N. CONSIDER AWARD -- LIBRARY MATERIALS CONTRACT:

(Contact: Amanda Barrera, Director of Library Services)

TXSmartBuy Contract #715-M2 - \$320,000

This item awards an annual contract for the ongoing purchase of publications, print, and multimedia materials for the Amarillo Public Library. The proposed contract offers improved categories and a better range of discounts. Funding for the contract is available in the approved Amarillo Public Library operating budget.

O. CONSIDER SALE -- PROPERTY:

(Contact: Laura Storrs, Assistant City Manager)

Sheriff Sale property located in Potter County.

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

NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson presented the first reading of an ordinance calling a special election to be held in the City of Amarillo, Texas on November 3, 2020 and resolving other matters incident and related thereto. This item was presented by Jared Miller, City Manager and Bryan McWilliams, City Attorney. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7866

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ORDERING A SPECIAL ELECTION ON NOVEMBER 3, 2020 TO VOTE ON PROPOSED AMENDMENTS TO THE AMARILLO CITY CHARTER, AS MORE FULLY SET OUT HEREIN; PROVIDING FOR A JOINT ELECTION WITH POTTER COUNTY, RANDALL COUNTY, AND THE CITY OF AMARILLO OR OTHER ENTITY; APPROVING INTERLOCAL AGREEMENT FOR EACH COUNTY TO CONDUCT THE CITY ELECTION IN PRECINCTS OF EACH COUNTY THAT ARE WITHIN THE CITY LIMITS; ESTABLISHING POLLING PLACES AND PROVIDING GENERALLY FOR THE CONDUCT OF SAID ELECTION; PROVIDING AN EFFECTIVE DATE.

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

ITEM 3B: Mayor Nelson presented the first reading of an ordinance considering an ordinance amending the Amarillo Municipal Code: Chapter 2-6, modifying Article XII, Section 2-6-96, related to the Community Development Advisory Committee (CDAC). This item was presented by Juliana Kitten, Director of Community Development. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7867

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AMENDING THE AMARILLO MUNICIPAL CODE: CHAPTER 2-6, MODIFYING ARTICLE XII, SECTION 2-6-96, RELATED TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE; REVISING THE COMMITTEE MEMBER PARTICIPATION AND QUALIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

ITEM 3C: Mayor Nelson presented the first reading of an ordinance considering recommended changes to Chapter 14-3 Alcoholic Beverages that will reduce the regulatory burden on businesses applying for an Alcoholic Beverage license. This item was presented by Anthony Spanel, Environmental Health Director. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7868

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 14-3, SECTION 14-3-3 TO CLARIFY WHICH APPLICANTS FOR AN ORIGINAL STATE LICENSE OR PERMIT UNDER THE TEXAS ALCOHOLIC BEVERAGE CODE MUST OBTAIN A CERTIFICATE OF OCCUPANCY OR BUILDING PERMIT PRIOR PRESENTING THEIR APPLICATIONS TO THE CITY SECRETARY FOR CERTIFICATION; PROVIDING FOR: SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, PUBLICATION, AND EFFECTIVE DATE.

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

ITEM 3D: Mayor Nelson presented the first reading of an ordinance considering a revision to Chapter 8-5-23 Public and Environmental Health. This revision will authorize any peace officer to enforce certain health and safety regulations without the necessity, delay, and cost of summoning a Health Officer. This item was presented by Anthony Spanel, Environmental Health Director. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7869

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 8-5, ARTICLE IV, SECTION 8-5-23 ADDING AUTHORIZATION FOR ANY PEACE OFFICER TO ENFORCE CERTAIN HEALTH AND SAFETY REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE OF SEPTEMBER 1, 2020.

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

ITEM 3E: Mayor Nelson presented the first reading of an ordinance rezoning Lots 11 and 12, Block 5, Roy Lindsey's Addition, in Section 172, Block 2, A.B.&M. Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 2 to General Retail District. This item was presented by Andrew Freeman, Managing Director - Planning and Development Services. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Councilmember Hays stated she did not support the expansion to General Retail. Motion

was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7870

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 INTERSTATE 27 AND WASHINGTON STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Powell, Sauer and Smith; voting NO was Councilmember Hays none; the motion carried by a 4:1 vote of the Council.

ITEM 3F: Mayor Nelson presented a resolution considering amending and restating a resolution calling a bond election to be held in the City of Amarillo, Texas on November 3, 2020 and resolving other matters incident and related thereto. This item was presented by Kevin Starbuck, Deputy City Manager and Laura Storrs, Assistant City Manager. Motion was made that the following captioned resolution be passed by Councilmember Powell, seconded by Councilmember Smith:

RESOLUTION NO. 07-28-20-1

A RESOLUTION AMENDING AND RESTATING A RESOLUTION CALLING A BOND ELECTION TO BE HELD IN THE CITY OF AMARILLO, TEXAS; MAKING PROVISION FOR THE CONDUCT OF AN ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION.

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 3G: Mayor Nelson presented a resolution considering a Principal Forgiveness Agreement from the Clean Water State Revolving Fund with the Texas Water Development Board (TWDB). This item was presented by Laura Storrs, Assistant City Manager. Motion was made that the following captioned resolution be passed by Councilmember Powell, seconded by Councilmember Smith:

RESOLUTION NO. 07-28-20-2

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A PRINCIPAL FORGIVENESS AGREEMENT BETWEEN THE TEXAS WATER DEVELOPMENT BOARD AND THE CITY OF AMARILLO, TEXAS.

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 3H: Mayor Nelson presented an item authorizing the Amarillo EDC to execute all necessary documents for the purchase of 37.60 acres of land located at Point West Parkway and Evans Street in Amarillo. The purchase is for \$4,000,000.00 plus closing costs and related expenses. This item was presented by Kevin Carter, President & CEO of Amarillo EDC. Motion was made that this item be approved by Councilmember Powell, seconded by Councilmember Sauer:

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: Mr. McWilliams advised at 2:46 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Section 551.072 – Discuss the purchase, exchange, lease, sale, or value of real property and public discussion of such would not be in the best interests of the City's bargaining position: (a) Discuss properties located in the Central Business District.

Mr. McWilliams announced that the Executive Session was adjourned at 3:18 p.m. and recessed the Regular Meeting.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	August 11, 2020	Council Priority	Implementation of Best Practices
Department	City Manager		
Contact	Kevin Starbuck, Deputy City Manager		

Agenda Caption

ORDINANCE - ORDERING A SPECIAL ELECTION ON NOVEMBER 3, 2020 TO VOTE ON PROPOSED AMENDMENTS TO THE AMARILLO CITY CHARTER; PROVIDING FOR A JOINT ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

(Contact: Kevin Starbuck, Deputy City Manager)

First reading of an ordinance calling a special election to be held in the City of Amarillo, Texas on November 3, 2020 and resolving other matters incident and related thereto.

Agenda Item Summary

This ordinance would call a special election to be held in the City of Amarillo, Texas on November 3, 2020 (election day) which is a uniform election date under the Texas Election Code, as amended. This ordinance is for the purpose of submitting the following propositions to the qualified voter of the City of Amarillo:

CITY OF AMARILLO, TEXAS PROPOSITION B

To amend Article V, Section 2 of the Amarillo City Charter to provide for a staggered, 4-year term of office for Mayor and each City Councilmember.

CITY OF AMARILLO, TEXAS PROPOSITION C

To amend Article V, Section 12(a) of the Amarillo City Charter to provide for the Mayor and Councilmembers to meet to qualify for office on the day of the election canvass and thereafter meet not less than twenty-four times per calendar year.

Requested Action

Council consideration and approval of the ordinance calling a special election to be held in the City of Amarillo, Texas on November 3, 2020 and resolving other matters incident and related thereto.

Funding Summary

N/A

Community Engagement Summary

At the July 14, 2020 Council meeting, the Charter Amendment Committee presented recommended changes to the charter.

Staff Recommendation

Staff recommends Council approval of the ordinance calling a special election to be held in the City of Amarillo, Texas on November 3, 2020 and resolving other matters incident and related thereto.

ORDINANCE NO. 17866

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ORDERING A SPECIAL ELECTION ON NOVEMBER 3, 2020 TO VOTE ON PROPOSED AMENDMENTS TO THE AMARILLO CITY CHARTER, AS MORE FULLY SET OUT HEREIN; PROVIDING FOR A JOINT ELECTION WITH POTTER COUNTY, RANDALL COUNTY, AND THE CITY OF AMARILLO OR OTHER ENTITY; APPROVING INTERLOCAL AGREEMENT FOR EACH COUNTY TO CONDUCT THE CITY ELECTION IN PRECINCTS OF EACH COUNTY THAT ARE WITHIN THE CITY LIMITS; ESTABLISHING POLLING PLACES AND PROVIDING GENERALLY FOR THE CONDUCT OF SAID ELECTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Amarillo City Charter (hereafter, "Charter" or "City Charter") was adopted by voters in 1913 when the population of Amarillo was 9,957 (per the 1910 census); and,

WHEREAS, since that time, the Charter has been updated rarely, yet there have been numerous changes in federal and state law requirements, public policy, societal behavior, expectations of government, and the needs of a city with a population approaching a quarter-million; and,

WHEREAS, in 2013, Amarillo voters approved numerous amendments updating the charter, and desiring to continue that modernization effort, the City Council has appointed a citizen committee to review the charter and recommend changes; and,

WHEREAS, the City Council finds it is desirable and in the best public interest for voters to now consider certain amendments to the Charter, in accordance with the several propositions described herein;

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

PART I. ORDER CALLING SPECIAL ELECTION.

SECTION 1.0. Pursuant to applicable provisions of the Texas Election Code and Texas Local Government Code, Chapter 9, that a Special Election is hereby called and ordered for the City of Amarillo to be held on the next uniform election date specified by the Texas Election Code, being November 3, 2020, to vote on the following propositions to amend the City of Amarillo Home Rule Charter, each of which shall be separate proposition for each subject matter, on a single ballot, for the reasons and purposes stated below for each proposition, with the ballot text for each proposition to appear and read as shown below.

Further, the proposition for issuance of bond debt to finance certain civic center improvements described in a separate Resolution, for a Special Election also called on November 3, 2020, shall be Proposition No. 1 on the City ballot, with these charter amendment propositions following and numbered as shown.

PART II. CHARTER AMENDMENTS.

SECTION 2.0 The following propositions to amend the City of Amarillo Home Rule Charter, as it currently exists as amended shall be proposed to voters, for the reasons and purposes stated below for each proposition, with the ballot text for each proposition to appear and read as shown below.

City Council, Terms of Office, Art. V, Sec. 2

WHEREAS, The *Citizens Charter Review Committee* has determined that a two-year term of office with the potential for loss of all council knowledge of issues in a single election is a modern disservice to the community. A councilmember spends the first year learning governmental organization, programs, laws, and procedures. Currently this leaves only a single year of informed service, and then that term of office is over. This fact is compounded by the possibility that an entirely new Council and Mayor can be elected in one election cycle, due to the lack of staggered terms. Accordingly, the *Citizens Charter Review Committee* recommends a longer term of office to make better use of the skills and knowledge acquired by the Mayor and Councilmembers and that staggered terms be implemented to assure a smooth and informed transition of governmental leadership, rather than removal of all incumbents and knowledge in a single election. NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall amend Article V, Section 2 of the City Charter to provide for a staggered, 4-year term of office for Mayor and Councilmembers, and Sections 3 and 8 as required to comply with State election law due to longer terms of office, to read as follows:

“SECTION 2. - TERM OF OFFICE

The Mayor and each Councilmember shall serve for a term of ~~two (2)~~ four (4) years with said terms being staggered as provided by ordinance and until a successor is elected and qualified; unless sooner removed from office as herein provided.”

“SECTION 3. - VACANCIES

(a.) Any vacancy in the office of the Mayor or Councilmember shall be filled as authorized by state law. ~~by an appointment by the remaining Councilmembers from among their number.~~

(b) Any vacancy in the office of a Councilmember for an unexpired term of 12 months or less shall be filled by an appointment by the Mayor and the remaining Councilmembers.

(c) Any vacancy in the office of the Mayor for an unexpired term of 12 months or less shall be filled by an appointment by the remaining Councilmembers. Provided that the person appointed to fill such vacancy shall hold office only during the unexpired term of office.

(d) The person elected or appointed to fill such vacancy shall hold office only during the unexpired term of office.

“SECTION 8. - ELECTION DAY

The regular municipal elections of the City of Amarillo shall be held on the date allowed by state law that occurs on or nearest to May 1 in an each odd numbered year. If state law provides two election dates which are equally near May 1, the Council shall select one.”

Ballot Text Shall State:

PROPOSITION No. 2

To amend Article V, Section 2 of the Amarillo City Charter to provide for a 4-year term of office for Mayor and each City Councilmember with those terms being staggered as provided by ordinance and conforming amendments as required by state law.

_____ FOR
_____ AGAINST

City Council Meeting Frequency, Art. V, Sec.12(a)

WHEREAS, the current charter requires weekly City Council meetings, yet modern experience is that, in some weeks or months, there is not enough public business to justify a weekly meeting. At other times, a quorum of council members is unavailable, rendering a weekly meeting a legal impossibility. In other seasons, pressing business can require multiple meetings within a single week. Aside from the variable workload, modern societal practices of taking holidays and personal time off by council and senior staff further are different than in 1913, and can be incompatible with a weekly meeting obligation. The *Citizen Charter Review Committee* determined it is desirable for the charter to assure regular meetings while allowing reasonable flexibility for the frequency of those meetings. That *Committee* recommends setting a required total number of meetings per year will assure regular meetings while providing flexibility to not meet in some weeks. [Note: Should the stated number of meetings be exhausted prior to the end of a year, then State law allows the Council to conduct an unlimited number of special meetings as may be needed or convenient to discharge public business.] NOW, THEREFORE, BE IT ORDAINED THAT, this proposition shall repeal and restate Art. V, Section 12(a) of the City Charter to now read as follows (and other subsections unchanged):

“(a) On the day that the election results of the Council have been declared, the Councilmembers shall meet to qualify and assume the duties of their offices. Thereafter, the Councilmembers shall meet at such times as prescribed by Ordinance or Resolution, but they shall meet not less than twenty-four times per calendar year.”

Ballot Text Shall State:

PROPOSITION No. 3

To amend Article V, Section 12(a) of the Amarillo City Charter to provide for the Mayor and Councilmembers to meet to qualify for office on the day of the election canvass and thereafter meet not less than twenty-four times per calendar year.

_____ FOR
_____ AGAINST

PART III. ELECTION ADMINISTRATION AND OTHER MATTERS

SECTION 3.0. That the City Secretary is authorized to modify the ballot format as may be necessary to accommodate electronic or other form of balloting.

SECTION 3.1 That a joint election shall be conducted with Potter County, Randall County, the City of Amarillo, and any other entity that may order an election within those counties, pursuant to the terms and conditions of the attached intergovernmental cooperation agreement with Potter County (Exhibit 1) and intergovernmental cooperation agreement with Randall County (Exhibit 2), each of which is incorporated herein by this reference, and the City Manager is authorized to execute and perform said agreements and to agree to reasonable changes that may be requested or imposed by the counties as reflected in amended Exhibits.

SECTION 3.2. That the City Secretary is expressly authorized to: obtain election supplies; pay election officials; contract for some or all election duties and services from Potter and Randall counties (including conduct of a joint election), in accordance with the adopted budget, applicable law, and the attached agreements.

SECTION 3.3. The election shall be held in each of the election precincts of each participating entity as specified in the attached agreement.

SECTION 3.4. Electronic voting system is authorized and shall be used for voting and counting in the election, subject to the attached agreements and any contingency plan (of each county conducting a part of the City election) for problems with the electronic voting system.

SECTION 3.5. Early voting shall be conducted:

- A. In the Potter County portion of the City as specified in the attached Exhibit 1.
- B. In the Randall County portion of the City as specified in the attached Exhibit 2.
- C. Ballots shall be used for early voting by mail, and electronic or other ballot forms shall be used for casting early votes by personal appearance. The City Secretary is authorized to appoint an Early Voting Ballot Board to count and sort early votes, and other personnel for other duties, all as may be necessary or convenient in the conduct of the election or the City portion of a joint election with the other entities.

SECTION 3.6. That voting results of the City election from Potter and Randall County precincts shall, respectively, be completed at each County's counting station (to-wit: Potter County, at 900 S. Polk, Suite 320, Amarillo; and Randall County, at 501 16th Street, Ste 304, Canyon) and, the results promptly provided to the City Secretary or her designee.

SECTION 3.7. In the event of a conflict between the terms of this ordinance and the interlocal cooperation agreement for election services, the terms of the interlocal agreement shall prevail.

SECTION 3.8. Effective Date. This ordinance calling the election and stating the ballot is effective upon passage. However the effective date for each Proposition that may be approved

by voters shall be as set by City Council, no sooner than 30 days after the canvass of the election, so as to allow time for republication of the amended charter and amending any affected ordinances or policies of the City, to assure an orderly implementation of any approved changes.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the _____ day of _____, 20____; and PASSED on Second and Final Reading the _____ day of _____, 20_____.

Ginger Nelson, Mayor

ATTEST:

APPROVED AS TO FORM:

Frances Hibbs, City Secretary

Bryan S. McWilliams, City Attorney

ATTACHMENTS:
Exhibit 1, Interlocal Agreement with Potter County
Exhibit 2, Interlocal Agreement with Randall County

EXHIBIT 1
POTTER COUNTY – CITY ELECTION AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF POTTER §

**CONTRACT FOR ELECTION SERVICES
AND JOINT ELECTION AGREEMENT**

THIS CONTRACT made by and between Potter County, a body corporate and politic under the laws of the State of Texas, hereinafter referred to as “County,” and the City of Amarillo, hereinafter referred to as “Entity,” pursuant to Texas Election Code Sections 31.092(a) for an election to be held on November 3, 2020, and to be administered by Melynn Huntley, Elections Officer, hereinafter referred to as “Elections Administrator”.

Said Entity is holding a Special Election, at their expense on November 3, 2020.

The County owns an electronic voting system, which has been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended, and is compliant with the accessibility requirements set forth by Texas Election Code Section 61.012. The Entity desires to use the County’s electronic voting system and to compensate the County for such use.

NOW, THEREFORE, in consideration of the mutual covenants, agreements, and benefits to the parties, **IT IS AGREED** as follows:

I. ADMINISTRATION

The parties agree to hold a “Joint Election” in accordance with Chapter 271 of the Texas Election Code and this agreement. The Elections Administrator of Potter County shall coordinate, supervise, and handle all aspects of administering the Election as provided in this Contract. The Entity agrees to pay Potter County for equipment, supplies, services, staff overtime directly incurred as a result of the election, and administrative costs as provided in this Contract. The Elections Administrator shall serve as the administrator for the Election; however, the Entity shall remain responsible for the decisions and actions of its officers necessary for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of the Entity.

It is understood that other Political Subdivisions may wish to participate in the use of the County’s electronic voting system and polling places, and it is agreed that Potter County and the Elections Administrator may enter into other contracts for election services for those purposes on terms and conditions generally similar to those set forth in this contract. The Entity agrees that other Political Subdivisions that may have territory

located partially or wholly within the boundaries of the Entity, and in such case all parties sharing common territory shall enter into a Joint Election Agreement and share a joint ballot on the county's electronic voting system at the applicable polling places. In such cases, costs shall be divided proportionately among the participants (Exhibit "C").

At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating parties shall share a mutual ballot in those precincts where jurisdictions overlap. However, in no instance shall a voter be permitted to receive a ballot containing an office or proposition stating a measure on which the voter is ineligible to vote. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap.

II. LEGAL DOCUMENTS

The Entity shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or the Entity's governing body, charter, or ordinances.

Preparation of the necessary materials for notices and the official ballot shall be the responsibility of the Entity, including translation to languages other than English. The Entity shall provide a copy of their election order and notice to the Elections Administrator.

Each Political Subdivision shall prepare a submission to the United States Department of Justice for preclearance of any Special Election or election procedure changes, pursuant to the Voting Rights Act of 1965, as amended.

III. VOTING LOCATIONS

The Elections Administrator shall arrange for the use of all Election Day voting locations. Voting locations will be, whenever possible, the usual voting locations for Potter County. In the event a voting location is not available, the Elections Administrator will arrange for use of an alternate location with the approval of the Entity.

If polling places are different from the polling place(s) used by the Entity in its most recent election, the County agrees to post a notice no later than the day before the election, at the entrance to any previous polling places in the jurisdiction stating that the polling location has changed and stating the Entity's polling place names and addresses in effect for election. Election Day locations are listed on Exhibit "A".

In the November 3, 2020 election, Potter County will utilize county-wide voting. As such, there will be 16 polling locations. Registered voters will be able to vote on Election Day at any of the polling locations.

IV. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL

The Elections Administrator is required to use election judges, alternate judges and clerks that have been approved by the county political parties. The Elections Administrator shall provide to the Entity a list of presiding judges and alternate judges for its election who shall be approved by the Entity as required by law. The Elections Administrator will recruit at least one polling place official who is bilingual (fluent in both English and Spanish) for each polling location.

The Elections Administrator shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to insure that all election judges appointed for the Election are eligible to serve.

The Elections Administrator shall arrange for the training and compensation of all election judges and clerks. The Elections Administrator shall arrange for the date, time, and place for the presiding election judges to pick up their election supplies. Each presiding election judge will be sent a letter from the Elections Administrator notifying him/her of their appointment, the time and location of training and distribution of election supplies, and the number of election clerks that the presiding judge may appoint. Election workers will be compensated for the two-hour training class.

Each election judge and election clerk will receive compensation at a rate of \$12.00 per hour as established by Potter County pursuant to Texas Election Code Section 32.091. Election judges and clerks will be entitled to receive pay at a rate of time-and-a-half per hour for all hours worked over 40 in a week. The election judge and alternant judge will share an additional sum of \$25.00 for returning the supplies and equipment to the central counting station after the polls close.

It is agreed by all parties that at all times and for all purposes hereunder, all election judges, clerks, and all other personnel involved in this election are temporary employees of the County.

V. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT

The Elections Administrator shall arrange for all election supplies and voting equipment including, but not limited to official ballots, sample ballots, voter registration lists, and all forms, signs and other materials used by the election judges at the voting locations. The Elections Administrator shall provide the necessary voter registration information, instructions, and other information needed for the election. If special maps are needed for a particular Entity, the Election Administrator will order the maps and pass that charge on to that particular Entity.

The Entity shall furnish the Elections Administrator a list of candidates and/or propositions showing the order and the exact manner in which the candidate names and/or proposition(s) are to appear on the official ballot (including titles and text in each language in which the authority's ballot is to be printed). All ballot information for the ballot will be provided in both English and Spanish. This list shall be delivered to the Elections Administrator as soon as possible after ballot positions have been determined by each of the participating authorities. Each participating authority shall be responsible for proofreading and approving the ballot insofar as it pertains to that authority's candidates and/or propositions.

VI. EARLY VOTING

The Entity agrees to appoint the Elections Administrator as the Early Voting Clerk. The Entity also agrees to appoint the Elections Administrator's permanent county employees as deputy early voting clerks. The Entity further agrees that the Elections Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting as necessary, and that these additional deputy early voting clerks shall be compensated at an hourly rate set by Potter County pursuant to Section 83.052 of the Texas Election Code. Early Voting by personal appearance will be held at the locations, dates, and times listed in Exhibit "B." Any qualified voter of the Election may vote early by personal appearance at any one of the early voting locations.

As Early Voting Clerk, the Elections Administrator shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for early voting ballots to be voted by mail received by the Entity shall be forwarded immediately by fax or courier to the Elections Administrator for processing.

The Elections Administrator shall, upon request, provide the Entity a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

VII. EARLY VOTING BALLOT BOARD

Potter County Election Board shall appoint a Signature Verification Committee (SVC) and Early Voting Ballot Board (EVBB) to process early voting results from the Election. The County Election Board shall appoint up to nine additional members to constitute the EVBB. Five people will be appointed to the Signature Verification Committee. The Elections Administrator shall determine the number of members required to efficiently process the early voting ballots.

VIII. CENTRAL COUNTING STATION AND ELECTION RETURNS

The Elections Administrator shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this Contract.

The participating authorities hereby, in accordance with Section 127.002, 127.003, and 127.005 of the Texas Election Code, appoint the following central counting station officials:

1. Counting Station Manager
2. Tabulation Supervisor
3. Assistant Tabulation Supervisor
4. Presiding Judge
5. Alternate Judge

The Elections Administrator will prepare the unofficial canvass reports after all precincts have been counted, and will deliver a copy of the unofficial results to the Entity as soon as possible after all returns have been tabulated. All participating authorities shall be responsible for the official canvass of their respective elections.

IX. ELECTION EXPENSES AND ALLOCATION OF COSTS

The participating authorities agree to share the costs of administering the Joint Election. Allocation of costs, unless specifically stated otherwise, is mutually agreed to be shared according to a formula, which is based on the cost per polling place. Costs for polling places shared by Entity and other Political Subdivisions shall be divided proportionately among the participants utilizing that polling place. Exhibit "C" shows the formula for determining cost share per Entity and Political Subdivision.

It is agreed that a rental rate of \$250 per Verity unit will be charged for the County's voting equipment used on Election Day and/or Early Voting and shall be divided proportionately among the participants utilizing each polling location. Exhibit "D" shows an estimate of expenses for the Joint Election and cost estimate by Entity.

X. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION

The Entity may withdraw from this Contract should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code, or should it be later ruled that the election is not needed. The Entity is fully liable for any expenses incurred by Potter County on behalf of the Entity. Any monies deposited with the county by the withdrawing authority shall be refunded, minus the aforementioned expenses.

XI. RECORDS OF THE ELECTION

The Elections Administrator is hereby appointed joint general custodian of the voted ballots and all records of the Election as authorized by Section 271.010 of the Texas Election.

Access to the election records shall be available to each participating authority as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the Elections Administrator or at an alternate facility used for storage of county records. The Elections Administrator shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of each participating authority to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request which may be filed with the participating authority.

XII. RECOUNTS

A recount may be obtained as provided by Title 13 of the Texas Election Code. The Entity agrees that any recount shall take place at the offices of the Elections Administrator, and that the Elections Administrator shall serve as Recount Supervisor and the Entity's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

The Elections Administrator agrees to provide advisory services to the Entity as necessary to conduct a proper recount.

XIII. MISCELLANEOUS PROVISIONS

1. The Elections Administrator shall file copies of this document with the Potter County Treasurer and the Potter County Auditor in accordance with Section 31.099 of the Texas Election Code.
2. In the event that an election contest is initiated under Title 14 of the Texas Election Code in relation the Entity's election, the Entity shall choose and provide, at its own expense, competent legal counsel for Potter County, the Potter County Elections Administrator, and such other Potter County officials,

employees, or election personnel as may be included as parties or participants in that election contest.

3. Nothing in this contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this contract or a violation of the Texas Election Code.
4. The parties agree that under the Constitution and laws of the State of Texas, neither Potter County nor the Entity can enter into an agreement whereby either party agrees to indemnify or hold harmless another party; therefore, all references of any kind, if any, to indemnifying or holding or saving harmless for any reason are hereby deleted.
5. This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Potter County, Texas.
6. In the event of one of more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
7. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
8. The waiver by any party of a breach of any provision of this Contract shall not operate as or be construed as a waiver of any subsequent breach.
9. Any amendments of this Contract shall be of no effect unless in writing and signed by all parties hereto.

IN TESTIMONY HEREOF, this Contract, its multiple originals all of equal force, has been executed on behalf of the parties hereto as follows, to-wit:

1. It has on this _____ day of _____, 2020, been executed on behalf of Potter County by the Elections Administrator pursuant to the Texas Election Code so authorizing; and

POTTER COUNTY, TEXAS

By: _____
Melynn Huntley
Elections Administrator

2. It has on this _____ day of _____, 2020, been executed on behalf of the Entity by its Presiding Officer or authorized representative, pursuant to an action of the Entity so authorizing.

CITY OF AMARILLO:

By: _____

EXHIBIT A – ELECTION DAY POLLING LOCATIONS

Amarillo Auto Supply and Off Road 3601 E. Amarillo Blvd.	Kids, Inc. 2201 SE 27 th
Casey Carpet One 3500 I-40 West Frontage Road	Lighthouse Baptist Church 5631 Pavillard
Chaparral Hills Church 4000 W. Cherry	Pride Home Center 3503 NE 24 th
Don Harrington Discovery Center 1200 Streit Drive	Second Baptist Church 419 N. Buchanan
The Church at Bushland 1800 FM 2381, Bushland	Trinity Baptist Church 1601 I-40 West
Grace Community Church 4111 Plains Blvd.	United Citizens Forum 901 N. Hayden
Highland Park ISD Admin. Bldg. 15300 E. Amarillo Blvd.	Valle de Oro Fire Station 23801 FM 1061, Valle de Oro
Hillside Christian Church, NW 600 Tascosa Road	Wesley Community Center 1615 S. Roberts

EXHIBIT B - POLLING HOURS AND LOCATIONS FOR EARLY VOTING

MAIN EARLY VOTING:

Santa Fe Building, Ticket office
900 S. Polk
Maximum # of Judges and Clerks: 11

Hours for voting at Santa Fe Building:
Mon – Fri., Oct. 19-23 8:00 a.m. – 5:00 p.m.
Sat., Oct. 24 7:00 a.m. – 7:00 p.m.
Sun., Oct. 25 12:00 p.m. – 5:00 p.m.
Mon. – Fri., Oct. 26 – 30 7:00 a.m. – 7:00 p.m.

BRANCH EARLY VOTING:

Precinct 1:
Casey Carpet One
3500 I-40 W Frontage Rd.
Maximum # of Judges and Clerks: 6

Precinct 3:
~~The Craig~~
~~5500 SW 9th Ave~~
Maximum # of Judges and Clerks: 6

Precinct 2:
~~United Amigos~~
~~3300 E I-40~~
Maximum # of Judges and Clerks: 5

Precinct 4:
Cornerstone Outreach
1111 N. Buchanan
Maximum # of Judges and Clerks: 5

Hours for Branch Locations Early Voting:
Mon – Fri., Oct. 19-23 8:00 a.m. – 5:00 p.m.
Sat., Oct. 29 12:00 p.m. – 5:00 p.m.
Sun., Oct. 30 12:00 p.m. – 5:00 p.m.
Mon. – Fri., Oct. 31-Nov. 4 8:00 a.m. – 5:00 p.m.

EXHIBIT C - SAMPLE COST BY ENTITY

The jurisdictions of participating entities are located in following voting precincts:

Potter County – 24 total precincts
121, 122, 123, 124, 125, 126, 221, 222, 223, 224, 225, 321, 322, 323, 324, 325, 326, 327, 421, 422, 424, 425, 426, 427

City of Amarillo – 22 total precincts
121, 122, 123, 124, 125, 126, 221, 222, 223, 224, 225, 323, 324, 325, 326, 327, 421, 422, 424, 425, 426, 427

Potentially other entities could affect the share of expenses

There are total of 46 “entity precincts” represented by the participating entities. (24 + 22)

In allocating appropriate expenses to participating entities, the total costs will be based on the percent of the total “entity precincts” with which the participating entity has jurisdiction.

Therefore, the total costs will be divided as follows:

Potter County	24 precincts	52% of total cost of election
City of Amarillo	22 precincts	48% of total cost of election*

*Costs not to exceed \$45,000. Due to the high costs incurred with a Presidential Election, Potter County agrees to cap the expense to the City of Amarillo at \$45,000.

EXHIBIT D - COST ESTIMATE FOR ELECTION

Description	Amount*
Ballot Layout, Audio, Coding	.00
Ballots	2000.00
Field Techs/Site Support/Phone Bank	1500.00
Early Voting Ballot Board/Signature Verification Committee	2600.00
Early Voting Personnel	34600.00
Election Day Personnel	23500.00
Central Counting Station Personnel	1600.00
Election Office overtime	5500.00
Election Day deliveries	300.00
Truck Rental	1000.00
Security, EV, ED & CCS	3300.00
ABBM Kits/Postage (2500 kits @ \$1.50 each)	3750.00
Ballot on Demand (Military) and Sample Ballots Online	600.00
Election Kits	640.00
Verity Lease fee (200 units @ \$250 each)	50000.00
Public Notice of Test, AGN	400.00
Notice of Election, AGN	1400.00
Subtotal	144,090.00
City of Amarillo – 48%	69,163.20
10% Administrative Fee	6,916.32
Estimated Total	76,079.52

*Amounts are estimates only. Estimate also assumes Early Voting locations and hours.

Potter County agrees to cap the cost of the election to the City of Amarillo at \$45,000.

POTTER COUNTY EARLY VOTING LOCATIONS
GENERAL ELECTION – _____, 20____



EXHIBIT 2
RANDALL COUNTY – CITY ELECTION AGREEMENT

**JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT
BETWEEN
CITY OF AMARILLO
AND RANDALL COUNTY**

WHEREAS, Randall County ("County") and the City of Amarillo ("City") noted in the signature block ("Participating Entities"), have each called an election;

WHEREAS, the Participating Entities desire to conduct these elections jointly, pursuant to Chapter 271, Texas Election Code, on November 3, 2020;

WHEREAS, the City is located partially in Randall County, and it is in the best interest of the voters of the City that are registered in Randall County to conduct an efficient election by entering into an Election Services Agreement with Randall County.

NOW, THEREFORE, the Entities adopt this Agreement to conduct a joint election:

1. SCOPE

The Participating Entities will hold elections on November 3, 2020 ("Election Day") jointly for the voters in Randall County and the City.

2. BALLOT LANGUAGE

Each of the Participating Entities will provide the appropriate ballot language in both English and Spanish for the propositions to be voted on by the qualified voters of that Participating Entity. The County will provide a final proof of ballot language, as it is to appear on the ballot, for final proof approval. The ballots shall be printed in a timely fashion in order to be available for Early Voting by mail and voting devices programmed for Early Voting by personal appearance.

3. RESPONSIBILITIES OF RANDALL COUNTY

Randall County shall be responsible for performing the duties and performing the services associated with an election for those resident voters of Randall County, including but not limited to the following:

- (a) Recommend and confirm all early voting polling place locations. Days and hours for early voting on weekdays and weekends will be those days and hours provided by the County, and in accordance with State law.
- (b) Agree to receive and process requests for Early Voting by Mail.
- (c) Contact the owners or custodians of county-designated polling places and arrange for their use in the Election.
- (d) Procure and distribute all necessary election kits and supplies.

- (e) Procure all necessary voting machines and equipment, transport machines and equipment to and from the polling places, and prepare the voting machines and equipment for use at the polling places.
- (f) Notify the election judges of the date, time, and place of the election school and arrange for a facility for holding the school.
- (g) Arrange for the use of a central counting station and for the tabulating personnel and equipment needed at the counting station and assist in the preparation of programs and the test materials for the tabulation of the ballots to be used with electronic voting equipment.
- (h) Publish the legal notice of the date, time, and place of the test of the electronic tabulating equipment and conduct such test.
- (i) Serve as the Joint Custodian of Records ("Joint Custodian") for the sole purpose of preserving all voted ballots securely in a locked room in the locked ballot boxes and securing of electronic votes for the period for preservation required by the Election Code.
- (j) Provide its Elections Division staff and offices to administer the Joint Election under the direction of the Randall County Elections Administrator.

4. CANVASS OF RESULTS

Each entity will be responsible for the canvass of the returns regarding its ballot items.

5. LOCATION OF COMMON POLLING PLACES

Exhibit "A" to this Agreement is a list of the Countywide-Super Precinct Election Day polling places. These polling places will be used for the common Election Day polling place(s) in this election. Exhibit "B" to this Agreement is a list of early voting polling places. The final designation of polling places within Randall County rests with the County. Accordingly, the County must immediately notify the District if it does not designate the polling places set forth in the attached Exhibits.

6. ALLOCATION OF ELECTION EXPENSES

- (a) The County shall initially pay the expenses, and subsequently invoice each Participating Entity for its share of the expenses. Joint election expenses include, but are not limited to, expenses for equipment rental, facilities, personnel, supplies, and training actually incurred by the County for establishing and operating all early voting and Election Day activities at the polling place in the joint election territory as well as activities related to the tabulation of votes. Upon receipt of an invoice from the County election expenses, the Entity shall pay the total amount of the invoice within thirty (30) days of receipt of said invoice.
- (b) The expense of any early voting polling places that are established at the request of an Entity(ies) other than those which are mutually agreed upon by all the Entities shall be borne by the requesting Entity.
- (c) An Entity may cancel an election, but will be financially responsible for any expenses that were accrued, by the County, up to the time of cancellation.
- (d) In the event of a recount, the expense of the recount shall be borne by the Entity(ies) involved in such recount.
- (e) Election workers will be paid at the rate of \$12.00 per hour.

7. LEGAL NOTICES

- (a) Each Entity shall be individually responsible for the preparation of election orders, resolutions, notices, and other pertinent documents for adoption or execution by its own respective governing board, and for the posting or publication of election notices and all expenses related thereto. The Notice will be Bilingual and will be published or posted in both English and Spanish. The preceding sentences do not prevent the Entities or any combination of them from issuing a joint notice of election and sharing the cost of same.
- (b) Each Entity shall individually submit a request for preclearance from the United States Department of Justice, if required.

8. AUTHORITY TO CONFORM TO ELECTION LAW

The Entities authorize the County's Elections Administrator and the District's Superintendent to vary the terms of this Agreement as may be necessary to conform to applicable law or to comport with proper election procedures without the need for further action by the governing body of any Participating Entity.

9. EFFECTIVE DATE

This Agreement takes effect upon the complete execution of this Agreement by the Participating Entities.

RANDALL COUNTY, TEXAS

By: 

Attest: _____

Shannon Lackey
Elections Administrator

Date: 7-15-20

CITY OF AMARILLO

By: _____

Attest: _____

Date: _____

Randall County Election Day
Vote Centers
November 3, 2020

The Cowboy Church
8827 S. Washington
Amarillo, TX 79118

Arden Road Baptist
6701 Arden Road
Amarillo, TX 79109

Comanche Trail Church of Christ
2700 E. 34th
Amarillo, TX 79103

Central Baptist Church
1601 SW 58th
Amarillo, TX 79110

Randall County Justice Center
2309 Russell Long Blvd
Canyon, TX 79015

Oasis Southwest Baptist Church
8201 Canyon Drive
Amarillo, TX 79110

Southwest Church of Christ
4515 Cornell
Amarillo, TX 79109

Randall County Annex
4320 S. Western
Amarillo, TX 79110

Redeemer Christian Church
3701 S. Soncy
Amarillo, TX 79121

The Summit
2008 12th Avenue
Canyon, TX 79015

Region 16 Education Center
5800 Bell Street
Amarillo, TX 79109

Coulter Road Baptist Church
4108 S. Coulter
Amarillo, TX 79109

Randall County Fire Department # 2
9451 FM 2186
Amarillo, TX 79119

Early Voting Locations
General Election
Election Day November 3, 2020

Dates and time will be determined at a later date in accordance with the Texas Election Code and/or an Executive Order issued by the Governor

Randall County Election Administration Office**
1604 5th Ave
Canyon, TX 79015

Randall County Annex
4320 S. Western
Amarillo, TX 79110

Randall County Justice Center
2309 Russell Long Blvd
Canyon TX, 79015

Region 16 Education Service Center
5800 Bell Street
Amarillo, TX 79109

Comanche Trail Church of Christ
2700 E. 34th
Amarillo, TX 79103

****Main Early Voting Location**

**Early Voting Dates and Times for Randall County at
The Election for the
City of Amarillo**
_____, 20____

DRAFT

C



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	August 11, 2020	Council Priority	Civic Pride; Economic Development and Redevelopment
Department	Community Development		
Contact	Juliana Kitten, Director of Community Development		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. _____

(Contact: Juliana Kitten, Director of Community Development)

This item is the second and final reading to consider an ordinance amending the Amarillo Municipal Code: Chapter 2-6, modifying Article XII, Section 2-6-96, related to the Community Development Advisory Committee (CDAC).

Agenda Item Summary

This item will amend the Amarillo Municipal Code: Chapter 2-6, modifying Article XII, Section 2-6-96, related to the Community Development Advisory Committee, Members; Qualifications. The modification will reduce membership from 11 to 7 members with a minimum of 4 members from the Community Development Block Grant (CDBG) target areas as defined in the annual Community Development Action Plan. Members are preferred to have professional or volunteer experience with the development of low- or mixed-income housing, working with the homeless, and/or a strong commitment to supporting low-to-moderate income individuals, families, and neighborhoods. In addition, membership requirements are adjusted to be consistent with Sections 2-6-1 through 2-6-12.

Requested Action

To approve Ordinance No. _____.

Funding Summary

N/A

Community Engagement Summary

Staff presented to City Council the challenges of maintaining appropriate membership of the CDAC during the Fall 2019 appointment process. City Council directed the CDAC membership requirements be reviewed, asking staff to present recommendations for consideration. Staff conducted a review of U.S. Department of Housing and Urban Development (HUD) regulations and CDAC best practices from other municipalities. Recommendations were presented to City Council at the July 21, 2020 City Council meeting.

Staff Recommendation

Staff recommends approval of Ordinance No. _____.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AMENDING THE AMARILLO MUNICIPAL CODE: CHAPTER 2-6, MODIFYING ARTICLE XII, SECTION 2-6-96, RELATED TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE; REVISING THE COMMITTEE MEMBER PARTICIPATION AND QUALIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a Citizen Participation Plan was adopted in 1975 by Resolution No. 1-28-75-5 in accordance with the Housing and Community Development Act of 1974;

WHEREAS, in 2015, Ordinance No. 7519 created the Community Development Advisory Committee for the public purpose of citizen participation in the development of State and federal programs;

WHEREAS, such Committee conducts public meetings and hearings with citizens to encourage participation in the decisions made for government programs available, including the allocation/reallocation of available grant funds to local nonprofit and governmental organizations; and

WHEREAS, the City Council then reviews this Committee's annual recommendation as to the allocation/reallocation of available grant funds.

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

SECTION 1. The Amarillo Municipal Code, Chapter 2-6 is hereby amended by modifying Article XII to read as follows:

Sec.2-6-96. Members; qualifications.

This committee shall consist of ~~11~~ 7 members meeting the requirements of Sections 2-6-1 through 2-6-12. ~~2-6-3.~~ Moreover, the membership shall consist of four (4) members from the Community Development Block Grant (CDBG) target areas as defined in the annual Community Development Action Plan. ~~two (2) members from each of the four (4) geographic areas of the city, plus two (2) members at-large, and a Chairperson also selected at-large. The area that members represent must consist of fifty one (51) percent or more low to moderate income households~~ Members are preferred to have professional or volunteer experience with the development of low or mixed income housing, working with the homeless, and/or a strong commitment to supporting low to moderate income individuals, families, and neighborhoods. ~~Appointments to this board are exempt from the term limit stated in Sec. 2-6-6.~~

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this Ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

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

SECTION 4. Publishing and Effective Date. This Ordinance shall be published and become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 28th day of July, 2020; and **PASSED** on Second and Final Reading the 11th day of July, 2020.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

D



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	August 11, 2020	Council Priority	Customer Service
Department	Environmental Health		
Contact	Anthony Spanel, Environmental Health Director		

Agenda Caption
CONSIDERATION OF ORDINANCE NO. _____ (Contact: Anthony Spanel, Environmental Health Director) Consideration of recommended changes to Chapter 14-3 Alcoholic Beverages that will reduce the regulatory burden on businesses applying for an Alcoholic Beverage license.

Agenda Item Summary
This ordinance will reduce the regulatory burden on businesses trying to achieve an Alcoholic Beverage license issued by TABC by allowing most to make application prior to achieving a Certificate of Occupancy or a Building permit.

Requested Action
To approve ordinance number _____, revising 14-3-3 Alcoholic Beverages.

Funding Summary
N/A

Community Engagement Summary
N/A

Staff Recommendation
Staff recommends approval of the revisions to Chapter 14-3-3.

ORDINANCE NO. 7868

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 14-3, SECTION 14-3-3 TO CLARIFY WHICH APPLICANTS FOR AN ORIGINAL STATE LICENSE OR PERMIT UNDER THE TEXAS ALCOHOLIC BEVERAGE CODE MUST OBTAIN A CERTIFICATE OF OCCUPANCY OR BUILDING PERMIT PRIOR PRESENTING THEIR APPLICATIONS TO THE CITY SECRETARY FOR CERTIFICATION; PROVIDING FOR: SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, PUBLICATION, AND EFFECTIVE DATE.

WHEREAS, sections 11.37(b) and 61.37(b) of the Texas Alcoholic Beverage Code require the city secretary of the city in which an application for an alcoholic beverage permit or license is made to certify whether the location or address given in the application is in a wet area and whether the sale of alcoholic beverages for which the permit or license is sought is prohibited by charter or ordinance; and

WHEREAS, section 14-3-3 of the Amarillo Municipal Code requires an applicant (“**Applicant**”) for an original state license or state permit to carry on a business within the City required to be licensed under the Texas Alcoholic Beverage Code (“**Application**”) to first obtain from the Building Official either a Certificate of Occupancy or Building Permit for the establishment; and

WHEREAS, Certificates of Occupancy ensure the safety of buildings within the City; and

WHEREAS, the City Council finds it is inequitable to require every Applicant to incur the time and expense of obtaining a Certificate of Occupancy or Building Permit for a location that may or may not be eligible for an original state license or state permit; and

WHEREAS, the Building Code requires a business owner, including an Applicant, to obtain a new or original Certificate of Occupancy upon a change in use or a change in ownership of the business;

WHEREAS, an Applicant that must also obtain a Food Establishment Permit under chapter 8-5 of the Amarillo Municipal Code will eventually be required to obtain a Certificate of Occupancy as a prerequisite for obtaining the Food Establishment Permit and opening for business; and

WHEREAS, besides certifying an Applicant’s Application, the City may not otherwise actively regulate a business that sells alcoholic beverages that is not required to obtain a Food Establishment Permit, meaning that it is difficult to verify that such business obtains the required Certificate of Occupancy;

WHEREAS, the City Council finds it is in the interest of public safety to require an Applicant that is not required to obtain a Food Establishment Permit to present a Certificate of Occupancy or Building Permit at the time the Applicant submits its Application;

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

SECTION 1. The Amarillo Municipal Code, Chapter 14-3, Section 14-3-3, be and hereby is amended in part to now read as follows:

Sec. 14-3-3. – Certificate of occupancy.

When applying for an original state license or state permit, any person seeking to carry on a business within the City required to be licensed under the Texas Alcoholic Beverage Code that is not required to obtain a Food Establishment Permit under chapter 8-5 shall first obtain from the Building Official either a Certificate of Occupancy (for an existing structure to be used) or a Building Permit (for the construction, expansion, or modification of a structure) for the establishment.

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 3. Continuation of prior law. Nothing in this ordinance or any code hereby adopted shall be construed so as to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause of action acquired existing, under any act or ordinance hereby repealed by this ordinance; nor shall any just, vested, or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 4. Repealer. Subject to the provision in Section 3 (Continuation of Prior Law), all ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 5. Publication. This ordinance shall be published as required by law.

SECTION 6. Effective Date. This ordinance shall become effective ten days after the date of its second publication as required by the Charter of the City of Amarillo.

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

ATTEST: _____
Ginger Nelson, Mayor

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan S. McWilliams, City Attorney

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Amarillo City Council

Agenda Transmittal Memo



Meeting Date	August 11, 2020	Council Priority	Public Safety
Department	Environmental Health		
Contact	Anthony Spanel, Environmental Health Director		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. _____
(Contact: Anthony Spanel, Environmental Health Director)
Consideration of an revision to Chapter 8-5-23 Public and Environmental Health. This revision will authorize any peace officer to enforce certain health and safety regulations without the necessity, delay, and cost of summoning a Health Officer.

Agenda Item Summary

This Ordinance will authorize any peace officer to enforce certain health and safety regulations without the necessity, delay, and cost of summoning a Health Officer.

Requested Action

To approve ordinance number _____, revising Chapter 8-5 Public and Environmental Health.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of the revisions to Chapter 8-5.

ORDINANCE NO. 7869

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 8-5, ARTICLE IV, SECTION 8-5-23 ADDING AUTHORIZATION FOR ANY PEACE OFFICER TO ENFORCE CERTAIN HEALTH AND SAFETY REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE OF SEPTEMBER 1, 2020.

WHEREAS, the violation of certain health and sanitation related regulations is very common and occurs at diverse hours of the day or night; and

WHEREAS, the City Council now finds that it is in the best interest the public health, safety, and welfare to authorize any on-duty peace officer (e.g., police, fire marshal, deputy sheriff, et al.) to enforce certain specified health laws, without the necessity, delay, and cost of summoning a health sanitation officer or inspector (possibly on overtime pay rates) to a premises to issue a notice of violation;

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

SECTION 1. That Chapter 8-5, Article IV, Section 8-5-23 be and hereby is amended to now read as follows:

Sec. 8-5-23. Other Enforcement.

 (a) When the Environmental Health Director determines that a nuisance or health sanitation condition at or in a facility, vehicle, establishment subject to permits and inspections in this Chapter exists and is a violation of violates this Article or other applicable law, the Director may take any, all, or any combination of these actions against the violating owner, permittee or person in charge of the premises, consecutively or concurrently:

(1) – (6) [TEXT UNCHANGED]

 (b) However, to better protect the public health and safety, a violation of a regulation listed below, within the City limits of Amarillo, may be enforced by any on-duty peace officer by either a class “C” misdemeanor citation or custodial arrest upon viewing an offense described in these listed regulations:

(1) Amarillo Municipal Code of Ordinances, section 8-5-21(c)(5), the requirement of written permission of property owner for mobile food unit;

(2) Amarillo Municipal Code of Ordinances, section 4-6-182, the prohibition on

displaying or selling goods, wares or merchandise or to serve or permit to be served any kind of food or drinks in or upon any Street, Sidewalk or Alley;

(3) Title 37 Texas Administrative Code, Part 128, Rule 228.174(e)(1-5), the requirement that food establishments have and use tight-fitting closed exterior doors and windows, subject to the further exceptions and provisions of such regulation.

Further, this subsection (b) is enacted with the express intent that should there be any recodification, renumbering, amendment, or successor enactment to any ordinance, statute, or regulation cited herein, then such renumbered, re-codified, or amended provision is deemed to be listed here and is enforceable as though it were listed here, until such time as this subsection may itself be amended to reflect such recodification, renumbering or amendment of a listed ordinance, statute or regulation.

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

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

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

SECTION 5. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

SECTION 6. Publishing and Effective Date. This ordinance shall be published and become effective on September 1, 2020.

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

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan S. McWilliams, City Attorney

7



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	8/11/2020	Council Priority	
Department	Police		
Contact	Sgt. Wes Hill		

Agenda Caption

Acceptance – Texas Traffic Safety Program Grant Agreement – STEP Comprehensive Grant
Grantor: Texas Department of Transportation

Grant Amount: \$143,996.00
Match Amount: \$37,922.20
Total Awarded: \$181,918.20

This item accepts the Fiscal Year 2020 Texas Traffic Safety Program Grant. The Texas Department of Transportation provides funding to the Amarillo Police Department to focus additional resources to fund patrol and enforcement of speed enforcement, occupant protection (seatbelt and child safety seats) distracted driving and Driving While Intoxicated (DWI) offenses.

Agenda Item Summary

This grant provides the Amarillo Police Department grant dollars to fund overtime associated with patrol and enforce of speed enforcement, occupant protection (seatbelt and child safety seats), distracted driving and Driving While Intoxicated (DWI) offenses.

Requested Action

Council consideration and approval of the grant agreement.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommendation is to approve the grant agreement.

AMARILLO POLICE DEPARTMENT
INTER-DEPARTMENT OFFICE COMMUNICATION

To: Jared Miller, City manager

Date: 7/29/20

From: Sgt. W. Hill, Police Department

Subject: Comprehensive STEP Grant

Description

This is a grant from the Texas Department of Transportation that funds police officers Overtime to patrol and enforce speeding, seatbelt, child restraint, and DWI violations.

Department

Police

Recommendation

This is a yearlong grant offered to the Police Department that is 80% paid by the Texas Department of Transportation. 20% matching Funds from the City of Amarillo are required.

History

The Police Department has had this grant numerous years.

Funds

**\$181,918.20 has been awarded. Salary amount eligible for reimbursement by the Department: \$143,996.00. Match amount provided by the sub-grantee: \$37,922.20
This grant runs from 10/1/2020 and ends 9/30/2021.**


Signature

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	August 11, 2020	Council Priority	Redevelopment
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Department	Planning and Development Services	Contact Person	Andrew Freeman, Managing Director - Planning and Development Services
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Agenda Caption
Approval of Addendum - Center City Tax Increment Reinvestment Zone #1 Developer Agreement for Chase Tower, LLC:

This item approves an addendum to the Tax Increment Reinvestment Zone (TIRZ) #1 Developer Agreement for the FirstBank Southwest Tower building located at 600 S. Tyler to encourage the conversion of two floors of existing office space to residential housing units.

Agenda Item Summary
The TIRZ #1 Board considered an amendment to the existing developer agreement during their June 11, 2020 Board meeting. The applicant requested additional time to complete their project based on finalizing their construction plans. The applicant also requested additional support via a cash grant toward the project due to higher than anticipated construction costs. The budget increased by \$942,376 to a new total of \$3,042,376. Without additional assistance, the building owner would have reconsidered converting to residential when continuing to use the two floors as office space would have cost much less. The Board was supportive of continuing to encourage residential construction downtown and approved unanimously a \$150,000 grant at completion of the project from FY19/20 dollars, with an additional \$10,000 allocated annually for five years.

Previous Background:
On April 11, 2019 the Board of Directors of Tax Increment Reinvestment Zone (TIRZ) #1 approved a request for TIRZ incentives associated with 600 S. Tyler, also known as FirstBank Southwest Tower. City Council approved the agreement during their April 30, 2019 meeting. Originally built as an office building in 1971, the applicant is proposing to convert the 10th and 11th floors into residential housing units.

This project would consist of converting 21,000 square feet to approximately 12-18 units between 800-1,500 square feet each. The project includes an estimated \$2,100,000 of total construction costs, including utility/infrastructure improvements to the building to support residential construction. A minimum investment of \$1,900,000 will be required. The redevelopment of the structure meets the goals of the Downtown Strategic Action Plan by developing residential units within the TIRZ Boundary.

TIRZ assistance in the form of a property tax rebate is requested due to the higher costs of converting the floors to residential compared to maintaining the office as-is, as well as the risks involved in entering the residential market downtown. The developer has previously invested over \$2 million in fire sprinkler systems, chillers, energy management system, and fire detection that would assist with the residential conversion. Such TIRZ participation is consistent with the policy goals of the TIRZ Project and Financing Plan.

The Tax Reimbursement Developer Agreement stipulates a 90% reimbursement of annual increment generated by the project’s ad valorem tax revenue above base year 2019, for fifteen years, with no cap.

Requested Action
Approve as presented.

Funding Summary
Funding for this incentive is provided through the TIRZ #1 budget with a portion coming from community project dollars, and the rebate being paid to the property owner after paying their taxes each year.

Community Engagement Summary
Public TIRZ Board meeting held on June 11, 2020

Staff Recommendation
Staff recommends approval as presented

DEVELOPER AGREEMENT ADDENDUM No. 1

This Addendum No. 1 amends, in part, that certain Developer Agreement that was signed and effective on or about April 30, 2019, by and between the City of Amarillo, a municipal corporation, Tax Increment Reinvest Zone Number One, and CHASE TOWER, LLC (as "Developer"), as follows:

* * *

In Exhibit B-1, **Developer's Obligations**, the date by which the Developer is required to obtain a Certificate of Occupancy is now extended from July, 2020 to eight months after approval by City Council, notwithstanding any other provision in the Agreement that might be construed to limit the length of this extension. The City Manager or designee is authorized to grant an extension of up to 120 days for performance of this Developer Obligation for good cause as reasonably determined by that official. If the Developer is unreasonably delayed by the City or any other governmental entity or agency, as determined by a qualified mediator mutually selected by the parties, in obtaining the building permit, the certificate of occupancy, or any other permit or license, the time period applicable to such requirement shall be extended for a period of time equal to the period Developer was delayed.

In Section 3, TIF Participation, the following is to be added at the end of the first paragraph: In addition, a one-time grant contribution of \$150,000 will be made payable to the Developer after project completion with an additional \$10,000 paid annually for five years on or about the anniversary date of the first such payment.

* * * *

Except as specifically amended herein, all other terms, conditions, obligations, rights, and provisions of the above described agreement remain in full force and effect.

Signed and effective this _____ day of _____, 2020.

CHASE TOWER, LLC
a Texas limited liability company

CITY OF AMARILLO, TEXAS

By: _____
David Long, Member

By: _____
Jared Miller, City Manager

ATTEST:

By: _____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

By: _____
Amarillo City Attorney's Office

2



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	8/11/2020	Council Priority	Long Term Plan for Infrastructure
Department	Water Utilities		
Contact	Jonathan Gresham – Director of Utilities		

Agenda Caption

Consider Approval – Bid No. 6851 Osage Water Treatment Plant Filter Rehabilitation to Stolz Mechanical Contractors, LLC for \$4,029,950.00.

Consideration of approval for replacement of Filter Underdrains and Media at the Osage Water Treatment Plant and associated labor for installation.

Agenda Item Summary

Consider Approval

This purchase is for the replacement and associated labor to rehabilitate the filter underdrains at the Osage Water Treatment Plant. This will include removal of old media, the demo of existing filter underdrains, and replacement with new Stainless Steel underdrains and filter media. The Osage Water Treatment Plant currently has two filter underdrain systems that have failed and are in need of repairs. This diminishes the ability to produce water to full capacity for our citizens. Currently there are two different brands of underdrains at the Osage Water Treatment Plant. Replacing the underdrains with stainless steel underdrains will standardize the underdrain system as well as give the filter underdrains a lower profile, giving Amarillo the best opportunity to ask TCEQ for an increase in the overall flow rating of the Osage Water Treatment Plant. The bids came in lower than the initial Opinion of Probable cost. After a competitive bid between two different underdrain systems, the actual cost is considerably lower than anticipated. These underdrains ensure the safe drinking water for the City of Amarillo.

Requested Action

Utilities staff requests the approval of Bid No. 6851 Osage Water Treatment Plant Filter Rehabilitation for a total of \$4,029,950.00

Funding Summary

This purchase will be funded from 523386.17400.1040 (WTP Filter Rehabilitation)

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends the approval of award.



MEMORANDUM

To: Purchasing Department

Thru: Jonathan Gresham, Director of Utilities

From: Damen Ratliff, Assistant Director of Utilities

Subject: Bid No. 6851 Best Value Bid for City of Amarillo Osage Water Treatment Plant Filter Rehabilitation.

Date: July 22, 2020

PURPOSE:

The Director of Utilities office is communicating their intent to choose Lot #2 Base Bid as the evaluation criteria for Bid No. 6851 Best Value Bid for City of Amarillo Osage Water Treatment Plant Filter Rehabilitation.

BACKGROUND:

Bid No. 6851 Best Value Bid for City of Amarillo Osage Water Treatment Plant Filter Rehabilitation was bid as two lots. Lot #1 was bid as Block Type underdrains that are manufactured from plasticized material including the filter underdrain caps. Lot #2 was bid as stainless steel underdrains. The Block type underdrains (Lot #1) rely on grout to hold the Underdrain in place. In the past, the City of Amarillo has had multiple failures of grout due to the flexibility of the underdrains. Lot #2 will not require the installation of grout as the primary force retaining the underdrains. Lot #2 is also the lowest profile Underdrain on the market giving the City of Amarillo the best opportunity of having our filter media profile reviewed by TCEQ. This could lead to an increase of productivity from the Osage Water Treatment Plant.

ACTION:

The Director of Utilities Office has chosen to evaluate Lot #2 Base Bid as the evaluation criteria for Bid No. 6851 Best Value Bid for City of Amarillo Osage Water Treatment Plant Filter Rehabilitation.

If you have any questions or concerns, please contact Damen Ratliff @ (806) 378-5270.

Item 1-A2	8 ea							
	Unit Price	\$110,000.00		\$50,000.00		-\$66,000.00		-\$425,000.00
	Extended Price		\$880,000.00		\$400,000.00		-\$528,000.00	
	Install PVC Air Drop Pipes and SST Supports							-\$3,400,000.00
	8 ea							
	Unit Price	\$85,000.00		\$40,000.00		\$31,000.00		\$382,000.00
	Extended Price		\$680,000.00		\$320,000.00		\$248,000.00	\$3,056,000.00
TOTAL LOT #1 ALTERNATE BID A - PVC AIR DROPS			\$1,560,000.00		\$720,000.00		-\$280,000.00	-\$344,000.00
TOTAL LOT #1 BLOCK - TYPE UNDERDRAINS			\$5,110,000.00		\$5,920,000.00		\$4,460,000.00	\$3,146,000.00
LOT #2 BASE BID - STAINLESS STEEL UNDERDRAINS								
Item 2-1	Mobilization							
	1 LS							
	Unit Price	\$200,000.00		\$400,000.00				\$240,000.00
Item 2-2	Extended Price		\$200,000.00		\$400,000.00		\$0.00	\$240,000.00
	Demolish Existing Media and Underdrains							
	8 ea							
Item 2-3	Unit Price	\$68,750.00		\$100,000.00				\$150,000.00
	Extended Price		\$550,000.00		\$800,000.00		\$0.00	\$1,200,000.00
	Install New Underdrains and Media							
Item 2-4	8 ea							
	Unit Price	\$225,000.00		\$425,000.00				\$180,000.00
	Extended Price		\$1,800,000.00		\$3,400,000.00		\$0.00	\$1,440,000.00
Item 2-5	Install SST Air Drop Pipes and SST Supports							
	8 ea							
	Unit Price	\$147,493.75		\$125,000.00				\$127,000.00
Item 2-6	Extended Price		\$1,179,950.00		\$1,000,000.00		\$0.00	\$1,016,000.00
	Install 30" Flow meter							
	1 LS							
Item 2-6	Unit Price	\$150,000.00		\$100,000.00				\$60,000.00
	Extended Price		\$150,000.00		\$100,000.00		\$0.00	\$60,000.00
	Modify Controls							

	Unit Price	\$150,000.00	\$100,000.00		\$30,000.00	
	Extended Price	\$150,000.00	\$100,000.00	\$0.00	\$30,000.00	
TOTAL LOT #2 BASE BID - STAINLESS SEEL UNDERDRAINS						
		\$4,029,950.00	\$5,800,000.00	\$0.00	\$3,986,000.00	
LOT #2 ALTERNATE BID A - PVC AIR DROPS						
Item 2-A1	Delete Item 2-4 (unit price must match bid for Item 2-4)					
	8 ea					
	Unit Price	\$147,493.75	\$125,000.00		-\$487,000.00	
	Extended Price	\$1,179,950.00	\$1,000,000.00		-\$3,896,000.00	
Item 2-A2	Install PVC Air Drop Pipes and SST Supports					
	8 ea					
	Unit Price	\$72,754.00	\$75,000.00		\$400,000.00	
	Extended Price	\$582,032.00	\$600,000.00	\$0.00	\$3,200,000.00	
TOTAL LOT #2 ALTERNATE BID A - PVC AIR DROPS						
		\$1,761,982.00	\$1,600,000.00	\$0.00	-\$696,000.00	
TOTAL LOT #2 - STAINLESS STEEL UNDERDRAINS						
		\$5,791,932.00	\$7,400,000.00	\$0.00	\$3,290,000.00	
Bid Total						
Award by Vendor						
City						

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	August 11, 2020	Council Priority	Public Safety
Department	Police Department		
Contact	Chief Martin Birkenfeld / Captain Joe Loftus		

Agenda Caption
CONSIDER RESOLUTION – AUTHORIZING THE AMARILLO POLICE DEPARTMENT TO APPLY FOR THE JUSTICE ASSISTANCE GRANT (JAG) (Contact: Chief Martin Birkenfeld/Captain Joe Loftus) This resolution is authorizing the Amarillo Police Department (APD) to apply for the 2020-H772-TX-DJ Edward Byrne Memorial JAG.

Agenda Item Summary
The total JAG request is for \$101,294 split equally between APD and Potter County Sheriff’s Office (PCSO) (\$50,647 each). APD will use the funds to purchase laptop computers with the necessary software for the Amarillo Police Academy and uniform shirts with accessories that allow officers to discretely wear their body armor on the outside of their shirt while maintaining the appearance of a traditional police uniform, enhancing safety and comfort of the officers.

Requested Action
Approve the resolution authorizing APD to apply for the JAG.

Funding Summary
The total JAG grant request is for \$101,294 split equally between APD and PCSO (\$50,647 each).

Community Engagement Summary
N/A

Staff Recommendation
Staff recommends that the City Council approve this grant, authorizing the City Manager to execute the JAG application.

07/28/20 20

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF AMARILLO, TEXAS
AND POTTER RANDALL EMERGENCY COMMUNICATIONS DISTRICT
(Grant Agreement)**

This Interlocal Agreement ("Agreement") is made between the City of Amarillo, Texas ("AMARILLO") and Potter-Randall County Emergency Communications District ("DISTRICT"). Pursuant to the authority granted by the "Texas Interlocal Cooperation Act," Chapter 791 of the Texas Government Code, as amended, providing for cooperation between local governmental bodies, the parties hereto, in consideration of the premises, mutual promises, and other valuable consideration stated herein, now agree as follows:

1. Entity & Authorization. Each party is a local government within the State of Texas. This Agreement has been approved by the governing body of each respective entity, and the signatory below has been duly authorized to execute this Agreement on behalf of each respective entity.

2. Public Benefit & Purpose. The respective governing body of each party finds that: the subject of this Agreement is necessary for the benefit of the public; that each party has the legal authority to perform and to provide the governmental function or service which is the subject matter of this Agreement; that the division of cost fairly compensates the performing party for the services performed under this Agreement; and, the performance of this Agreement is in the common interest of both parties

3. Current revenues. Both the party performing a service and the party paying for the performance of governmental functions or services shall, respectively, render performance and make payments from current revenues legally available to the party.

4. DISTRICT Obligation. DISTRICT promises to perform and provide to AMARILLO funds for certain improvements to the Amarillo Emergency Communications Center in accordance with Exhibit A.

5. CITY Obligation. CITY hereby (a) accepts the duties, terms, conditions, limitations, procedures, fees, and scope of services stated in Exhibit A and, (b) agrees to perform its obligations stated therein, (c) including modifications to the Simms Building in accordance with Exhibit A.

6. Exhibit incorporated. The provisions of Exhibit A are incorporated herein by this reference as though stated verbatim. The governing body of each Party hereby authorizes its point-of-contact official (named elsewhere herein) to mutually agree (without the need of further approval by either governing body) to make minor adjustments in the operational procedures, allocated duties, rights, etc. described in Exhibit A to facilitate greater efficiencies, reduce opportunity for errors, and better serve the public, so long as such adjustments do not require or constitute a change in fees or costs, or creates a material change in the performance required of a party.

7. Liability. The purpose of this Agreement is only to set forth the rights and duties of the Parties regarding the governmental function or services described. This agreement does not create any right, benefit, or cause of action for any third party. By executing this Agreement, neither Party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. Each Party shall be solely

responsible for any loss, damage, injury, or death to a third party (parties) arising out of or related to the acts or omissions of its employees or agents and not those of any other party.

8. Venue. Each Party agrees that if legal action is brought under this Agreement, then exclusive venue shall lie in the county in which the defendant Party is located and, if located in more than one county, in the county in which the principal offices of the defendant Party are located.

9. Effective date & Term. This Agreement shall become effective on the first day after it has received approval of both governing bodies. This Agreement shall remain in full force and effect for a term of one (1) year from the effective date hereof. This Agreement shall automatically be renewed for additional one-year terms unless and until a Party cancels it by giving thirty (30) days written notice to the other Party.

10. Contacts. The point of contact for each Party shall be as specified in Exhibit A.

11. Severance & Survival. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any request, such invalidity, illegality, or unenforceability shall not affect any other provision contained herein and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained. The provisions of paragraphs 5(c) through 8, inclusive, shall survive termination, cancellation, expiration or non-renewal of this Agreement.

12. Amendments. This Agreement contains all the commitments and the agreements of the Parties and any oral or written commitments not contained herein shall have no force or affect to alter any term or condition of this Agreement. This Agreement may be amended or modified in writing by the mutual agreement of the Parties. In the event of a conflict between the terms of this agreement and Exhibit A, then the terms of Exhibit A shall control.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their authorized officers the day and year written below.

POTTER RANDALL EMERGENCY
COMMUNICATIONS DISTRICT

CITY OF AMARILLO, TEXAS

By: 

By: _____

Title: EXECUTIVE DIRECTOR

Title: Jared Miller, City Manager

Date: 7/28/20

Date: _____

EXHIBIT A
(Funding of Improvements to AECC)

The purpose of this Exhibit A and the Interlocal Agreement to which it is attached is to state the terms, conditions, and consideration by which the City of Amarillo will make certain agreed improvements to the Amarillo Emergency Communications Center in the Simms building, and Potter Randall County Emergency Communications District agrees to provide certain funds for such improvements, as more fully described herein. To the extent of any conflict between the Interlocal Agreement and this Exhibit A, this exhibit controls.

1. Grant Projects: (a) District will provide to City one or more grants for improvements to the City's Simms Building, as follows:

- \$60,000 for electrical work to provide inline UPS to the Simms Building (see Scope of Work, below); and
- Reimbursing the City up to \$28,000 for curved monitors for dispatch workstations, such monitors being the property of the District.

(b) The parties agree that the City is responsible for all costs in excess of the grant(s) stated above.

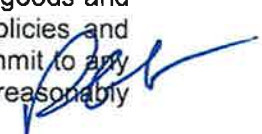
(c) The parties agree that, should there be excess funds after completion of a project(s) and a shortage of funds to complete another project specified above, then the excess from one may be applied to a shortage on another of the projects listed above. Any excess grant funds after completion of all three projects shall be returned to District within 60 days after acceptance of the last project to be performed.

2. Records: City shall submit all reasonably required documentation to support District's payment. City shall retain all supporting cost documentation for not less than current fiscal year plus four fiscal years.

3. Right of Inspection: District has the right to view, copy and audit the supporting documentation and to inspect the improvements at the Simms building, which are the subject of this agreement, during normal business hours.

4. Allocation of Risk as between the Parties: Whereas District has no command or control over the City's employees or agents or the events in the AECC, City solely assumes and retains all liability risk and legal responsibility that arises out of or relates to torts, civil rights, and other causes of action, damages, attorney fees and costs arising out of acts or omissions regarding the design, construction, installation of the components described above.

5. Independent Contractor Status: As to the design, construction, and installation of the components described above, City (including its employees, officials, agents, contractors, assigns, and successors) acts as an independent contractor and not an employee or agent of District. City retains sole determination as to the best manner, means, and methods for procuring and delivering the goods and construction contemplated in this Agreement, by using the City's standard acquisitions policies and procedures. As an independent contractor, City has no authority or right to represent or commit to any matter on behalf of District, unless such authority is expressly stated or of necessity can be reasonably implied from the terms of this Agreement.



6. **Contacts:** Each party hereby designates the following person as its Point of Contact for administering this agreement:

City of Amarillo
AECC Director
P.O. Box 1971
Amarillo TX 79105

Potter Randall Emergency Communications District
Executive Director
405 SW 8th Ave.
Amarillo TX 79101

7. **Interpretation of this Agreement.** The parties agree that they have jointly negotiated and reviewed the terms of this Agreement, even though the City prepared the document, such fact shall not be weighed against the City in the interpretation of this agreement. This is intended to be a mutual agreement. The parties agree the subject of this contract is for a governmental function, service, or purpose.

SCOPE OF WORK FOR INLINE UPS PROJECT:

- The purpose of this project is two-fold:
1. Connect the existing 911 and Emergency Operations Center 120/208V panels to the existing second floor UPS, and
 2. Provide an outdoor manual transfer switch to allow the convenient connection of a portable generator to the emergency system if the existing stationary generator should fail.

- The project consists of the following general scope of work:
1. The existing 911 and EOC area panels are connected through four separate transformers to the emergency generator system, but uninterruptible power is now provided by a patchwork of small UPSs. Since the overall load in these two areas is relatively low, one transformer has sufficient capacity to power all of the 120V loads in these areas.
 2. The lighting system and HVAC loads in the 911 and EOC areas are presently connected to the emergency generator system and will not be revised.
 3. Re-feed the primary side of the existing 112.5KVA transformer TY (located in the basement data room) from the existing UPS load-side distribution panel.
 4. Provide a new load-side distribution panel BLD for transformer TY, and re-feed all of the associated 911 and EOC panels in the basement and on the first floor from this new panel.
 5. Remove three dry-type transformers from the basement, along with their associated feeders, which will no longer be needed. The City will retain the transformers.
 6. Intercept the existing generator 600A feeder on the east wall of the building and reconnect it to a new manual transfer switch. Provide a terminal box below the transfer switch for convenient connection to a portable generator. Install a new 600A feeder from the manual transfer switch back to the generator main breaker.

City initials accepting this Exhibit: _____

District initials accepting this Exhibit  _____

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	8/11/2020	Council Priority	
Department	Parks and Recreation		
Contact	Michael Kashuba, Director of Parks and Recreation		

Agenda Caption

CONSIDER AWARD - PURCHASE AND INSTALLATION OF REPLACEMENT SAFETY SURFACING AND PLAYGROUND EQUIPMENT COMPONENTS FOR JOHN STIFF MEMORIAL PARK.
(Contact: Michael Kashuba, Director of Parks and Recreation)

Awarded to Exerplay, Inc. - \$77,199.30
Buyboard Contract #592-19

Agenda Item Summary

This item is for the purchase and installation of Replacement Safety Surfacing and Playground Equipment Components for John Stiff Memorial Park.

Requested Action

Consider approval and award for the purchase and installation of replacement safety surfacing and playground equipment components for John Stiff Memorial Park to Exerplay, Inc.

Funding Summary

Funding for the project is available in Job# 411019 (Playground Improvements – John Stiff Park)

Community Engagement Summary

n/a

Staff Recommendation

Staff recommends approval

To be awarded as one lot		ExerPlay Inc	
Line 7 Shipping, Handling & Misc Fees, BUY-BOARD			
CONTRACT #592-19, per specifications			
1	ea		
	Unit Price	(\$3,993.500)	
	Extended Price		(3,993.50)
Line 8 Shipping, Handling & Misc Fees, COURTESY			
DISCOUNT, per specifications			
1	ea		
	Unit Price	(\$4,054.000)	
	Extended Price		(4,054.00)
Line 9 Shipping, Handling & Misc Fees, PERFORMANCE/			
PAYMENT BOND, per specifications			
1	ea		
	Unit Price	\$2,611.000	
	Extended Price		2,611.00
Bid Total		77,199.30	
Award by Vendor		77,199.30	
City		CEDAR CREST, NM	



Meeting Date	August 11, 2020	Council Priority	Regular Agenda Item – Public Hearing
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Department	Planning and Development Services Andrew Freeman – Managing Director of Planning and Development Services
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Agenda Caption

Public hearing to consider an ordinance rezoning a portion of Lot 19, Block 3, Estancia Unit 1, in Section 24, Block 9, B.S.&F. Survey, Potter County Texas, plus one half of all bounding streets, alleys, and public ways to change from Office District 1 to Residential District.
(Vicinity: Bridlewood Dr. and Lone Mountain Ln.)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consists of Office District 1 to the north, and Residential District 3 to the east, south and west, as well as land located outside of the city limits also to the east.

Adjacent land uses consist of single family detached homes to the south, and west, and undeveloped lots in all other directions.

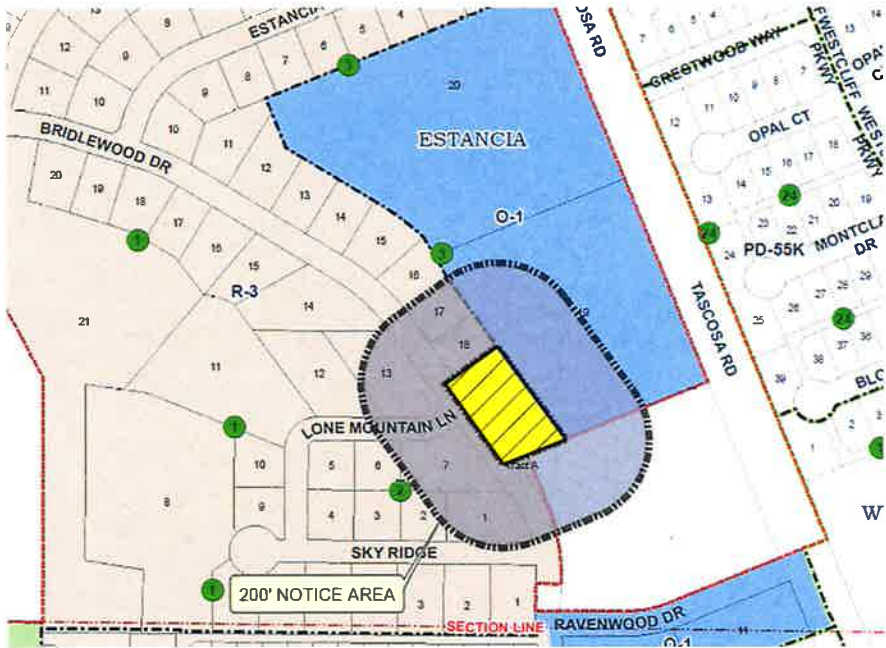
Proposal

Initially, the developer planned to develop the land with office related land uses, yet development plans have since changed and the applicant now intends to continue residential development (single-family detached homes) along Bridlewood Dr.

Analysis

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

The Future Land Use and Character Map designates this tract for "General Commercial" development. Although the proposed zoning and subsequent development type doesn't conform to the Future Land Use Map designation, when looking at the graphic below, the proposed residential zoning better aligns with proposed zoning and development patterns in the area. As such, Planning Commissioners feel a departure from the designated development type is warranted.



Regarding the Neighborhood Unit Concept of development, transitional zoning is a key component of this concept and is meant to ensure compatible zoning/s are located to adjacent to each other. Considering office zoning will be immediately adjacent, Planning Commissioners believe the request conforms to the just mentioned concept, whereas residential and office zoning are typically considered compatible with each other.

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

Considering the above, Planning Commissioners believe that if approved, the applicant's request will not create any negative impacts on surrounding zoning and/or development patterns in the area and represents a logical continuation of existing residential zoning along Bridlewood Dr. Therefore, Planning Commissioners recommend approval as presented.

ORDINANCE NO. 7871

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 BRIDLEWOOD DRIVE AND RAVENWOOD DRIVE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

Rezoning of a portion of Lot 19, Block 3, Estancia Unit 1, Section 24, Block 9, B.S.&F. Survey, Potter County Texas, plus one half of all bounding streets, alleys, and public ways to change from Office District 1 to Residential District 3 and being further described below, attached hereto as Exhibit A and incorporated herein:

FIELD NOTES for a 0.91 tract of land out of Lot 19, Block 3, Estancia Addition Unit No. 1, City of Amarillo, Potter County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found with a yellow cap on the south line of said Lot 1 which bears S. 89° 26' 10" E. a distance of 2422.92 feet and N. 00° 33' 50" E. a distance of 471.11 feet from the southwest corner of said Section 24 for the southeast corner of this tract.

THENCE S. 67° 55' 12" W. a distance of 159.10 feet to the southwest corner of this tract.

THENCE N. 35° 54' 06" W. a distance of 236.84 feet to the northwest corner of this tract.

THENCE N. 54° 05' 54" E. a distance of 154.49 feet to the northeast corner of this tract.

THENCE S. 35° 54' 06" E. a distance of 274.85 feet to the place of BEGINNING and containing 0.91 acres (39,526 square feet) of land.

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

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

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 11th day of July, 2020 and **PASSED** on Second and Final Reading on this the 25th day of July, 2020.

Ginger Nelson, Mayor

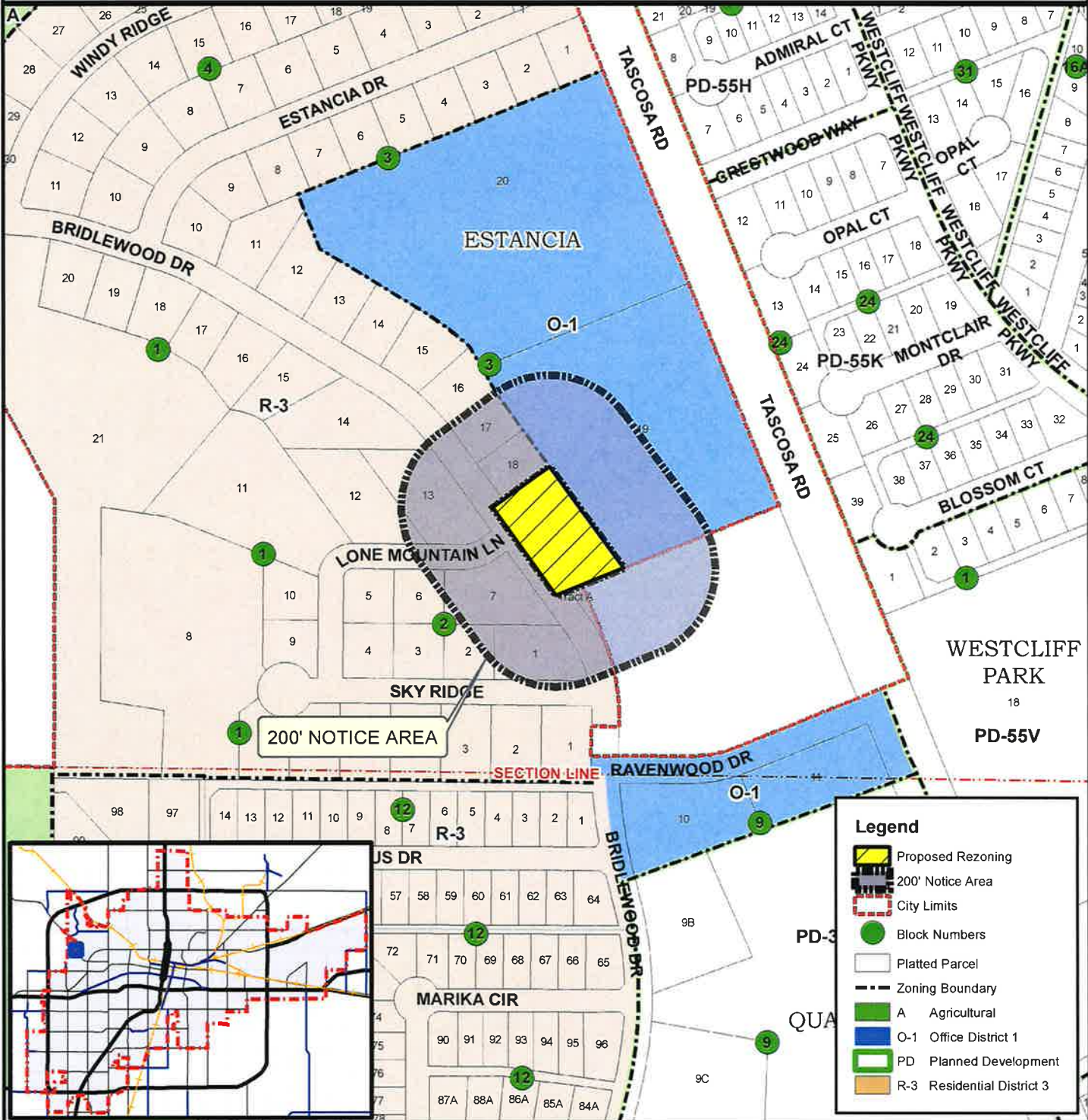
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

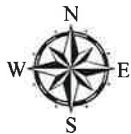
Bryan McWilliams,
City Attorney

REZONING FROM O-1 TO R-3



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 7/6/2020
Case No: Z-20-16



Rezoning of a portion of Lot 19, Block 3, Estancia Unit 1, Section 24, Block 9, B.S.&F. Survey, Potter County Texas, plus one half of all bounding streets, alleys, and public ways to change from Office District 1 to Residential District 3.

Applicant: Joe Watkins for Estancia Development, LLC
Vicinity: Bridlewood Dr and Ravenwood Dr

AP: J-10

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.



Meeting Date	August 11, 2020	Council Priority	Regular Agenda Item – Public Hearing
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Department	Planning and Development Services Andrew Freeman – Managing Director of Planning and Development Services
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Agenda Caption

Public hearing to consider an ordinance rezoning Lot 5, Block 2, Soncy Park Unit No. 6, in Section 62, Block 9, B.S.& F. Survey, Randall County Texas, plus one half of all bounding streets, alleys, and public ways to change from Planned Development District 289 to General Retail District.
SECTION (Vicinity: Soncy Road and Tarter Avenue)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consists of Planned Development District 318 to the north, General Retail District to the South, Office District 2 to the east, and Multiple Family District 1 to the west.

Adjacent land uses consist of a retail apparel and gift store to the north, undeveloped land to the south, a church to the east, and an apartment complex to the west.

Proposal

The applicant is requesting a change in zoning in order to develop an existing vacant commercial building with an auto parts store. Wording within the approved Planned Development states that a furniture store and/or uses allowed in Agricultural District are allowed only. With this being the case, the applicant’s proposed retail use is not allowed and is the reasoning for the request.

Analysis

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

The Future Land Use and Character Map designates the applicant’s tract as “General Commercial” which calls for a wide range of commercial retail and services at varying scales and intensities depending on the site. The requested zoning and proposed use are in line with the Future Land Use Map designation for this area.

In regards to the Neighborhood Unit Concept of Development, locating non-residential mid-section would not typically be desired. That said, considering existing zoning (PD-289) allows for non-residential and the fact that much of the land adjacent to is either commercially zoned or developed, Planning Commissioners do not see an issue with continuing non-residential development at this location.

In regards to impacts on adjacent zoning and/or development patterns, Planned Development District 289 was approved in 2001 and at that time, some non-residential development standards (allowed signage and access management), were somewhat liberal or non-existent.

As such, establishing planned development zoning was done in order to ensure development standards were put into place that would reduce or eliminate adverse impacts on surrounding properties as much as possible while ensuring non-residential development characteristics along Soncy Rd, set by previously approved planned developments, were being consistently set and maintained.

Since approval of the just mentioned Planned Development districts, the City of Amarillo has made great strides in implementing ordinance revisions non-residential development standards that are, in Commissioner's opinion, appropriate. Therefore, the Planning Commission believes that allowing General Retail zoning will not detract from established area development characteristics nor result in creating any negative impacts on adjacent properties.

Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet regarding this proposed rezoning. As of this writing, no calls have been received regarding this rezoning request. Considering the above, the Planning and Zoning Commission recommends **APPROVAL** as presented.

ORDINANCE NO. 7872

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

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

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

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

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

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

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

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

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

Rezoning of Lot 5, Block 2, Soncy Park Unit No. 6, in Section 62, Block 9, B.S.& F. Survey, Randall County Texas, plus one half of all bounding streets, alleys, and public ways to change from Planned Development 289 to General Retail District.

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

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

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 11th day of August, 2020 and **PASSED** on Second and Final Reading on this the 25th day of August, 2020.

Ginger Nelson, Mayor

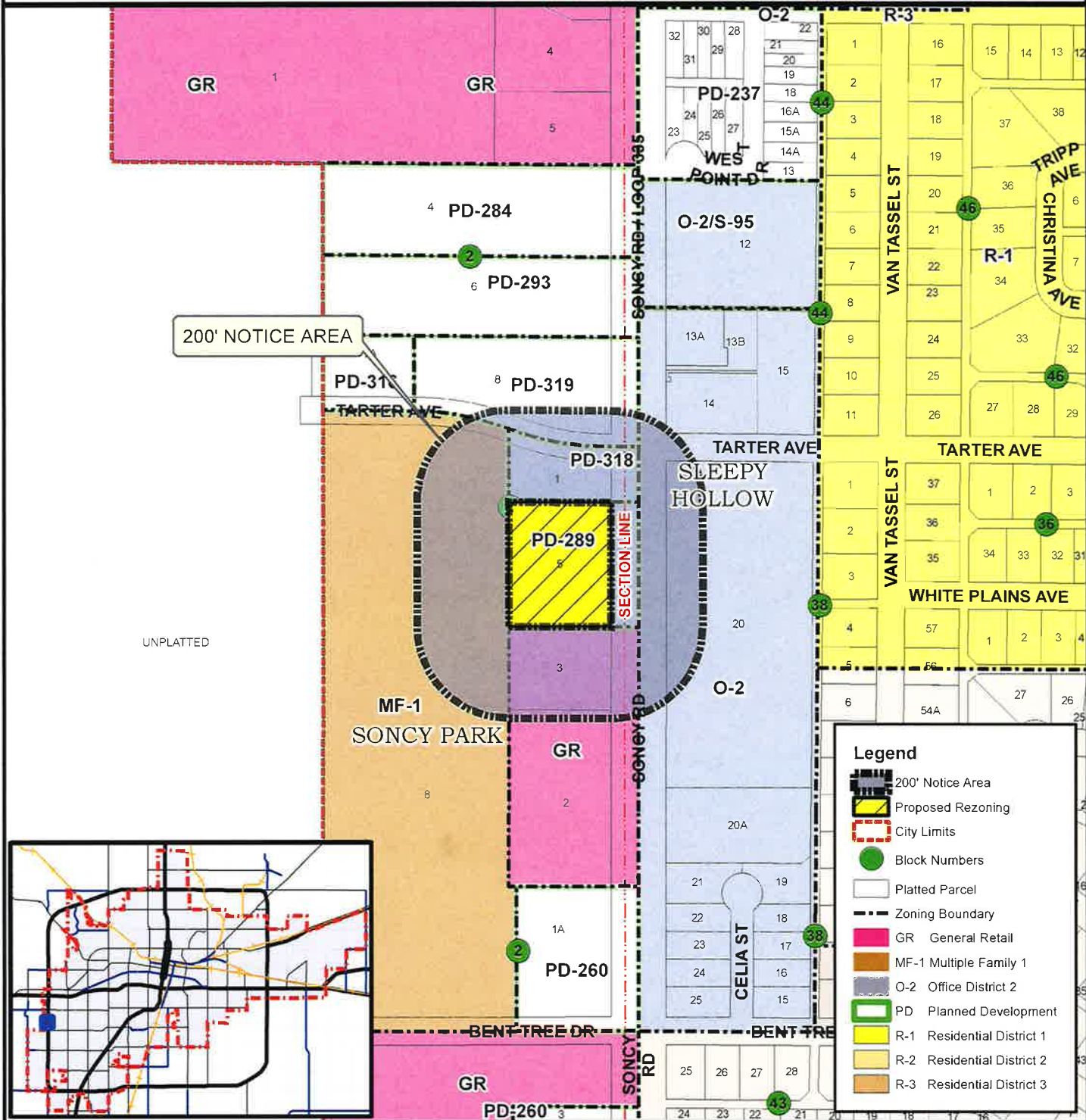
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

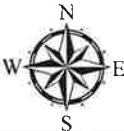
Bryan McWilliams,
City Attorney

REZONING FROM PD-289 TO GR



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 7/6/2020
Case No: Z-20-15



Rezoning of Lot 5, Block 2, Soncy Park Unit No. 6, in Section 62, Block 9, B.S. & F. Survey, Randall County Texas, plus one half of all bounding streets, alleys, and public ways to change from Planned Development District 289 to General Retail District.

Applicant: Marc Shipton for Opportunity Sky Capital, LLC
Vicinity: Tarter Ave. and Soncy Rd.

AP: H-14

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.



C

Meeting Date	August 11, 2020	Council Priority	Regular Agenda Item – Public Hearing
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Department	Planning and Development Services Andrew Freeman – Managing Director of Planning and Development Services
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Agenda Caption

This is the second and final reading to consider an ordinance rezoning Lots 11 and 12, Block 5, Roy Lindsey's Addition, in Section 172, Block 2, A.B.&M. Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 2 to General Retail District.
Vicinity: I-27 and Washington Street
Applicant/s: Bo Wulfman for South Washington St Ltd.

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consists of Residential District 2 to the north and east, General Retail District to the south, and Residential District 1 to the west.

Adjacent land uses consist of single-family detached homes to the north and east, two residential lots to the west (one developed and one undeveloped), and various retail development to the south across Interstate 27 (a fast food restaurant, a vacant bank, and a retail shopping center).

Staff Analysis and Planning and Zoning Commission Meeting Summary

The applicant is requesting a change in zoning in order to develop the property with retail related land uses. Uses allowed in the requested zoning designation include but are not limited to:

- Convenience store
- Liquor store
- Tattoo Shop
- Restaurant (with or without drive-thru)
- Personal service Dry Cleaner
- Auto Parts store
- Tune Up shop
- Car wash
- Bank
- Professional and Medical offices
- Hardware store
- Pharmacy
- Pawn shop
- Tire shop

Analysis of a zoning change begins with referring to conformity to the Comprehensive Plan's Future Land Use and Character Map, how a proposed change conforms to the recommended Neighborhood Unit Concept (NUC) of development, and what impacts may result on existing area zoning and development patterns.

The Future Land Use and Character Map designates "General Residential" development types for this particular area. The primary focus of this development type is detached single-family dwellings of a higher density than suburban areas. Therefore, in terms of compliance, non-residential zoning does not conform to the recommended development type (General Residential). That said, staff acknowledged that due the site's location being at a major intersection and along two major thoroughfares with high traffic patterns, residential land uses may not be the most ideal type of development for this tract.

Regarding the Neighborhood Unit Concept of development, this concept recommends non-residential land uses to be located at or near section-line arterial intersections with a transition in more restrictive zoning and land uses from the intersection towards residential uses.

In context of this concept, the applicant's tract is located at such an intersection as recommended. That said, what does not conform to the NUC is a transition in zoning away from the intersection, whereas single-family detached homes and residential zoning is found to the north, west, and east.

As such, staff did voice some concern with the intensity of uses allowed in General Retail zoning that could, in staff's opinion, have detrimental impacts (noise, traffic, nuisance lighting etc.) to the surrounding homes in such close proximity. With this being the case, staff recommended a more restrictive non-residential zoning be considered (Office or Neighborhood Services) and denial of General Retail zoning as proposed by the applicant. *Staff believed it was worth noting that there are other areas (south of Interstate 27 and several blocks north) where retail and residential zoning are found adjacent to each other.*

Staff's recommendation was based on if "more restrictive" non-residential zoning was established at this location; less intense land uses would develop that would have less of an impact on residences as well as providing the desired transition in zoning. Such a transition and less intense uses could help mitigate the negative impacts of traffic along Washington St, the intersection, and Interstate-27 and would be more in line with the NUC while allowing infill development of a long vacant tract of land.

During the July 6th Commission meeting, staff's concerns were acknowledged yet a majority of the Commission was of the opinion that due to the small size and unique location of the applicant's tract (I-27 and Washington) as well as what is being proposed (Retail adjacent to Residential) exists in the area, that allowing Retail zoning is consistent with established zoning and development patterns in the area and that an opportunity for infill development exists where homes are not likely to or desired to develop.

Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet regarding this proposed rezoning. As of this writing, no calls have been received regarding this rezoning request.

Considering the above, a majority of the Planning and Zoning Commission recommended **APPROVAL** as presented.

ORDINANCE NO. 71870

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 INTERSTATE 27 AND WASHINGTON STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

Rezoning of Lots 11 and 12, Block 5, Roy Lindsey's Addition, in Section 172, Block 2, A.B.&M. Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 2 to General Retail District.

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

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

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 28TH day of July, 2020 and PASSED on Second and Final Reading on this the 11th day of August, 2020.

Ginger Nelson, Mayor

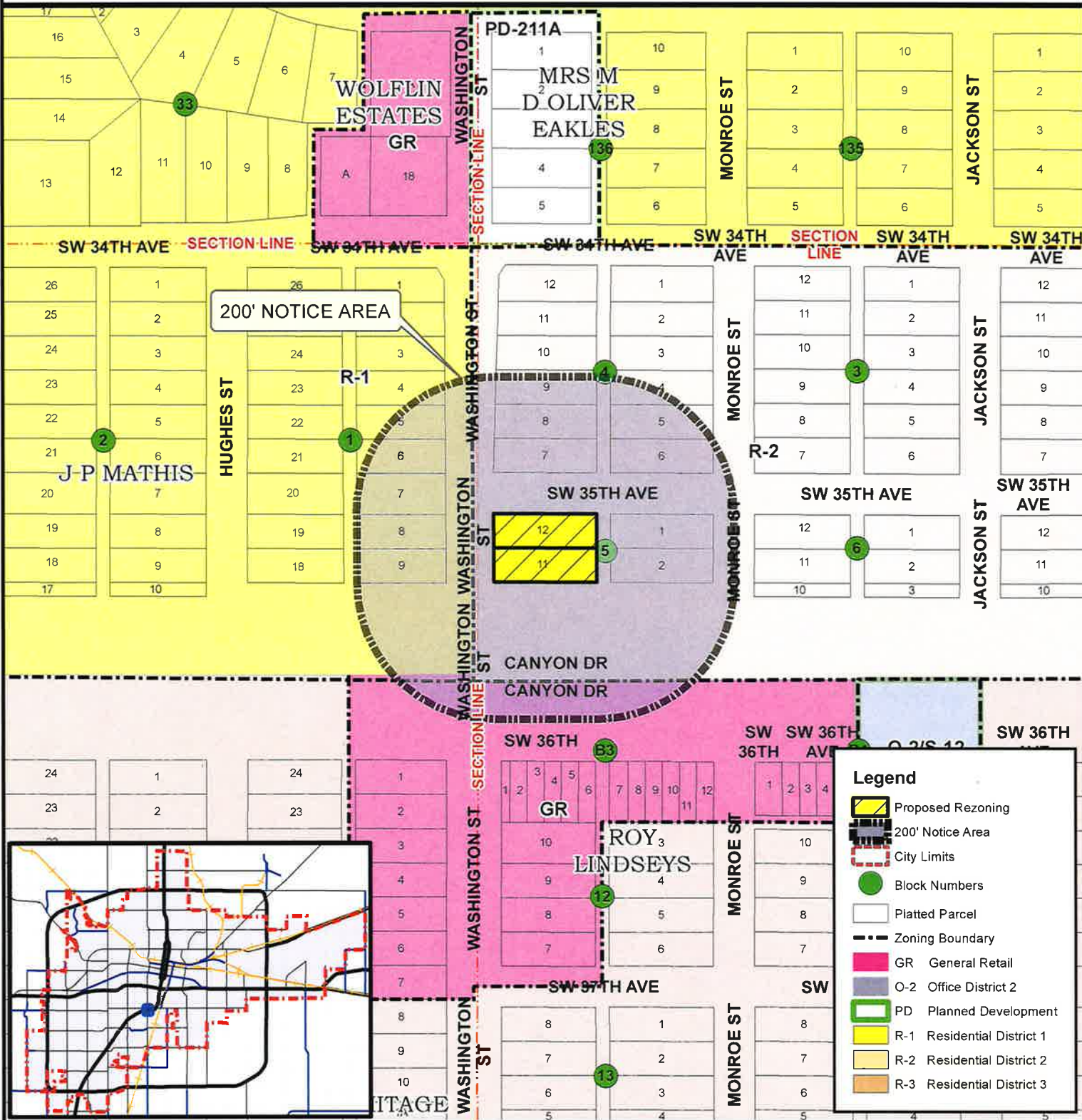
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

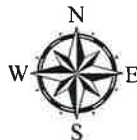
Bryan McWilliams,
City Attorney

REZONING FROM R-2 TO GR



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 200 feet
Date: 6/16/2020
Case No: Z-20-14



Rezoning of Lots 11 and 12, Block 5, Roy Lindsey's Addition, in Section 172, Block 2, A.B.&M. Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 2 to General Retail District.

Applicant: Bo Wulfman for South Washington, Ltd.

Vicinity: I-27 and Washington Street

AP: M-14

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Amarillo City Council

Agenda Transmittal Memo



Meeting Date	August 11, 2020	Council Priority	Public Safety
Department	Police Department		
Contact	Chief Martin Birkenfeld / Captain Joe Loftus		

Agenda Caption
CONSIDER RESOLUTION – AUTHORIZING THE AMARILLO POLICE DEPARTMENT TO APPLY FOR THE JUSTICE ASSISTANCE GRANT (JAG) (Contact: Chief Martin Birkenfeld/Captain Joe Loftus) This resolution is authorizing the Amarillo Police Department to apply for the 2020-H772-TX-DJ Edward Byrne Memorial JAG.

Agenda Item Summary
The total JAG request is for \$101,294 split equally between the Amarillo Police Department (APD) and Potter County Sheriff’s Office (PCSO) (\$50,647 each). APD will use the funds to purchase uniform shirts and accessories that allow officers to discretely wear their body armor on the outside of their shirt while maintaining the appearance of a traditional police uniform, enhancing safety and comfort of the officers.

Requested Action
Approve the resolution authorizing APD to apply for the JAG.

Funding Summary
The total JAG grant request is for \$101,294 split equally between APD and PCSO (\$50,647 each).

Community Engagement Summary
N/A

Staff Recommendation
Staff recommends that the City Council approve this grant, authorizing the City Manager to execute the JAG application.

RESOLUTION NO. _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF AMARILLO, TEXAS: AUTHORIZING 2020
APPLICATION FOR EDWARD BYRNE JUSTICE
ASSISTANCE GRANT; AUTHORIZE INTERLOCAL
AGREEMENT TO SHARE GRANT FUNDS WITH POTTER
COUNTY; AUTHORIZING ADMINISTRATIVE
ADJUSTMENTS TO DOCUMENTS AS NEEDED;
PROVIDING SAVINGS CLAUSE; PROVIDING
SEVERABILITY CLAUSE AND EFFECTIVE DATE.

WHEREAS, the U.S. Department of Justice is seeking applications for the 2020 Edward Byrne Justice Assistance Grant, and the City of Amarillo is eligible to apply for the sum of \$101,294; and,

WHEREAS, if such grant is approved by the Justice Department, then as in past years, Amarillo would share one-half of the grant proceeds with Potter County.

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

SECTION 1. The City Manager or designee is authorized to apply for the 2020 Edward Byrne Justice Assistance Grant and execute all necessary documents and assurances reasonably needed to complete the application and award process.

SECTION 2. If the City receives the grant, then the City Council hereby approves the sharing of fifty percent (50%) of the grant proceeds pursuant to the terms of the attached Interlocal Agreement, which the City Manager or designee is authorized to execute.

SECTION 3. The City Manager or designee is authorized to make such necessary amendments to the grant application, acceptance, and Interlocal Agreement as may be required in order to: (a) conform such documents to the actual award amount if different from that stated herein and the attached Agreement; and (b) any further assurances or adjustments in the administrative aspects of the grant program for this year to satisfy the federal agency requirements.

SECTION 4. Should any part of this Resolution conflict with any other resolution, then such other resolution is repealed to the extent of the conflict with this Resolution.

SECTION 5. Should any word, phrase, or part of this Resolution be found to be invalid or unconstitutional, such finding shall not affect any other word, phrase, or part hereof and such shall be and continue in effect.

SECTION 6. This Resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this

_____ day of _____, 2020.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

GMS Application Number: **2020-H7752-TX-DJ**

INTERLOCAL AGREEMENT
BETWEEN THE CITY OF AMARILLO, TEXAS AND COUNTY OF POTTER, TEXAS
2020-EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)
PROGRAM LOCAL SOLICITATION

This Agreement is made and entered into this ____ day of July, 2020, by and between The COUNTY of POTTER, acting by and through its governing body, the Commissioners Court, hereinafter referred to as COUNTY, and the CITY of AMARILLO, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of POTTER County, State of TEXAS, witnesseth:

WHEREAS, this Agreement is made under the authority of Chapter 791, of the Texas Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the CITY agrees to provide the COUNTY **\$50,647.00** from the FY 2020 Edward Byrne Memorial Justice Assistance Program, Local Solicitation award for the Potter County Criminal Justice-Justice Assistance Grant (JAG) Program; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds as stated herein.

NOWHEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to pay COUNTY a total of **\$50,647.00** of JAG funds. All amounts to be paid will be from currently available revenues.

Section 2.

COUNTY agrees to use said **\$50,647.00** for the Potter County Criminal Justice-Justice Assistance Grant (JAG) Program until September 30th, 2022.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Texas Tort Claims Act and further, nothing herein constitutes any waiver of immunity or defense available to such claim.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Texas Tort Claims Act and further, nothing herein constitutes any waiver of immunity or defense available to such claims.

Section 5.

Each party to this agreement will be responsible for its own acts and omissions of its employees in providing services under this agreement and, neither party shall not be liable for any civil liability, claims, damages, attorney fees, or costs that arise out of or relate to the furnishing of the services by the other party.

Section 6.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement

Section 7.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 8.

COUNTY understands and agrees that as sub-recipient of a federal grant, it must comply with each term, condition, assurance, and rule of the program providing the funds in the same manner as if COUNTY were the primary recipient. Moreover, to assure performance of this obligation, COUNTY agrees to provide at its expense copies to CITY of all financial records, invoices, contracts, correspondence, policies, reports, and other documents that establish COUNTY'S compliance with the terms of the grant conditions and assurances.

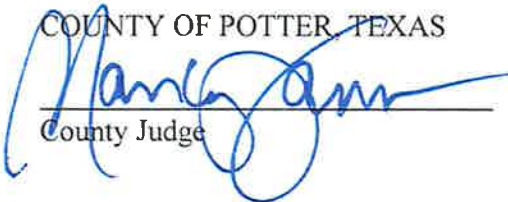
CITY OF AMARILLO, TEXAS

City Manager

ATTEST:

City Secretary

COUNTY OF POTTER, TEXAS



County Judge

APPROVED AS TO FORM:



County Attorney

APPROVED AS TO FORM:

City Attorney

“The legal review of this document by the City Attorney is in response to a City of Amarillo staff query. It is reviewed and approved by the City Attorney solely for the purpose of determining the City’s legal rights, duties, etc., and not that of any third party. This approval is not intended for reliance on by or for the benefit of all other person or entity.”

“By law, the County Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contracts or legal document on behalf of other parties. Our view of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).”

**Amarillo Police Department
Budget Narrative
2020-H7752-TX-DJ**

The total amount of funding requested through the FY 2020 Edward Bryne Memorial Justice Assistance Grant (JAG) Program is **\$51,647.00**. These funds are shared with the Potter County Sheriff's Office through a MOU where each entity receives an equal share, the total share is **\$101,294**. This funding will help purchase much needed equipment and uniforms for the Patrol and other Officers. This equipment will allow for improvements in officer wellness, general policing, and diversity in wearing of body armor.

Each of the items that the Amarillo Police Department plans on purchasing is listed below and briefly explained to what and where it will be best utilized.

- **Outer-vest body armor carrier:** This body armor carrier is worn discretely on the outside of the uniform shirt while maintaining the appearance of a traditional police uniform. This item allows officers to occasionally take off their body armor while they are in secure locations such as the police building. This allows officers to cool off from the heat while they perform their administrative tasks and is very popular among officers.
- **Under shirt for outer vest body armor carrier:** This is a specific shirt designed to be worn with the outer vest body armor carrier. When the two items are worn together it creates the appearance of a traditional police uniform.
- **Laptop Computers and Software:** The laptops will be given to the recruits in the Amarillo Police Academy. This will allow the recruits to learn all of the various computer programs they need to know before they become police officers. When the recruits become police officers they will continue to use the laptops during their field training program.

**Potter County Sheriff's Office
Budget Narrative
2020-H7752-TX-DJ**

EQUIPMENT:

The OSCR360 High Resolution Capture Kit/Software/License takes 360 degree spherical photos of an area so that a crime scene can be recreated. Our Crime Scene Unit officers will use this camera and the GPS tube that comes with it to photograph a detailed layout of an incident's setting. The camera is accessed by a tablet and the information is then transferred to their included software. There, the investigator can essentially do a walkthrough of the crime scene.

The VX400 Covert Surveillance Solution Pole Camera will be used by our Special Operations Division when they are surveilling a location for suspected drug use and/or distribution. The camera is hidden in a box that is similar to a transformer as not to be detected. This camera can be monitored by the company's mobile application and quickly recovered. This is a safe and easy way to observe the movement and activity at a drug house without being detected.

SUPPLIES:

The six Damascus FlexForce Riot Control Suits and the three Premier Crown 5100 Riot Shields will be used in the jail to protect our Emergency Response Team. This team responds to various disturbances

within the jail. The suits and shields are made to protect the officers from injury so that their focus can be on keeping the inmates safe and secure while deescalating the situation.

The Safariland Level 2 Concealable Body Armor will be purchased for our patrol officers. It covers the front and back of an officer's torso to protect them from many types of ammunition. These vests are vital in protecting the life of an officer. Body armor is no longer considered an accessory, it is part of the everyday uniform.

We would like to purchase four SMC Dual T-Rail Gun Locks with a Rail Bracket to ensure that the rifles in the patrol vehicles are secure. The locking mechanism ensures that the person in the back of the car cannot maneuver in any way to get the weapon, while also keeping someone who sees an open patrol car door from stealing it. It is also a safety measure for the officer when driving. With the rifle locked safely in place, the patrolman does not have to worry about it falling in the floor or becoming an obstacle as he is heading to a call.

We would like ten of the Stanley 30" FatMax Xtreme III-FuBar tools for the patrol officers as well. This tool has been used effectively by the Texas Department of Public Safety during accidents. When a citizen has an accident that bends his or her fender, it can immovable. The motorist would have to pay a tow truck to deliver the vehicle to a mechanic or an auto body shop. This one little tool can eliminate that need by prying the fender away from the car. This can also be utilized to make entry into a location when used as a breaching tool. This is a small tool that can ease big headaches for our officers and our community.

To keep our patrol units fully equipped, we would like to purchase eight Intoximeters Alco Sensor FST units and a Powerheart G5 Fully Auto AED machine. The Alco Sensors give a quick accurate reading of a person's level of intoxication. It helps an officer get a person off the road quickly before they hurt themselves or someone else. The AED machine is also a way for patrol officers to help our county's citizens. This machine allows up to update the current defibrillators we have in our patrol units. The defibrillator is vital in keeping a person alive when we are the first ones on the scene of certain heart issues. It can slow a racing heart, speed a slowing heart or start a stopped heart with the shocks that it sends when placed on the patient. Keeping this machine updated and charged could keep someone in our community alive.

Our Crime Scene Unit technicians are the first call at a major scene to take photos and gather evidence. Some of the photos they take may seem to many as worthless but could possibly capture one tiny detail that could make or break a case. It is important that they have a powerful camera they can rely on. We would like to purchase three Nikon D5600 DSLR with 18-55mm Lens Cameras with UV Filters. These cameras have the zoom capability to save critical viewpoints for a case's investigation. Once the case is passed over to our Criminal Investigations Division, the investigator assigned to the incident often needs additional photos taken. The investigator may return to the scene and see something that seemed insignificant at the time but now realizes it's something he or she needs. They need cameras that can be used for follow-up such as this. For this reason, we would like to purchase four Nikon COOLPIX B600 Digital Cameras.

The Criminal Investigations Division Sergeants have unmarked units; however, they are often called to a scene or dispatched to a call. To keep them safe when driving in traffic or approaching a highly congested area, it is important for them to be recognized so the way will be cleared. We would like to purchase five Tracer 6 TIR LED Grille Mount 4-piece Emergency Lights to make each car more visible.

Another addition we would like to add to their vehicles is the Tufloc 36-016 TufBox Security Drawer for the Chevy Impala. These officers carry a rifle and their body armor with them so that it can be available at any given time. It would be beneficial to have these items secured in their trunk. With these security drawers, the items are no longer loose and being jostled around while they are driving. They are also more resistant to theft when they are locked in a separate box.

Our Special Operations Division works covertly to stop the use and sale of narcotics in Potter County. This work is incredibly dangerous due to the amount of money that exchanges hands. Criminal drug networks are notorious for being high-tech and this makes it difficult to monitor them without getting caught. We would like to purchase two Stealth V Tracker Units that can be attached or hardwired to a vehicle so it can be followed with GPS and monitored through a mobile application. This product not only keeps us informed of the movement of these vehicles, but also keeps our officers out of harm's way.

We would like to purchase one PROTECH Tactical Intruder G2 – Type IIIA Shield for our Warrant Entry Team. This group of officers execute the search warrants that our Special Operations Division puts together. When they approach a property that is known to have drugs, it is also possible that large amounts of money, guns and ammunition are also on-site. As the officers make entry, they never know what might come at them. To cover their entry with protection and still allow them a sight line, this shield can withstand many types of weapons and has a window for viewing so that they are not approaching blindly.

We would also like 15 5.11 Tactical 36" Shock Rifle Cases. This will give the members of the team a quick and easy way to transport their weapons when they are called in to prepare for a search warrant. The case can be worn like a backpack or used with the shoulder strap to protect the weapon but also make it easy to carry.

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	August 11, 2020	Council Priority	Civic Pride
Department	Community Development		
Contact	Vanessa Robinson, CDBG Program Coordinator		

Agenda Caption
PRESENTATION AND CONSIDERATION OF THE 5-YEAR CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT (Contact: Vanessa Robinson, CDBG Program Coordinator) This item is a presentation and consideration of the U.S. Department of Housing and Urban Development (HUD) required 5-year Consolidated Plan for Community Development. This presentation will include a review of the FY2020/2021 Annual Action Plan for the HOME Investment Partnership program funding.

Agenda Item Summary
The City of Amarillo is required to submit a 5-year 2020-2024 Consolidated Plan for HUD Community Development Block Grant (CDBG) and HOME Investment Partnership program funding. These funds may be used for activities that may include, but are not limited to, Housing activities, Public Service activities assisting low- and moderate-income households, improvements to Public Facilities, Assistance to Businesses including Special Economic Development assistance, Planning, Capacity Building, and Technical Assistance. The FY 2020-2021 Annual Action Plan is being prepared to allow the City to receive \$1,695,572 in CDBG funds and \$721,116 in HOME funds for eligible activities.

Requested Action
Present and consider approval of the 5-year Consolidated Plan for Community Development and the FY2020/2021 Annual Action Plan for the HOME Investment Partnership program funding.

Funding Summary		
FY 2020 GOAL	CDBG	HOME
Housing and Neighborhood Development/Revitalization	\$ 508,671.60	\$ 649,004.40
Public Facilities and Infrastructure	\$ 389,981.56	
Public Services	\$ 237,380.08	
Homelessness	\$ 16,955.72	
Code Enforcement	\$ 76,300.74	
Demolition	\$ 84,778.60	
Economic Development and Workforce Development	\$ 42,389.30	
Administration	\$ 339,114.40	\$ 72,111.60
FY 2020 ANNUAL TOTAL	\$1,695,572.00	\$ 721,116.00

Funding priorities may be adjusted following the FY 20 application process.

Community Engagement Summary
Public Notification of this funding was provided to the public for mandatory Citizen Participation requirements, in which no comments were received. The City conducted 3 public hearings, posted surveys online and posted the Plans on the City’s website . Public notice was provided to the Amarillo Globe News and the City Amarillo –Community Development Department Webpage.

Staff Recommendation
Staff will facilitate the presentation and recommends approval of the 5-year Consolidated Plan for Community Development and the FY2020/2021 Annual Action Plan for the HOME Investment Partnership program funding.

2020 – 2024 Consolidated Plan

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Consolidated Plan serves as a planning document meeting the federal government statutory requirements in 24 CFR 91.200-91.230, with revisions for preparing a Consolidated Plan and guiding the use of CDBG and HOME funding based on applications to the U.S. Department of HUD:

- **Community Development Block Grant (CDBG)** was authorized under Title 1 of the Housing and Community Development Act of 1974. This formula-based program is designed to develop viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities for low- and moderate-income persons.
- **HOME Investment Partnership Program (HOME)** was authorized under title II of the Cranston-Gonzales National Affordable Housing Act of 1990. This formula-based program was designed to increase homeownership and affordable housing opportunities for low and very low-income persons.

The major sections of the Consolidated Plan include a Housing Market Analysis, Housing and Homeless Needs Assessment, 5-year Strategic Plan, 1-year Action Plan, and Consultation and Citizen Participation, with accompanying documentation relating to public comment.

The 5-year Strategic Plan addresses specific needs that were identified in the Housing Market Analysis, Housing and Homeless Needs Assessment, and based on feedback gathered from online surveys made available the community. The Strategic Plan provides specific goals and program targets for each category designated for funding over the next 5 years, from 2020 to 2024.

The 1-year Action Plan is a subset of the 5-year Strategic Plan, addressing funding options for the next fiscal year.

The Consolidated Plan and 1-year Action Plan can be used by organizations in the community as a guide for identifying activities through which they can help the jurisdiction reach their housing and community development goals. The Consolidated Plan also serves as the baseline for measuring program effectiveness, as reported in the Consolidated Annual Performance and Evaluation Report (CAPER) required by HUD for each fiscal year's funding allocation.

Incorporated into the Consolidated Plan are an analysis of the local housing market and a review of housing and homeless needs in Amarillo, as a means of defining the current environment in which federal funding is being used. The Consolidated Plan provides a strategic plan for meeting priority needs that were identified through the community participation process.

The analytical parts of the document draw from the 2011-2015 and the 2014-2018 U.S. Census American Community Surveys (ACS), and 2011-2015 Comprehensive Housing Affordability Strategy (CHAS) data provided by HUD. Other data sources include the 2019 U.S. Census Quick Facts and other information gathered locally. Public housing information was provided by the HUD and the City of Amarillo. Online surveys of citizens and local agencies was used to assist in prioritizing needs. The online surveys were available on the City's website, were publicized at community meetings, and were distributed via email to local agencies.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The Consolidated Plan outlines (1) housing and community development needs, particularly of low- and moderate-income households, and (2) the objectives, strategies, and goals to address these needs. The Consolidated Plan also promotes HUD's four main objectives:

1. Create suitable living environments
2. Provide decent affordable housing
3. Create economic opportunities
4. Prevent, prepare for, and respond to coronavirus

This Consolidated Plan contains a range of goals, objectives, and outcomes formulated to address needs identified for homelessness, other special needs, affordable housing, non-housing community development, barriers to affordable housing, lead-based paint hazards, institutional structure, and coordination.

There are 8 key goals outlined in the Consolidated Plan that align to HUD's objectives:

1. **Housing and Neighborhood Development/Revitalization** – improve the condition of housing for low-income homeowners, increase development of affordable rental units and affordability of housing for homeownership, and support revitalization of declined or depressed neighborhoods.
2. **Public Facilities and Infrastructure** – address community needs through improvements and expansion of Public Facilities and Public infrastructure, including increasing availability and accessibility to the community.
3. **Public Services** – address community needs through increasing availability and accessibility of community-based public service programs.
4. **Homelessness** – support ongoing initiatives to prevent homelessness, and address community needs through increasing the availability and accessibility of homeless services.
5. **Code Enforcement** – support ongoing initiatives to enforce City code requirements to create and maintain suitable living environments.
6. **Demolition and Removal of Slum and Blight** – encourage demolition and removal of dilapidated or unsafe structures, to maintain housing conditions, remove slum/blight, and create a more suitable living environment.

7. **Economic and Workforce Development** – support resources and strategies to improve economic prosperity and standard of living; including support for workforce development resources that allow residents to gain knowledge, grow skills, improve work performance, and provide opportunities for individual career advancement.
8. **Administration** – continue to manage, plan, monitor and administer Entitlement Grant Programs to ensure compliance with Federal Regulations, and increase public awareness and engagement with CDBG-assisted activities.

These goals are supported by a collection of associated strategies and performance targets, that seek to work toward meeting the objectives stated. Specifics can be found in the Strategic Plan and Annual Action Plan.

3. Evaluation of past performance

Amarillo has a history of successful programs funded through the Community Development Block Grant and HOME Investment Partnership Program. Allocations over the past have designated CDBG and HOME funds for activities which include Neighborhood Improvements, Public Services, Housing Activities, Administration, Demolition and Clearance, and CHDO activities. Public Services funding primarily consisted of funding for Child Care Services, transportation for the Homeless, and services to the elderly community.

The 2015-2019 Consolidated Plan identified two crucial areas of focus within the housing needs assessment, (1) affordability and (2) availability of housing, particularly for very low- and low-income households. Serving the Homeless population has also been a crucial area of focus for CDBG Program and funding.

Details of past performance can be found in the City's Consolidated Annual Performance and Evaluation Report (CAPER).

4. Summary of citizen participation process and consultation process

Based on the Community Participation Plan, outreach included a public hearing, online surveys, and consultation with public and private agencies and organizations to capture public input as to the priority needs for the next five years. Participating persons, public and private agencies included the general public, City staff, City Council Members, neighborhood organizations, and public and social service agencies.

Due to the impact of COVID, all public meetings were moved to virtual forums. The City conducted online forums on June 11, 2020 and June 30, 2020 to gather input prior to the drafting of plans. Additionally, they presented at an August 11, 2020 City Council hearing for the public to see the draft plan that was available for comment online. Supplemental interviews were conducted with and information and input received from various City Departments and Divisions, Amarillo Housing Authority, Chamber of Commerce and Board of Realtors representatives, social and public service organization, community, professional and industry representatives to obtain information from those

unable to attend the sessions. Participants in the sessions and supplemental interviews included Amarillo City staff and other government representatives; administrators from local colleges, universities, and school districts; non-profit organizations, housing and social service agencies representatives; real estate and financial industry representatives; and the general public and other community representatives.

An online Community Needs survey was made available on the City of Amarillo website, to gather citizen input on available resources and ongoing individual and community needs. An online Health and Human Services Agency survey was distributed via email to local agencies to determine perceptions of the community's health and human service needs, and the needs of the agencies that provide these supportive services.

5. Summary of public comments

Some very general public comments were received via the online surveys. One survey respondent indicated the need for quality dog parks. One survey respondent indicated that the City should open the brush sites one Saturday a month.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments were accepted.

7. Summary

The City of Amarillo 2020-2024 Consolidated Plan and Annual Action Plan sets objectives, strategies, and goals to improve the quality of life for low- and moderate-income persons in the City, while also addressing larger community-wide needs. It assesses the ongoing community needs and provides a market analysis of housing, homelessness, and other community development issues, informed through analysis of various data sources, citizen participation, and community input. The Strategic Plan for the City of Amarillo was developed from the market analysis and needs assessment; it identifies the priority needs, and describes the goals and outcomes that will ultimately create suitable living environments, provide decent affordable housing, create economic opportunities and prevent, prepare for, and respond to coronavirus.