

**City of Amarillo, Texas**  
**City Council Regular Meeting**  
**July 28, 2026**

Cole Stanley, Mayor  
Tim Reid, Councilmember Place 1  
Don Tipps, Councilmember Place 2  
David Prescott, Councilmember Place 3  
Les Simpson, Councilmember Place 4



Grayson Path, City Manager  
Bryan McWilliams, City Attorney  
Stephanie Coggins, City Secretary

<http://www.amarillo.gov>

Amarillo City Hall, Council Chamber, 623 S. Johnson, Third Floor, Amarillo, Texas

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the west side (623 South Johnson Street) of the building at the main entrance. Access ramps leading to the main entry are located to the north and south of the main entry. Parking spaces for individuals with disabilities are available in the west 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.

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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. The City Attorney's Office has reviewed the agenda and is of the opinion that all items noticed therein described for open and/or closed session comply with the Texas Open Meetings Act ("Act") and that this opinion may be relied upon by City officials for all purposes, including but not limited to, Section 551.144 of the Act as amended. Votes or final decisions are made only in open Regular or Special meetings, not in either a work session or executive session.

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**1:00 PM - City Council convenes in City Council Chamber and immediately recesses into Executive Session.**

**Executive Session**

**1.1. Section 551.071 - Consult with attorney on pending or contemplated litigation or a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter:**

**1.1.1. Landfill Fire Claims**

**Adjourn from Executive Session**

**3:00 PM - City Council continues in Open Session in City Council Chambers.**

**2. Ceremonial Items**

**2.1. Invocation**

**2.2. Pledge of Allegiance**

**2.3. The Texas Pledge**

**2.4. Proclamation: "75th Anniversary of Wonderland Park" (Jonni Glick, Assistant City Secretary)**

**2.5. Recognition: "Water and Sewer Team"**

**Call to Order**

**3. Announcements**

**4. Discussion Items - City Council will discuss or receive reports on the following current matters or projects:**

**4.1. Proposed On-Site Sewage Facility (OSSF) Ordinance**

**4.2. Proposed updates to Board and Commission appointments process**

**4.3. Proposed Changes to City of Amarillo Organizational Structure**

**4.4. Recap of "Red, White, and Boom" event**

**4.5. Fiscal 2026/27 Budget Status Update**

**4.6. Request future agenda items and reports from City Manager**

**5. Public Comment - The public will be permitted to offer public comment on agenda items and items related to City business. Citizens interested in commenting may sign up online at <https://www.amarillo.gov/city-secretary/public-comment-registration-form/>, by calling the City Secretary's office at (806) 378-3014, or in person in Room 3500 of City Hall, 623 S. Johnson. Citizens should sign up at least 15 minutes prior to the scheduled meeting start time.**

**6. Consent Agenda - It is recommended that the following items be approved and that the City Manager be authorized to execute all documents necessary for each transaction. The following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Councilmember, in which event the item**

**shall be considered in its normal sequence, after the items not requiring separate discussion have been acted upon by a single motion.**

- 6.1. Consider Approval of Minutes.** This item considers approval of the minutes for the City Council regular meeting held on July 14, 2026 and work session held on July 16, 2026. (Stephanie Coggins, City Secretary)
- 6.2. Consideration of Ordinance No. 8251.** This item is a second and final reading of an ordinance considering an amendment to the City of Amarillo Municipal Code, Chapter 4-10, Zoning, Article V, Supplemental Regulations, Division 4, Vehicle Parking and Loading, Section 4-10-211, Vehicle Parking Regulations, adding Section 4-10-211(8), Off-Street Parking Regulations Specifically for U.S. Route 66–Sixth Street Historic District. (Brady Kendrick, Senior Planner)
- 6.3. Consideration of Resolution No. 07-14-26-1.** This item is a second and final reading to consider a resolution adopting the City of Amarillo 2026 Investment Policy. Amarillo City Council is responsible for approving the investment policy annually, in accordance with Chapter 2256, Texas Government Code, the Public Funds Investment Act. (Lola Ogunremi, Chief Financial Officer)
- 6.4. Consider Award - New Home Construction Contract.** This item considers the award of a contract for a new home construction at 1110 N. Monroe Street, Amarillo, TX.  
**Award to:** Habitat for Humanity  
**Amount:** \$80,000.00  
**Funding Source:** HOME Investment Partnership funds and CHDO set-aside funds  
**Is the item budgeted?** Yes (Jason Riddlespurger, Managing Director of Community Development, Stefanie Rodarte-Suto, Assistant Community Development Director)
- 6.5. Consider Approval - Appointment of One Candidate to the Amarillo Police Reserve Force.** This item considers approval to appoint Robert M Woodard as a reserve officer for the Amarillo Police Reserve Force. (Thomas Hover, Police Chief)
- 6.6. Consider Approval – Purchase of Automated External Defibrillators (AEDs).** This item considers the purchase of AEDs to replace existing Cardiac Science and ZOLL AED units that have reached the end of their recommended service life.  
**Award to:** AED One-Stop-Shop (HGAC #EE1125B31)  
**Amount:** \$114,999.00  
**Funding Source:** General fund revenues (CIP #412041)  
**Is the item budgeted?** Yes  
(Thomas Hover, Police Chief)
- 6.7. Consider Approval - Purchase of Wildland Firefighter Personal Protective Equipment (PPE).** This item considers the purchase of wildland over-pants. These over-pants will ensure continued compliance with the Texas Commission of Fire Protection (TCFP) and the National

Fire Protection Association (NFPA) regulations.

**Award to:** Propper International

**Amount:** \$49,899.63

**Funding Source:** General fund revenues

**Is the item budgeted?** Yes (Jacob Oehlert, Deputy Fire Chief)

- 6.8. Consider Award - Agreement for Engineering Services for an Aquatic Market Viability Study.** This item considers the award of an agreement to engage an engineer in professional services for the City's Aquatic Market Viability Study.

**Award to:** Kimley-Horn and Associates, Inc.

**Amount:** \$99,900.00

**Funding Source:** General fund revenues (CIP #PRJ-0000012)

**Is the item budgeted?** Yes

(Michael Kashuba, Director of Parks and Recreation)

- 6.9. Consider Award - Agreement for City-Owned Fleet Vehicle GPS System.** This item considers the award of a 36-month contract for a vehicle GPS system utilized in City of Amarillo Fleet vehicles, including installation of the GPS unison 959 vehicles. This system, which is a replacement to the existing system whose contract has expired, enables departments to observe and record their assigned vehicles, including speed, location, and idle time in real time. The system will support improved vehicle routing, operational efficiency, and overall fleet activity management.

**Award to:** Samsara, Inc. (SourceWell #102924-SAM)

**Amount:** \$239,224.76 Year 1, \$172,620.00 Years 2 & 3, Total \$584,464.76

**Funding Source:** Fleet services fund revenues

**Is the item budgeted?** Yes (Alan Harder, Director of Public Works)

- 6.10. Consider Approval - Purchase of Wilkens Transfer Trailer.** This item considers the purchase of a Wilkens Transfer Trailer for daily use in the Solid Waste Disposal Division. This is the scheduled replacement of Unit 8034 which is a 2014 Wilkens Transfer Trailer.

**Award to:** Wilkens Industries Inc. (BuyBoard #786-25)

**Amount:** \$142,520.00

**Funding Source:** General fund revenues

**Is the item budgeted?** Yes (Alan Harder, Director of Public Works)

- 6.11. Consider Approval - Street Day Center IT & Automation Package.** This item considers the award of a construction package of vital items necessary for the Street Day Center construction project. The package items includes IT Installation & Initial Start Up of IT components, Entech (BAS Package), HVAC & Door Security Installation.

**Award to:**

**Amount:** \$271,309.00

**Funding Source:** General fund revenues (CIP #411413)



**Is the item budgeted?** Yes (Jerry Danforth, Managing Director of Capital Projects, Development & Engineering)

- 6.12. Consider Award - Professional Engineering Services Agreement for the Hollywood Road II Wastewater Treatment Facilities.** This item is to consider the award of the professional engineering services agreement for Phase 2 of the Hollywood Road II Waste Water Treatment Facility. The agreement will include pre-design and conceptual services to support expansion planning and cost model development.

**Award to:** Kimley-Horn & Associates

**Amount:** \$9,397,700.00

**Funding Source:** Wastewater Treatment Expansion Phase 1 — Design Grant

**Is this budgeted?** Yes (Jerry Danforth, Managing Director of Capital Projects, Development & Engineering)

- 6.13. Consider Award - Professional Engineering Services Agreement for the River Road II Wastewater Treatment Facilities.** This item is to consider the award of the professional engineering services agreement for Phase 2 of the River Road II Wastewater Treatment Facility. The agreement will include pre-design and conceptual services to support expansion planning and cost model development.

**Award to:** Kimley-Horn & Associates

**Amount:** \$12,874,250.00

**Funding Source:** Wastewater Treatment Expansion Phase 1 - Design Grant

**Is this budgeted?** Yes (Jerry Danforth, Managing Director of Capital Projects, Development & Engineering)

- 6.14. Consider Approval - Purchase of Water Tee Fittings for 24th Street Valves**

**Distribution.** This item considers the purchase of water and sewer fittings and accessories for the installation of new water valves on 24th Street.

**Award to:** Southern Trenchless (Buyboard #730-24)

**Amount:** \$127,484.50

**Funding Source:** Water and sewer fund revenues

**Is the item budgeted?** Yes (William Johnson, Director of Utilities - Operations)

- 6.15. Consider Award - Tasers Supply Contract for Airport Police.** This item considers the award of a five-year contract to supply 14 tasers, associated equipment, and five-year warranties, for use by Airport Police in daily operations.

**Award to:** AXON Enterprises, Inc. (BuyBoard #743-24).

**Amount:** \$93,656.45

**Funding Source:** Airport fund revenues

**Is the item budgeted?** Yes (Michael Conner, Director of Aviation)

- 6.16. Consider Acceptance - FAA Grant #3-48-0007-062-2026 - Airport Layout Plan & Drainage Master Plan.** This item considers acceptance of a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant for an update to the Airport Layout Plan

(ALP) and a Drainage Master Plan Study at the Rick Husband Amarillo International Airport. The ALP update is needed to maintain compliance with FAA planning requirements and the Drainage Master Plan Study is required to meet requirements of the Airport's FAA Part 139 Certification Manual.

**Grantor:** Federal Aviation Administration

**Amount:** \$1,120,166.00

**Local Match/Funding Source:** \$58,956.00 (Local match of 5% from Airport revenues)

**Is the item budgeted?** Yes (Michael Conner, Director of Aviation)

**6.17. Consider Acceptance - FAA AIG Grant #3-48-0007-063-2026 - Baggage Handling**

**System.** This item considers acceptance of Federal Aviation Administration AIG grant for the construction phase of the baggage handling system modernization project at the Rick Husband Amarillo International Airport. The project is required in order to bring the Airport's baggage handling system up to current TSA standards and to replace some old system components.

**Grantor:** Federal Aviation Administration

**Amount:** \$2,435,598.00

**Local Match/Funding Source:** \$128,189 (5% grant match, from Airport fund revenues)

**Is the item budgeted?** Yes (Michael Conner, Director of Aviation)

**6.18. Consider Acceptance - FAA Grant #3-48-0007-064-2026 - Airport ARFF Simulator**

**Design & Hardware.** This item considers acceptance of an FAA AIP Earmark grant for the design and hardware for an Aircraft Rescue and Firefighting (ARFF) Simulator at the Rick Husband Amarillo International Airport. This grant is needed to develop and obtain the replacement ARFF simulator at the Airport which is used by AFD to train for aircraft firefighting.

**Grantor:** Federal Aviation Administration

**Amount:** \$1,869,668.00

**Local Match/Funding Source:** \$98,404.00 (Grant match is 5%, from Airport fund revenues.)

**Is the item budgeted?** Yes (Michael Conner, Director of Aviation)

**6.19. Consider Acceptance - FAA Grant #3-48-0007-065-2026 - Baggage Handling**

**System.** This item considers acceptance of Federal Aviation Administration AIG grant for the construction phase of the baggage handling system modernization project at the Rick Husband Amarillo International Airport. The project is required in order to bring the Airport's baggage handling system up to current TSA standards and to replace some old system components.

**Grantor:** Federal Aviation Administration

**Amount:** \$1,930,332.00

**Local Match/Funding Source:** \$101,596.00 (Grant match is 5%, from Airport fund revenues)

**Is the item budgeted?** Yes (Michael Conner, Director of Aviation)

**7. Non Consent Agenda**

- 7.1. Public Hearing and Consideration of Ordinance No. 8252.** This item is a public hearing and first reading of an ordinance considering the rezoning of Lot 2, Block 1, 66 Village Unit No. 2, an addition to the City of Amarillo, in Section 73, Block 2, A.B. & M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Industrial District to Light Industrial District with Specific Use Permit 210 for an Asphalt or Concrete Batching Plant (VICINITY: Triangle Dr. & Lakeside Dr. (Loop 335); APPLICANT/S: OJD Engineering, LLC for Redline Cattle LLC) (Brady Kendrick, Senior Planner)
- 7.2. Public Hearing and Consideration of Resolution No. 07-28-26-1.** This item is the first and recommended final reading to consider a resolution adopting the 2026-2027 Annual Action Plan for Community Development Block Grant (CDBG) & HOME Investment Partnership Programs. (Jason Riddlespurger, Managing Director of Community Development, Stefanie Rodarte-Suto, Assistant Community Development Director)
- 7.3. Public Hearing and Consideration of Resolution No. 07-28-26-2.** This item is for the consideration of a resolution for the establishment of the Rock Ridge Public Improvement District in the vicinity of the City of Amarillo bound on the East by North Western Street, adjacent to the South and West by Hester Road and adjacent to the West by another subdivision,  
Which will be considered. (Kimberlee Dillard, Administrative Technician)
- 7.4. Consideration of Ordinance No. 8253.** This item is the first reading to consider an ordinance for the regulation of On-Site Sewage Facilities within the limits of Amarillo. On-Site Sewage Facilities have been regulated within the Amarillo Area Public Health District since 1976, with Randall and Potter Counties being the Authorized Agents with TCEQ and the City of Amarillo being the Designated Representative for each respective county. By adopting an ordinance within the City of Amarillo, Amarillo will become the Authorized Agent for the limits of Amarillo. (Anthony Spanel, Director of Environmental Health)
- 7.5. Consider Approval - Civic Center Capital Project Budget Transfer.** This item considers approval for the transfer of budget funds from Capital Project No. PRJ-127 and PRJ-128 to provide necessary financial support to fund emergency needs for the South Exhibit Hall overhead loading dock door replacement, and the replacement of two grease traps in the north end expansion. (Christopher Post, Interim General Manager)
- 7.6. Consider Approval - Civic Center Capital Project Budget Transfer.** This item considers approval for the transfer of budget funds from Capital Project PRJ-440755 (Boiler & Expansion Tank Replacement) to provide necessary financial support for PRJ-130 (Civic Center I.T. Access Points and Fiber Upgrades), and PRJ-440299 (Civic Center New Basketball Floor). (Christopher Post, Interim General Manager)

**7.7. Consider Approval - Amendment No. 1 to the Location Incentive Agreement by and between Amarillo Economic Development Corporation and Sharpened Iron Studios, LLC. (Doug Nelson, Amarillo Economic Development Corporation)**

**7.8. Consider Approval - Amendment No. 1 to the Location Incentive Agreement Between Amarillo Economic Development Corporation and AAA Cooper Transportation, Inc. (Doug Nelson, Amarillo Economic Development Corporation)**

## **Adjournment**

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

I certify that the above notice of meeting was posted on the electronic bulletin board at City Hall, 623 S. Johnson, Amarillo, Texas, and on the City website ([www.amarillo.gov](http://www.amarillo.gov)) at least three business days prior to the meeting date in accordance with the Open Meetings Laws of the State of Texas, Chapter 551, Texas Government Code.

/s/ Stephanie Coggins  
Stephanie Coggins, City Secretary



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community  
Communication  
Fiscal Responsibility  
Infrastructure  
Public Safety  
Technology and Innovation

**Department:** City Manager's Office

**Contact Person:** Grayson Path, City Manager

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**Agenda Caption:** Fiscal 2026/27 Budget Status Update

**Agenda Item Summary:** Enter a brief summary of your agenda Item and the need for it.

**Requested Action:** Enter the requested action - example: Consideration of the item as presented. (This field is not to recommend approval)

**Funding Summary:** Enter your funding source - include fund/department/etc. For a CIP project - include the fund and specific six-digit CIP number(s)

**Purchasing Summary:** Enter summary of how the item was purchased. Examples: awarded to lowest of four bidders, purchased through a cooperative agreement, request-for-proposal, etc. For non-purchasing items, mark as "Not applicable"

**Community Engagement Summary:** Add any PUBLIC engagement - previous council discussion, public notices, etc. This is not for internal engagement. If it does not apply, mark as "Not applicable"

**Staff Recommendation:** Enter staff's recommendation: Examples: "Staff recommends approval of the item as presented." "Staff has no recommendation."



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Communication

**Department:** City Secretary

**Contact Person:** Stephanie Coggins, City Secretary

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**Agenda Caption: Consider Approval of Minutes.** This item considers approval of the minutes for the City Council regular meeting held on July 14, 2026 and work session held on July 16, 2026.

**Agenda Item Summary:** This item requests City Council approval of the minutes for the regular Amarillo City Council. Accurate minutes provide an official record of City Council proceedings and actions for public and administrative purposes.

**Requested Action:** Review the attached minutes for accuracy, propose any necessary corrections, and consider approval of the minutes as the official record of the respective meetings.

**Funding Summary:** Not applicable

**Purchasing Summary:** Not applicable

**Community Engagement Summary:** Once reviewed by City Council and approved in a regular meeting, minutes will be posted online to the City's Agenda and Minutes portal.

**Staff Recommendation:** Staff recommends that City Council review the minutes for accuracy, offer any revisions if needed, and approve the minutes.

**City of Amarillo, Texas  
City Council Regular Meeting  
July 14, 2026**

Cole Stanley, Mayor  
Tim Reid, Councilmember Place 1  
Don Tipps, Councilmember Place 2  
David Prescott, Councilmember Place 3  
Les Simpson, Councilmember Place 4



Grayson Path, City Manager  
Bryan McWilliams, City Attorney  
Stephanie Coggins, City Secretary

<http://www.amarillo.gov>

Amarillo City Hall, Council Chamber, 623 S. Johnson, Third Floor, Amarillo, Texas

**MINUTES**

**1:00 PM - City Council convenes in City Council Chamber and immediately recesses into Executive Session.**

The City Council of the City of Amarillo, Texas met at 1:00 PM on July 14, 2026 for a Regular Meeting held in Council Chamber, located on the third floor of City Hall at 623 South Johnson Street, Amarillo, Texas. Council convened at 1:00 PM with the following members and administrative staff present:

Mayor Cole Stanley  
Mayor Pro Tempore Tim Reid  
Councilmember Don Tipps  
Councilmember David Prescott  
Councilmember Les Simpson

Absent were none.

Also in attendance were the following administrative officials:

Grayson Path, City Manager  
Bryan McWilliams, City Attorney  
Stephanie Coggins, City Secretary  
Andrew Freeman, Deputy City Manager  
Donny Hooper, Assistant City Manager  
Omolola Ogunremi, Chief Financial Officer

Mayor Pro Tempore Reid convened the meeting at 1:00 PM, and Mayor Stanley joined the meeting in progress at 1:07 PM, during executive session.

*Note: City Council addressed agenda items in the following order:*

- 1.1-1.2; 2.1-2.5; 3,4.1-4.4; 5; 6.1-6.7; 6.9-6.10; 6.8; 7.1-7.3

Mayor Stanley recessed the regular meeting at 4:53 PM, immediately following Item 4.2, and resumed the regular meeting at 5:07 PM.

## **Executive Session**

The meeting recessed at 1:03 PM and reconvened in Executive Session under the provisions of Section 551, Texas Government Code. City Council reconvened in open session at 1:44 PM, and the meeting was called to order at 3:01 PM.

- 1.1.** Section 551.087 - Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect:

- 1.1.1.** Project # 24-06-01 (Transportation)

- 1.1.2.** Project # 20-05-03 (Information)

- 1.1.3.** Project # 25-11-02 (Manufacturing)

- 1.2.** 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:

- 1.2.1.** Potential purchase of real property located in the Southwest quadrant of the City of Amarillo.

## **Adjourn from Executive Session**

City Council reconvened into open session at 1:44 PM.

**3:00 PM - City Council continues in Open Session in City Council Chambers.**



City Council reconvened at 1:44 PM. Mayor Stanley called open session to order at 3:01 PM, immediately before the Ceremonial items.

## **2. Ceremonial Items**

### **2.1. Invocation**

Warren Coble, with New Zion Baptist Church, led the invocation.

### **2.2. Pledge of Allegiance**

The Pledge of Allegiance to the United States Flag was led by Mayor Stanley.

### **2.3. The Texas Pledge**

The Pledge of Allegiance to the Texas Flag was led by Mayor Stanley.

### **2.4. Recognition: "*PANHANDLE LEGENDS*"**

A Certificate of Recognition for "*PANHANDLE LEGENDS*" was read by Councilmember Les Simpson and presented to King Hill and Brandy Sanchez.

After this recognition, the "Read to Lead" book club group was invited up and recognized. Councilmember David Prescott introduced them, and comments were shared by \_\_\_\_, book club member, and \_\_\_\_, Executive Secretary.

## **Call to Order**

The meeting was called to order at 3:01 p.m., immediately before taking up Agenda Item No. 2 Ceremonial Items.

## **3. Announcements**

Mayor Stanley introduced the item, and there were no announcements shared.

## **4. Discussion Items - City Council will discuss or receive reports on the following current matters or projects:**

**4.1. Discussion of roles and responsibilities of Council Audit Committee**

Mayor Stanley introduced the item and presented it.

**4.2. Discussion of definition for potential forensic audit scope to include CIP projects, sewer and water, and American Rescue Plan Act (ARPA) monies**

Mayor Stanley introduced the item and presented it.

**4.3. Presentation and discussion of proposed award of professional engineering services agreements to Kimley-Horn for wastewater treatment facilities**

Mayor Stanley introduced the item. Donny Hooper, Assistant City Manager, and Kyle Kubista, with Kimley-Horn, presented the item.

**4.4. Request future agenda items and reports from City Manager**

Mayor Stanley introduced the item. No future items were requested.

**5. Public Comment - The public will be permitted to offer public comment on agenda items and items related to City business. Citizens interested in commenting may sign up online at <https://www.amarillo.gov/city-secretary/public-comment-registration-form/>, by calling the City Secretary's office at (806) 378-3014, or in person in Room 3500 of City Hall, 623 S. Johnson. Citizens should sign up at least 15 minutes prior to the scheduled meeting start time.**

Mayor Stanley opened the public comment period. The following individuals spoke:

|                    |          |
|--------------------|----------|
| Chuck Little       | Resident |
| Michael J. Stevens | Resident |
| Tim Benson         | Resident |
| Mike Fisher        | Resident |
| Misty Collier      | Resident |
| John Adair         | Resident |

Mayor Stanley closed the public comment period. The following individual registered to speak but did not present: Christopher Podzemny

**6. Consent Agenda - It is recommended that the following items be approved and that the City Manager be authorized to execute all documents necessary for each transaction. The following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Councilmember, in which event the item shall be considered in its normal sequence, after the items not requiring separate discussion have been acted upon by a single motion.**

Mayor Stanley introduced the Consent Agenda and asked if any items should be removed. Councilmember Simpson requested that Item No. 6.8 be removed for separate consideration. Motion by Councilmember Simpson, seconded by Councilmember Tipps, to approve the consent agenda minus Item No. 6.8.

Vote: 5 - 0 Motion Passed

Ayes: Cole Stanley, Tim Reid, Don Tipps, David Prescott, Les Simpson

Noes: None

Abstain: None

Absent: None

**6.1. Consider Approval of Minutes.** This item considers approval of the minutes for the City Council regular meeting held on June 23, 2026. (Stephanie Coggins, City Secretary)

**6.2. Consideration of Ordinance No. 8250.** This item is the second reading of an ordinance considering the vacation of the 20-foot-wide public alley located within Block 143, Plemons's Addition, an addition to the City of Amarillo, in Section 170, Block 2, A.B.& M. Survey, Potter County, Texas. (VICINITY: SE 10<sup>th</sup> Ave. & S. Buchanan St.; APPLICANT/S: Geospatial Data, Inc. for Rillo Investments, LLC) (Brady Kendrick, Senior Planner)

**6.3. Consideration of Resolution No. 06-23-26-1.** This item is the second reading to consider a Resolution and associated Application Affidavit and Certificate of Secretary supporting the Water Supply Infrastructure Grant application from Texas Water Development Board. (Cody Balzen, Director of Planning)

**6.4. Consider Approval of Interlocal Agreement between the Texas Municipal League Risk Pool and the City of Amarillo.** This item considers approval of an Interlocal Agreement between the Texas Municipal League Risk Pool ("TMLRP") and the City of Amarillo ("City") to allow the City to provide a critical illness supplemental income benefit for eligible retired firefighters and peace officers that is compliant with Texas House Bill 4144 ("HB4144").  
**Award to:** Texas Municipal League Risk Pool  
**Amount:** \$35,000.00 annually  
**Funding Source:** General fund revenues  
**Is the Item Budgeted:** Yes (Mitchell Normand, Director of Human Resources)

**6.5. Consider Award - Safety Footwear Program Contract.** This item considers the award of a contract to provide safety footwear to eligible City employees through a managed voucher-based program. This contract will have an initial term of three years, with two additional one-year options to renew.

**Award to:** Underfoot Inc., dba The Work Boot

**Amount:** Not to exceed \$585,000.00 (\$117,000.00 annually)

**Funding Source:** General fund revenues

**Is the Item Budgeted:** Yes (Mitchell Normand, Director of Human Resources)

**6.6. Consider Approval - Amendment to Everbridge Contract to add Public Safety CEM.**

This item considers approval of an amendment to the existing software and technology services agreement to add additional features to the Everbridge system currently in use.

**Award to:** Everbridge, Inc.

**Amount:** \$68,085.06

**Funding Source:** General fund revenues

**Is the item budgeted?** Yes (Max Dunlap, Emergency Management Coordinator)

**6.7. Consider Purchase - Cameras for Public Health Facilities.** This item considers the purchase of Verkada security camera systems for public health facilities at 850 Martin Rd and 1000 Martin Rd.

**Award to:** Verkada and Lynk Automation (BuyBoard #739-24)

**Amount:** \$101,367.57

**Funding Source:** Multiple grant funding sources

**Is the item budgeted?** Yes (Casie Stoughton, Director of Public Health)

**6.9. Consider Approval – Annual software subscription for Trimble Inc. (e-Builder).** This item considers the renewal of the annual software subscription for Trimble Unity Construct with Trimble Inc.

**Award to:** Trimble Inc.

**Amount:** \$96,524.81

**Funding Source:** General fund revenues and Water and sewer fund revenues (FD1000 & FD5200)

**Is this budgeted?** Yes (Jerry Danforth, Managing Director of Capital Projects, Development & Engineering)

**6.10. Consider Approval - Change Order No. 1 for Southern Trenchless Contract.** This item considers approval of Change Order No. 1 for the Southern Trenchless contract for Water Production. The change order is necessary to support a change in scope to include additional water fittings and accessories.

**Award to:** Southern Trenchless Solutions

**Amount:**

|                            |                   |
|----------------------------|-------------------|
| Original award             | \$415,661.75      |
| Current Change Order No. 1 | <u>103,876.00</u> |
| Total award                | \$519,537.75      |

**Funding Source:** Water and sewer fund revenues

**Is the item budgeted?** Yes (William Johnson, Director of Utilities - Operations)

**6.8. Consider Approval — Award of a Temporary Landscape Maintenance Agreement.** This item considers approval of a Temporary Landscape Maintenance Agreement for landscape maintenance services for the remainder of the season, effective July 15, 2026, through December 31, 2026.

**Award to:** Golden Standard Tree and Lawn

**Amount:** Not-to-exceed \$416,428.32

**Funding Source:** General fund revenues

**Is the item budgeted?** Yes (James Stow, Assistant Director of Parks and Recreation)

Mayor Stanley introduced the item. James Stow, Assistant Director of Parks and Recreation, presented the item.

Motion by Councilmember Simpson, seconded by Councilmember Tipps, to approve the temporary landscape maintenance agreement as presented.

Vote: 4 - 1 Motion Passed

Ayes: Cole Stanley, Tim Reid, Don Tipps, Les Simpson

Noes: David Prescott

Abstain: None

Absent: None

## **7. Non Consent Agenda**

**7.1. Public Hearing and Consideration of Ordinance No. 8251.** This item is a public hearing and first reading of an ordinance considering an amendment to the City of Amarillo Municipal Code, Chapter 4-10, Zoning, Article V, Supplemental Regulations, Division 4, Vehicle Parking and Loading, Section 4-10-211, Vehicle Parking Regulations, adding Section 4-10-211(8), Off-Street Parking Regulations Specifically for U.S. Route 66–Sixth Street Historic District. (Brady Kendrick, Senior Planner)

Mayor Stanley introduced the item. Brady Kendrick, Senior Planner, presented the item. Mayor Stanley opened a public hearing. No one presented to speak. Mayor Stanley closed the public hearing.

Motion by Councilmember Tipps, seconded by Councilmember Reid, to adopt Ordinance No. 8251.

Vote: 5 - 0 Motion Passed

Ayes: Cole Stanley, Tim Reid, Don Tipps, David Prescott, Les Simpson

Noes: None

Abstain: None

Absent: None

- 7.2. Consideration of Resolution No. 07-14-26-1.** This item considers a resolution adopting the City of Amarillo 2026 Investment Policy. Amarillo City Council is responsible for approving the investment policy annually, in accordance with Chapter 2256, Texas Government Code, the Public Funds Investment Act. (Lola Ogunremi, Chief Financial Officer)

Mayor Stanley introduced the item. Lola Ogunremi, Chief Financial Officer, presented the item.

Motion by Councilmember Reid, seconded by Councilmember Prescott, to adopt Resolution No. 07-14-26-1.

Vote: 5 - 0 Motion Passed

Ayes: Cole Stanley, Tim Reid, Don Tipps, David Prescott, Les Simpson

Noes: None

Abstain: None

Absent: None

- 7.3. Consider Appointment - Parks and Recreation Board.** This item considers the appointment of an individual to fill a current vacancy on the Parks and Recreation Board. (Jonni Glick, Assistant City Secretary)

Mayor Stanley introduced the item. Jonni Glick, Assistant City Secretary, presented the item. Motion by Councilmember Reid to nominate Sharon Delgado for the position to be filled.

Motion failed due to lack of second.

Motion by Councilmember Tipps, seconded by Councilmember Prescott, to nominate Dr. Eddy Sauer.

Vote: 5 - 0 Motion Passed

Ayes: Cole Stanley, Tim Reid, Don Tipps, David Prescott, Les Simpson

Noes: None

Abstain: None

Absent:

### **Adjournment**

Mayor Stanley adjourned the Regular Meeting at 6:20 PM.

**City of Amarillo, Texas  
City Council Work Session  
July 16, 2026**

Cole Stanley, Mayor  
Tim Reid, Councilmember Place 1  
Don Tipps, Councilmember Place 2  
David Prescott, Councilmember Place 3  
Les Simpson, Councilmember Place 4



Grayson Path, City Manager  
Bryan McWilliams, City Attorney  
Stephanie Coggins, City Secretary

<http://www.amarillo.gov>

Amarillo City Hall, Council Chamber, 623 S. Johnson, Third Floor, Amarillo, Texas

**MINUTES**

**1. 9:00 AM - City Council convenes in City Council Chamber.**

The City Council of the City of Amarillo, Texas met at 9:00 AM on July 16, 2026 for a Work Session held in Council Chamber, located on the third floor of City Hall at 623 South Johnson Street, Amarillo, Texas. Council convened at 9:13 AM with the following members and administrative staff present:

Mayor Cole Stanley  
Councilmember Tim Reid  
Councilmember Don Tipps  
Councilmember David Prescott  
Councilmember Les Simpson

Absent were none.

Also in attendance were the following administrative officials:

Grayson Path, City Manager  
Bryan McWilliams, City Attorney  
Stephanie Coggins, City Secretary  
Andrew Freeman, Deputy City Manager  
Rich Gagnon, Assistant City Manager  
Donny Hooper, Assistant City Manager  
Omolola Ogunremi, Chief Financial Officer

Councilmember Simpson joined the meeting in progress at 9:17 AM.

**2. Call to Order**

Mayor Stanley called the meeting to order at 9:13 AM.

- 3. Strategic Planning Workshop** This item is a facilitated workshop for the City Council and senior staff to discuss and develop the City's strategic goals, priorities, and desired direction. The Council may discuss numerous broad topics, such as public safety, infrastructure, development, community services, parks and recreation, water resources, public works, finance, council pillars, policies and procedures and other matters related to the desired direction and plans for the City, as well as general issues and matters related to the current and future needs and expectations for the City. The



Council may reach broad consensus on the mission, values, priorities, expectations, milestones, funding options and opportunities for the City, but no final decision or vote will occur.

Kevin Johnson, Co-Founder of Express Pros Training, facilitated this discussion.

#### **4. Adjourn**

Mayor Stanley adjourned the Work Session at 3:00 PM.



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community

**Department:** Planning and Development Services

**Contact Person:** Brady Kendrick, Senior Planner

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**Agenda Caption: Consideration of Ordinance No. 8251.** This item is a second and final reading of an ordinance considering an amendment to the City of Amarillo Municipal Code, Chapter 4-10, Zoning, Article V, Supplemental Regulations, Division 4, Vehicle Parking and Loading, Section 4-10-211, Vehicle Parking Regulations, adding Section 4-10-211(8), Off-Street Parking Regulations Specifically for U.S. Route 66–Sixth Street Historic District.

**Agenda Item Summary:** Purpose: This item is a public hearing and consideration of a code amendment to waive the requirement for off-street parking along the U.S. Route 66 – Sixth Street Historic District for non-residential land uses. As proposed, the change would apply to SW 6th Avenue between S. Bryan Street and S. Forest Street.

Analysis: Under current City ordinance, off-street parking is required for all land uses other than in the Central Business District zoning boundary. The corridor under consideration for this code change is currently zoned Light Commercial District.

Historically, the enforcement of parking requirements along 6th Street has long been a challenge that City Staff and property owners have faced due to the nature of how properties along the corridor are developed. A majority of the structures along the corridor were built between the 1920s and 1940s and were developed prior to the modern parking requirements and before society largely became autocentric in nature. The average lot coverage of sites within this area is 51%. For reference, the average lot coverage in the Central Business District is approximately 65% while on more modern commercial corridors the average coverage is 18% (Soncy, Coulter, Georgia for reference). The historic district is largely constructed similar to a historic downtown district than a typical suburban commercial district.

Since 1977, there have been 15 Zoning Board of Adjustment variance request along the corridor pertaining to parking requirements and two Planned Developments considered specifically for parking. In the 1990s, the Planning Department and City did do a brief parking analysis for the corridor and largely decided to treat the corridor as non-conforming retail uses in the form of a policy interpretation rather than a code amendment.

During reviews of certificates of occupancy when uses change, parking regulations are to be checked and enforced based on the code that exists today. This can lead to challenging situations in which business owners have to modify their plans for operation, explore site changes to incorporate parking, or abandon plans to move to the corridor all together. Given recent neighborhood planning efforts and the tourism associated with Route 66 along the corridor, there has been an increase in permit activity along 6th Street.

The Planning and Zoning Commission is of the opinion that the potential code amendment would offer many benefits to the district and City:

- Preservation of the historic character of the district which is a major attraction for Route 66 tourism for Amarillo.
- Would correct the “non-conforming” status regarding parking for the sites within the corridor.
- Codifying the change will set clear expectations for city staff and property owners versus policy interpretations.
- Promote further business and economic redevelopment along the corridor which is a key element of the neighborhood redevelopment efforts in San Jacinto.

- Brings the regulations of the district more in line with the built environment and character featured within the district and also of similar types of districts in other parts of Amarillo (Central Business District). It would eliminate a significant conflict of code with a key historic district.

It is worth noting that the elimination of parking regulations for historic districts is common practice around the country and there are also recent examples within the state of Texas. The City of Canyon in their recent zoning ordinance rewrite does not require off-street parking for the Historic Square in downtown Canyon while the City of Dallas and Fort Worth have eliminated the requirement for off-street parking for historic places and/or buildings.

The Planning and Zoning Commission notes that expected impacts from the change in code are expected to be minimal in nature for the following reasons:

- Businesses and restaurants along the corridor largely have not had parking lots since their original construction in the 1920s through 1940s. The expectation that parking for this area is on-street versus off-street is already set and the change would not result in a new condition being created. Residents and businesses within the area are already accustomed to on-street parking being a characteristic of this area.
- The corridor features very few buildable lots and most of the corridor is built out with long established buildings and businesses with periodic changes in occupants. The Planning and Zoning Commission does not anticipate a situation in which many high-occupancy businesses would be able to construct large new sites within the district that would create excessive parking needs. The majority of the district is landlocked, already built out, and features historic structures that have minimal opportunities for expansion.

Public and Staff Outreach: This item has been reviewed by City staff in two Development Review Committee meetings (DRCs), and Planning Staff has also had multiple discussions with the Public Works Department regarding the proposal. City Staff does not have any objections to the proposal.

The proposal was also sent to TXDOT for their review, and they did not object to the proposed change along their right-of-way in this instance.

The proposal was presented to the 6th Street Merchants Group (approximately 50 people), who unanimously expressed support for the request. The proposal was also shared with the San Jacinto Neighborhood Association, who did not express any concerns.

The proposal has been featured as a discussion item before the Planning and Zoning Commission on two previous agendas and also was presented to the City Council for feedback as a discussion item.

**Requested Action:** Consideration of the ordinance and a public hearing by the City Council.

**Funding Summary:** Not applicable.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** See above in staff analysis.

**Staff Recommendation:** The Planning and Zoning Commission recommended approval of the ordinance amendment with a 5 - 0 vote.

**ORDINANCE NO. 8251**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE CITY OF AMARILLO MUNICIPAL CODE, CHAPTER 4-10, ZONING, ARTICLE V, SUPPLEMENTAL REGULATIONS, DIVISION 4, VEHICLE PARKING AND LOADING, SECTION 4-10-211, VEHICLE PARKING REGULATIONS, ADDING SECTION 4-10-211(8) OFF STREET PARKING REGULATIONS SPECIFICALLY FOR U.S. ROUTE 66 SIXTH STREET HISTORIC DISTRICT; PROVIDING FOR A CRIMINAL OFFENSE AND PENALTY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council adopted the “City Plan Vision 2045” Comprehensive Plan on June 25, 2024, which established guidelines for the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens;

**WHEREAS**, the City Council recognizes that the U.S. Route 66 - 6<sup>th</sup> Street Historic District, also known as 6<sup>th</sup> Street, is Amarillo’s most intact collection of commercial buildings that possess significant character with Route 66 and is on the National Register of Historic Places;

**WHEREAS**, the City Council also understands that the historic character and development characteristics of buildings and sites on 6<sup>th</sup> Street creates a conflict between historic preservation of the district and the enforcement of modern parking regulations;

**WHEREAS**, in preserving the historic character and promoting economic development of 6<sup>th</sup> Street, the City Council further finds the San Jacinto Neighborhood Plan area will be benefitted as well as the community as a whole;

**WHEREAS**, to preserve the historic character of 6<sup>th</sup> Street and offer the same parking regulations to the district, which is developed in similar character as the Central Business District, the City Council desires to adopt an ordinance with specific requirements in regard to off-street parking regulations;

**WHEREAS**, the Amarillo Municipal Code established zoning districts and regulations in accordance with the “City Plan Vision 2045”, and all proposed changes must be submitted to the Planning and Zoning Commission;

**WHEREAS**, after a public hearing before the Planning and Zoning Commission for proposed zoning ordinance changes, the Commission filed its final recommendation and report on such proposed zoning changes to the City Council;

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

**WHEREAS**, the City Council further determined that the request to amend the Zoning Ordinance is herein consistent with the goals, policies, and future land use map of the Comprehensive Plan (City Plan Vision 2045) for the City of Amarillo, Texas.

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

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

**SECTION 2:** the City of Amarillo Municipal Code at Chapter 4-10, Zoning, Article V, Supplemental Regulations, Division 4, Vehicle Parking and Loading, Section 4-10-211, is amended to add the following subsections:

**Sec. 4-10-211. – Vehicle parking regulations.**

[TEXT UNCHANGED]

(1 – 7) [TEXT UNCHANGED]

**(8) OFF STREET PARKING REGULATIONS FOR THE U.S. ROUTE 66-SIXTH STREET HISTORIC DISTRICT**

To preserve the historic character of the U.S. Route 66 - Sixth Street Historic District, and encourage economic redevelopment activity and business opportunities for property owners along the corridor, off-street parking requirements for nonresidential uses will be as follows:

**a. Eligible Properties.**

1. To be eligible for the waiving of the requirement to provide off-street parking for non-residential land uses, a property must have frontage upon Southwest 6<sup>th</sup> Avenue between South Bryan Street and South Forest Street.

a. Residential uses (being defined as One-Family Housing unit (detached and attached), Two-Family Housing, Multiple-Family Housing, Group Living Quarters, Manufactured Home Type A, B, and C, Industrialized Housing, Manufactured Home Park, and Manufactured Home Park Subdivision) shall provide one off-street parking space per dwelling unit.

**SECTION 3. Penalty.** Any person who violates any provisions of this chapter commits a criminal offense, a misdemeanor, and shall be subject to a fine upon conviction as provided for in Section 4-10-4 and Section 1-1-5 of the Amarillo Municipal Code. Each day of such violation shall constitute a separate offense.

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

**SECTION 5. Severability.** 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.

**SECTION 6. 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 on this the 14th day of July 2026 and PASSED on Second and Final Reading on this the 28th day of July 2026.

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Cole Stanley, Mayor

ATTEST:

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Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

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Bryan McWilliams, City Attorney

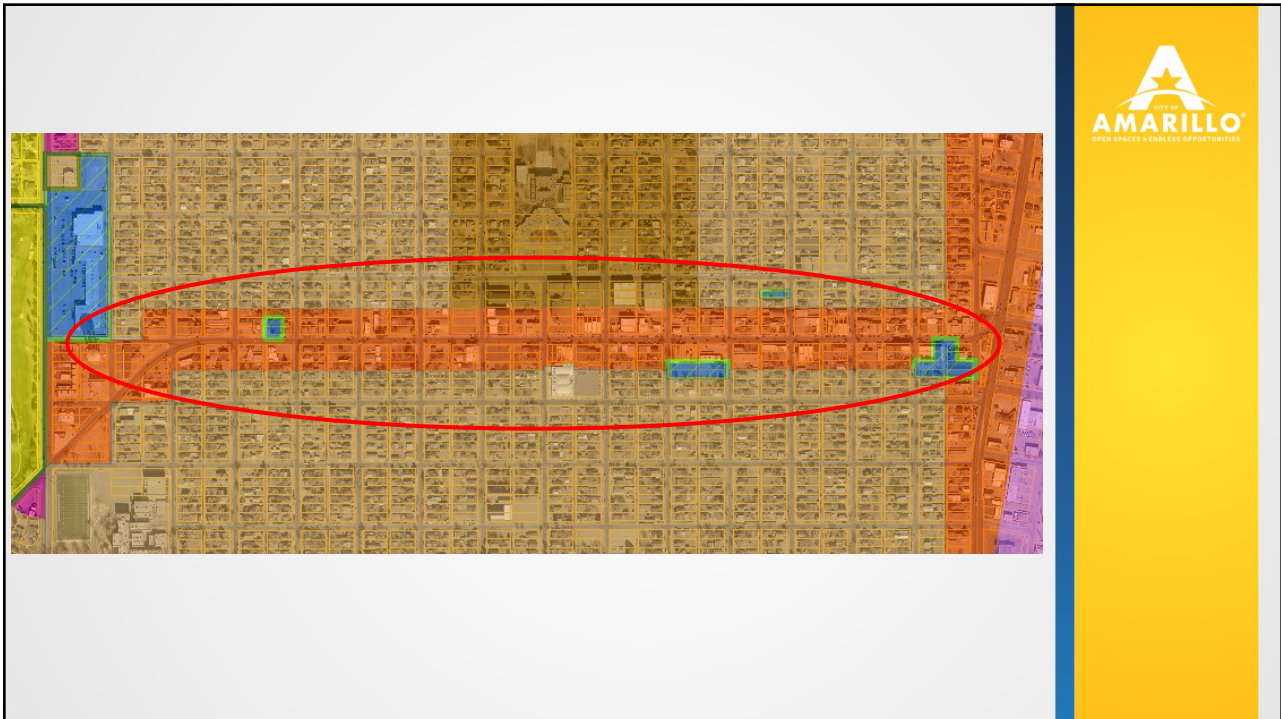
# Historic 6<sup>th</sup> Street Parking Regulations & Possible Code Amendment

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## Background & Current Regulations

- Under current ordinance, off-street parking is required for all non-residential land uses in the city except for properties located in the Central Business District zoning boundary (CB).
- On street parking does not count towards the minimum parking requirements for a business.
- The entirety of 6<sup>th</sup> Street is zoned Light Commercial District (LC) outside of a couple Planned Developments.
- Currently, reductions in parking requirements are available for infill development (-20%) and adaptive reuse (-50%). Additionally, the Planning Director can reduce parking a further 25% upon the review of a parking study submitted by an applicant.
- The Planning Department in 1995 conducted a parking study on this topic. This resulted in a policy interpretation rather than a code amendment.

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## The Issues and Why a Possible Change?

- Historic 6<sup>th</sup> Street is a prominent historic district in Amarillo and on the National Register of Historic Places (1994).
- The corridor and its character represent the most intact example of businesses that share association with Route 66.
- Many of the historic structures along the corridor were built in the 1920s to 1940s (significantly different design considerations than today) and has the characteristics of a "main street" rather than a typical suburban shopping district (WWII National Defense Project).
- Sites not developed in a manner to be auto oriented or incorporate space for off-street parking lots (not a requirement at the time of original development).
- Since 1977, there have been a total of 15 Zoning Board of Adjustment variance request for parking reductions (11 approved) and two Planned Developments that address parking as a major component.
- Challenges arise during changes of use for properties along the

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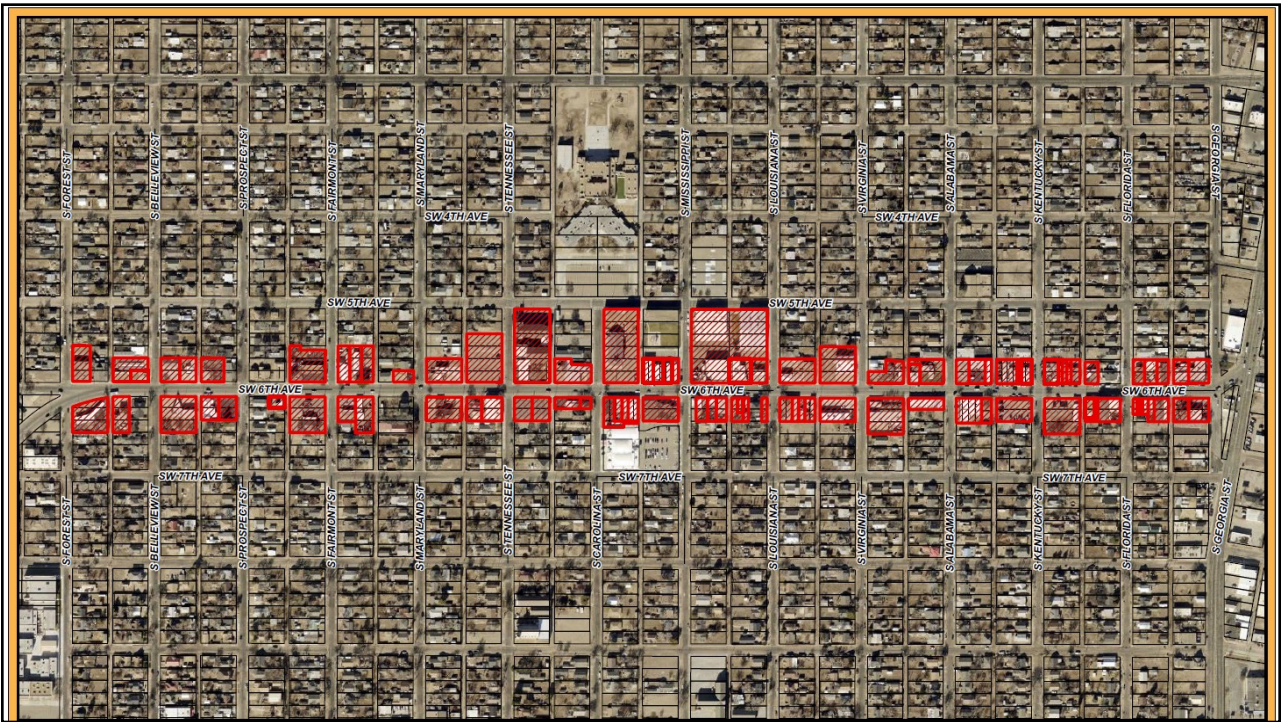


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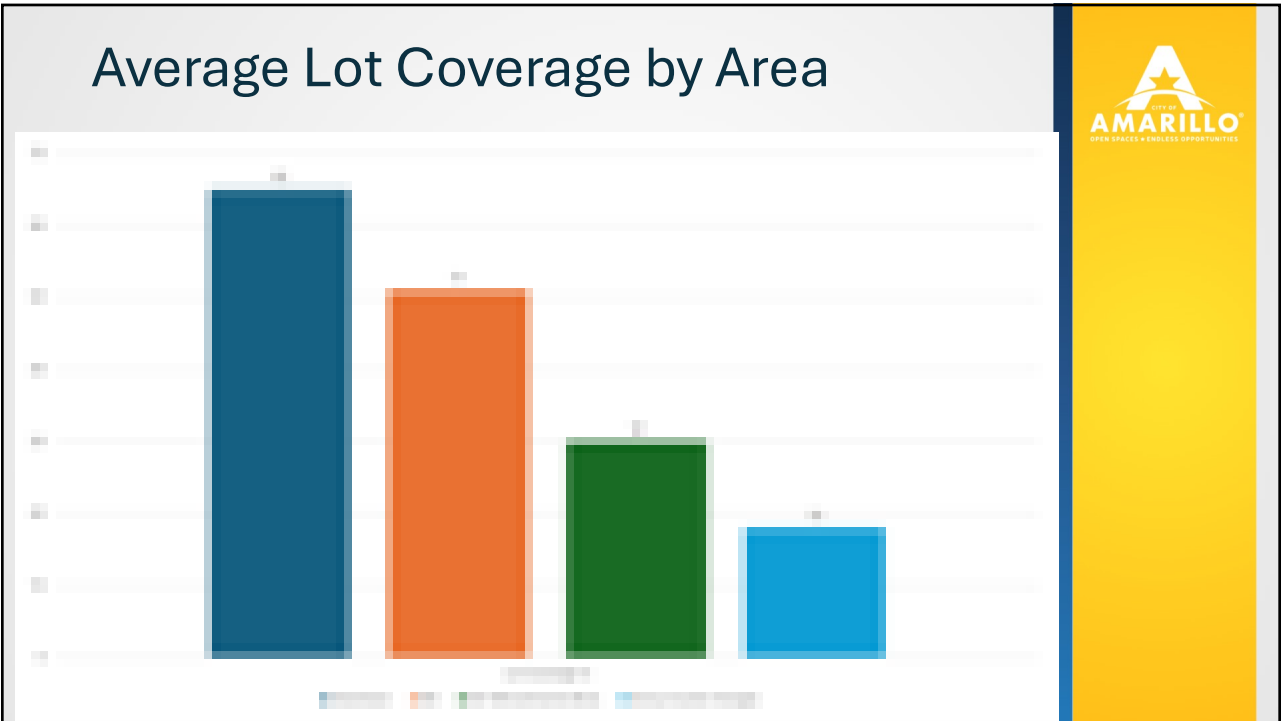
### The Issues and Why a Possible Change?

- There are approximately 200 on street parallel parking spaces along the corridor based on the curb length available.
- Codify a change to create consistency for future City staff and businesses along the corridor.
- Historic 6<sup>th</sup> is key to the revitalization of the San Jacinto neighborhood area of the city.
- Lot coverage average for properties along the corridor is similar to areas in downtown (no parking) versus other newer and more auto oriented portions of the city.
- Applying modern site requirements to historic corridors often leads to clashes between code and the built environment (development barrier).
- A local example: 'The Square' in downtown Canyon, Texas.
- Fort Worth amendment for parking associated with historic buildings or places.
- Options?

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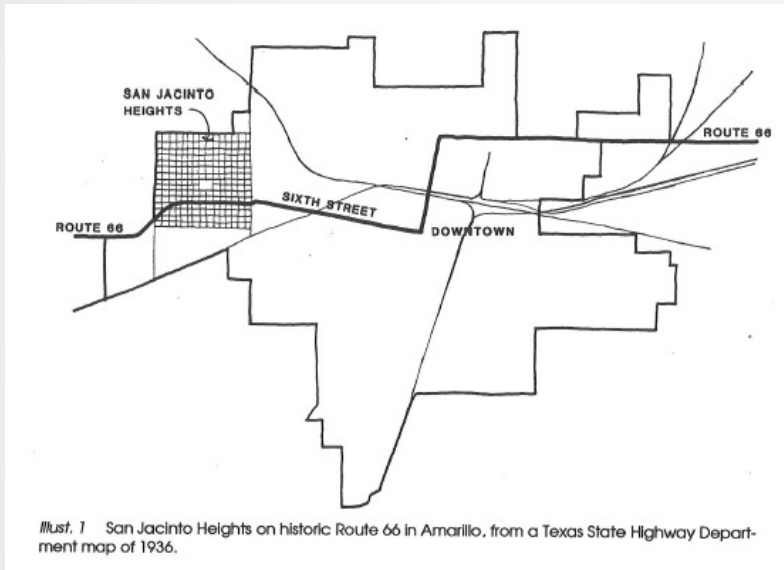


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## Feedback and/or Questions?





*Return to  
PD221-A File*

## **SIXTH STREET EVALUATION AND RECOMMENDATIONS**

The City staff and appointed boards have been facing more and more challenges with regard to existing and potential development along Sixth Street. There are several issues that have surfaced beyond the routine issuance of permits, preliminary reviews of rezoning requests, and Zoning Board of Adjustment (ZBA) consideration of variances for properties located on and near Sixth Street. This study is to consolidate the many issues facing the City and to bring them to the forefront for decision-making purposes. The staff believes that these issues should be addressed and policies developed to help guide City staff in the performance of their various responsibilities as they relate to Sixth Street development and redevelopment. This study provides a background of information for your general knowledge and sets the stage for the challenging questions that need to be answered.

### **History of Sixth Street**

Sixth Street in San Jacinto Heights is Texas' most intact collection of commercial buildings possessing significant associations with early Route 66. This segment was designated as being historically significant and is on the National Register of Historic Places for its association with transportation and the development of commercial enterprises serving both the neighborhood and motorists. The commercial corridor, Route 66, was the first transcontinental highway linking Mid-America to the west coast. The area was severely impacted when Route 66 was rerouted in 1953. Many sidewalks date from 1942 WWII National Defense Project which widened the street and also covered the original brick with asphaltic concrete.

### **History of ZBA Requests in Vicinity of Sixth Street**

Since about 1977, there have been twelve Zoning Board of Adjustment (ZBA) variance requests in the vicinity of Sixth Street between Georgia and Western Streets. Two ZBA cases were to reduce front yard setbacks (approved), one was to exceed height limits (approved), one was for a landscaping variance (denied), and eight requested off-street parking variances (6 approved, 2 denied). A summary of the details of the ZBA cases in the vicinity of Sixth Street are in Appendix A of this study.

Until January 1994, all the parking variances that had been requested were granted by the ZBA. Since that time, two have been requested and both were denied. In January 1994, the ZBA considered an off-street parking variance request from Charles Culp, the owner of Barnaby's Beanery. Mr. Culp wanted to open up another restaurant (which requires significantly more parking than a retail use) that serves alcoholic beverages and requested that all 50 required parking spaces be waived. The building covers 98% of the lot. There is no room for off-street parking on the site and there is no adjacent vacant lot available to the owner on which to provide off-street parking.

The building, previously used as a bar/lounge, had been closed for over one year, thereby losing its non-conforming status with regard to off-street parking. During the ZBA public hearing, concerned citizens in the vicinity were fearful that the business would be similar to a lounge that had previously operated at this location. The bar had caused problems for the neighborhood with regard to noise, disturbances, etc. In short, the primary issue was not whether the property was to be a bar or a restaurant, it was the non-conforming status and the consideration of an off-street parking variance. Mr. Culp's request for a variance was denied for lack of a motion by the ZBA. Mr. Culp appealed through the court system and so far, the denial has been upheld. Mr. Culp's appeal is still pending litigation at the time of this writing. The proposed restaurant never opened.

Mr. Culp purchased another property along Sixth Street and is in the process of remodeling a building for a restaurant (Club Brewsky's) and has been able to provide all of the required off-street parking. This restaurant will be opening soon. Mr. Culp has constructed an 8 ft. high, metal fence to help buffer the restaurant parking lot from adjacent residences. On this property, Mr. Culp is complying with all City requirements, including off-street parking, without requesting a variance.

Since Mr. Culp's parking variance request was denied in this vicinity and to be consistent in their decision-making, the ZBA also denied an off-street parking variance request in February 1995 to reduce the parking requirement from 28 spaces to 7 spaces for a coffee shop at the southeast

**ATTACHMENT 3**

corner of SW 6th and Carolina. The applicant is now searching for alternatives to provide off-street parking so she can open the coffee shop.

One alternative she has presented to the Planning staff for review is to enter into a shared parking agreement with San Jacinto Christian Academy. Both she and the Academy's Board of Directors are considering the pros and cons of such an agreement. It should be noted that San Jacinto Christian Academy has tentative plans to expand their facility in the future and feel they may need to retain their off-street parking to accommodate their future expansion plans.

#### **Current Rezoning/Building Permit Requests for Sixth Street**

At the time this report was being prepared, there were three items under current/recent consideration. These are explained as follows.

- \* Mike and Jamie Cavins have submitted a request for planned development (PD) zoning to operate an antique shop, a tea room and museum at the old Nat Ballroom, and an antique shop at the old Alamo Lounge. Also, the PD would consolidate these newly purchased properties (Nat and Alamo) with the existing Sixth Street Antique Mall, associated storage building and parking lot. The purpose of the planned development is to waive a portion of the required off-street parking for the uses proposed. Details of this planned development are included in Item 10 of the staff report.
- \* A building permit was recently issued to convert the Alamo Lounge into an antique shop before the Cavins' planned development is considered. The parking requirement for the antique shop (7 spaces) is less than the parking requirement for the lounge (31 spaces). There will be ten paved off-street parking spaces available on the site according to the proposed planned development. Since this use is part of the proposed PD, 21 parking spaces (difference between the 31 required for a lounge and the ten now provided) are still considered non-conforming and can be used toward the parking requirement for other uses in the planned development.
- \* A building permit request to open a pawn shop has been submitted for the north side of Sixth Street between Georgia and McMasters. The previous use was also retail sales (pharmacy and Levi recycling/sales). Although the City is not requiring it, the owner is voluntarily landscaping portions of the site and striping twelve parking spaces on a portion of their lot that is already paved. In short, the owner is going beyond any requirement of the City and is voluntarily providing striped parking and landscaping.

In addition, there is a triangular piece of property across from this property that is currently being landscaped from private funding sources. This landscaped area is intended to be an attractive gateway for the portion of Sixth Street between Georgia and Forest Streets.

#### **Proposed Planned Development for Historic District**

Jamie Cavins, former president of the Sixth Street Merchant's Association, and a group of others concerned about Sixth Street development/redevelopment have been working on the details to create a planned development for a local historic district. The proposed historic district is to include guidelines for development and maintenance of structures. In addition, the land uses are proposed to be restricted to uses allowed in a light commercial zoning district with the exception of taverns, bars, and lounges. A planned development site plan is in the process of being prepared for this proposed historic district.

#### **Historic Preservation Board's Responsibilities That Affect 6th Street**

The Landmarks and Historic Districts Ordinance, as adopted by the Amarillo City Commission, became effective in 1991. The purpose of this ordinance is to preserve, protect, and enhance historical, cultural, architectural, and archaeological sites and structures which represent significant or distinct aspects of the city and serve as reminders of our culture and heritage. It is the responsibility of the Board of Review for Landmarks and Historic Districts (Historic Preservation Board) to encourage the preservation of historic properties whenever possible. Their motive is to renovate historically significant buildings rather than demolish them.

The Historic Preservation Board reviews applications for demolition of properties identified by approved historic resources surveys as being historically significant. Unless the structure's condition is substandard and beyond reasonable repair, the Historic Preservation Board may delay demolition for up to one year. During this time period, efforts are made to locate someone interested in acquiring the property to preserve or move the structure, rather than demolishing it. Of course, a large part of the attraction of Sixth Street is the many historic buildings that are located there. A map showing the location of historically contributing properties within the study area is in Appendix B. Demolishing historic buildings to create parking lots would conflict with the philosophy and responsibilities of the Historic Preservation Board.

### **Sixth Street Enhancement Project**

The Sixth Street Enhancement Project is thirteen blocks in length and consists of landscaping, beautification, and historic preservation. Watered by an irrigation drip system, the landscaping will include the installation of trees and metal tree grates. Three feet of sidewalk will be added all along the street to increase the pedestrian space and will provide an area for outdoor activities such as the street's annual festivals (See Appendix C). Brick sidewalk trim will provide easy access to plumbing. The corner buildouts will provide better visibility for motorists and will slow traffic speed for pedestrian safety. The WPA curb stamps are to be preserved and repairs will improve sidewalk safety and comfort. ADA handicapped ramps at each buildout will be funded and installed by the local TxDOT District Enhancement Ramp Project.

A giant Route 66 mural at the center of the corridor was donated and is now in place. Materials used in the gateways will be compatible with materials used in the buildouts to create uniformity. The improvements will be constructed within the existing right-of-way. Improvements to the streetscape are being funded with an ISTE grant totalling \$526,000, with an 80/20 match. Eighty percent of the funds will be from ISTE and the City is to provide the remaining 20%.

Private donations have funded landscaped gateways at each end of the corridor to be completed in spring 1995. The gateway at 6th St. and Georgia is now underway and will include landscaping, lighting, brick paving and a gateway marker.

### **Land uses and Off-Street Parking Availability**

Appendix D graphically shows the general land uses along this segment of Sixth Street and Appendix E shows the various existing and potential parking lots in the study area. As shown, there are many commercial land uses and intermittent off-street parking. Of course, this creates parking problems for the neighborhood. When Sixth Street was developing in the 1920's through the 1950's, businesses were allowed to be built without providing off-street parking to serve them. With the 1968 Comprehensive Rezoning and associated written zoning text, the businesses that did not provide off-street parking were considered to be non-conforming. The zoning ordinance details the way non-conforming situations are amortized. Whenever a non-conforming use is abandoned, all non-conforming right cease and the use shall conform to the provisions set forth in the zoning ordinance. If the nonconforming use is discontinued or remains vacant for twelve consecutive months, it loses its non-conforming status.

The parking requirements for some land uses that exist along Sixth Street are noted below:

|                   |                                                    |
|-------------------|----------------------------------------------------|
| Church -          | 1 space for each 3 seats in main sanctuary.        |
| Day Care Center - | 1 space for each 200 sq. ft of floor area          |
| Furniture store - | 1 space for each 400 sq. ft. of floor area         |
| General Offices - | 1 space for each 400 sq. ft. of floor area         |
| Restaurant -      | 1 space for each 45 sq. ft. of usable seating area |
| Retail -          | 1 space for each 200 sq. ft. of floor area         |
| Storage -         | 1 space for each 1,000 sq. ft. of floor area       |
| Tavern, lounge -  | 1 space for each 45 sq. ft. of usable floor area.  |

In reviewing the parking space requirements, restaurants and lounges require more parking than retail uses. Parking problems intensify when retail uses convert to restaurants or bars that require almost four times as much off-street parking than retail. If Sixth Street is already deficient in off-street parking when the property is used as retail, converting the same area to restaurant/lounge use creates an even bigger parking problem.

There are about <sup>12</sup> eight vacant structures and only a few vacant lots on which to build. As far as can be determined, the vacant structures have been operated as retail sales in previous years. There are some structures along Sixth Street that are used only for storage which, of course, requires only one space for every 1,000 sq. ft.

## PRIORITY SETTING

It is obvious that there are conflicts among competing public objectives. An effective balance must be established between protecting societal and environmental goals and still fulfill the needs of Sixth Street owners, merchants, tourists and patrons. Now that the many facets of Sixth Street have been presented, several questions provoke thought. These questions, most of which are centered around the off-street parking issue, should ~~must~~ be answered.

Many times owners, merchants and tenants, driven by economic interests, attempt to pursue more intense land uses on Sixth Street than what historically has been there. They want development requirements waived. Is waiving requirements in the best interest of Sixth Street and for the City as a whole? Which is more important - the economics of Sixth Street or the enforcement of regulations such as number and placement of off-street parking?

Owners, merchants and tenants sometimes wanting more intense uses, such as restaurants and bars, that require more off-street parking is the same problem that is faced frequently with shopping centers around town. The City requires that they submit "parking banks" to provide adequate parking for all the land uses at the facility. This normally happens when a development is originally planned as a retail center of with fixed parking, enough for the retail uses. After construction, shopping center management sometimes wants to lease a space for more intense uses than retail which requires more parking. If the shopping center cannot provide the needed parking, part of their leasable space must remain vacant, that is if they choose to change the original retail lease space to a restaurant, or other more intense land use. Should the off-street parking requirements for Sixth Street be any different than that for shopping centers?

Are the existing parking regulations required for all of Amarillo the driving force behind Sixth Street remaining predominantly retail, antiques, etc. and forcing out more intense land uses such as restaurants, bars, etc.? If so, is this bad?

The issue of conflicting societal needs facing the City as a whole influences the off-street parking issue on Sixth Street. With housing occupancy at about 94%, the City needs as many liveable units as possible to house people. Should residences be saved or torn down for parking lots? Which is the greater need?

From the standpoint of surrounding residential neighborhood, since parking along Sixth Street is sparse, problems occur with vehicles parking in front of residences, blocking driveways, etc. The lack of off-street parking burdens the homes in the neighborhood. Should adequate off-street parking be provided to alleviate this neighborhood intrusion?

Should the development of Sixth Street that took place as far back as the 1920's automatically exempt new uses from certain zoning regulations that protect health, safety and welfare?

Should we acknowledge the existing uses on Sixth Street at this point in time and allow all retail businesses to get building permits/certificate of occupancies without requiring additional off-street parking?

Should we create a policy that more intense uses than retail (restaurants, bars, etc.) cannot open unless they provide the number of space required by the zoning ordinance for such use? Or half the number required by zoning ordinance? In other words should we give them a off-street parking break for just being on Sixth Street?

How strictly should we enforce landscaping requirements along Sixth Street since many of the buildings cover almost all of the lot?

#### **ALTERNATIVES/RECOMMENDATIONS**

It is the Planning Department's opinion that Sixth Street is special because of many factors. Some of the factors are its historical significance as a part of Route 66, development history, non-conforming structures, its resurrection as a tourist attraction for Amarillo, and its unique blend of businesses and specialty stores. In a windshield survey of the area from Fifth to Seventh Streets, the staff found several existing parking lots sprinkled throughout the development. There are several more potential parking lots that could be for the benefit of Sixth Street, if they were paved and striped as parking. A map showing the parking lots/potential lots is in Appendix E. The Planning staff has identified 5 alternatives in enforcement of regulations, particularly off-street parking, for Sixth Street.

##### Alternative A

The existing land uses along Sixth Street should be deemed non-conforming as retail uses. New restaurants, bars or other uses that require more parking than the standard 1 space per 200 sq.ft. ratio must provide the additional parking, over the parking required for retail uses. Standard landscaping regulations shall be enforced for any new parking lots constructed in the area.

##### Alternative B

All off-street parking and landscaping shall be waived for the study area.

##### Alternative C

Businesses along Sixth Street shall meet all zoning regulations with regard to off-street parking and landscaping. Variances for off-street parking and landscaping continue to be heard by the Zoning Board of Adjustment.

##### Alternative D

Explore creative methods for paving potential parking lots and maintaining existing parking lots in the area of Sixth Street, possibly through low interest development loans, for the benefit of all Sixth Street merchants.

##### Alternative E

The existing land uses along Sixth Street should be deemed non-conforming as retail uses. New restaurants and coffee shops or other viable uses requiring more parking should be encouraged within the area by waiving as much parking as possible so long as the new activities have hours of operation that do not extend beyond 10:00 PM. Bars should continue to be required to meet all parking. Landscaping, bulk and area requirements should be flexible as long as the design fits in with the area.

12:00

The Planning Department believes that a combination of Alternatives D and E may achieve the needed leeway that Sixth Street needs. The reason these alternatives were chosen is that all buildings will be able to be used for at least retail uses without having to remain vacant due to not being able to provide off-street parking. If the land use is to operate past 10:00 PM, the applicant will be required to provide the additional parking needed for the additional patrons expected to use the facility. It is realized, therefore, that existing parking regulations will be a force to keep Sixth Street predominately retail, however it is believed that this is a compromise between most competing social issues.



**ZBA Variance Requests in the Vicinity  
of SW 6th Avenue between Georgia and Western Streets**

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Front Yard Setback

|                  |          |                 |                                                     |
|------------------|----------|-----------------|-----------------------------------------------------|
| November 9, 1988 | Approved | 601 S. Georgia  | Reduce front yard setback canopy covering gas pumps |
| April 14, 1993   | Approved | 609 S. Carolina | Front yard variance                                 |

Height

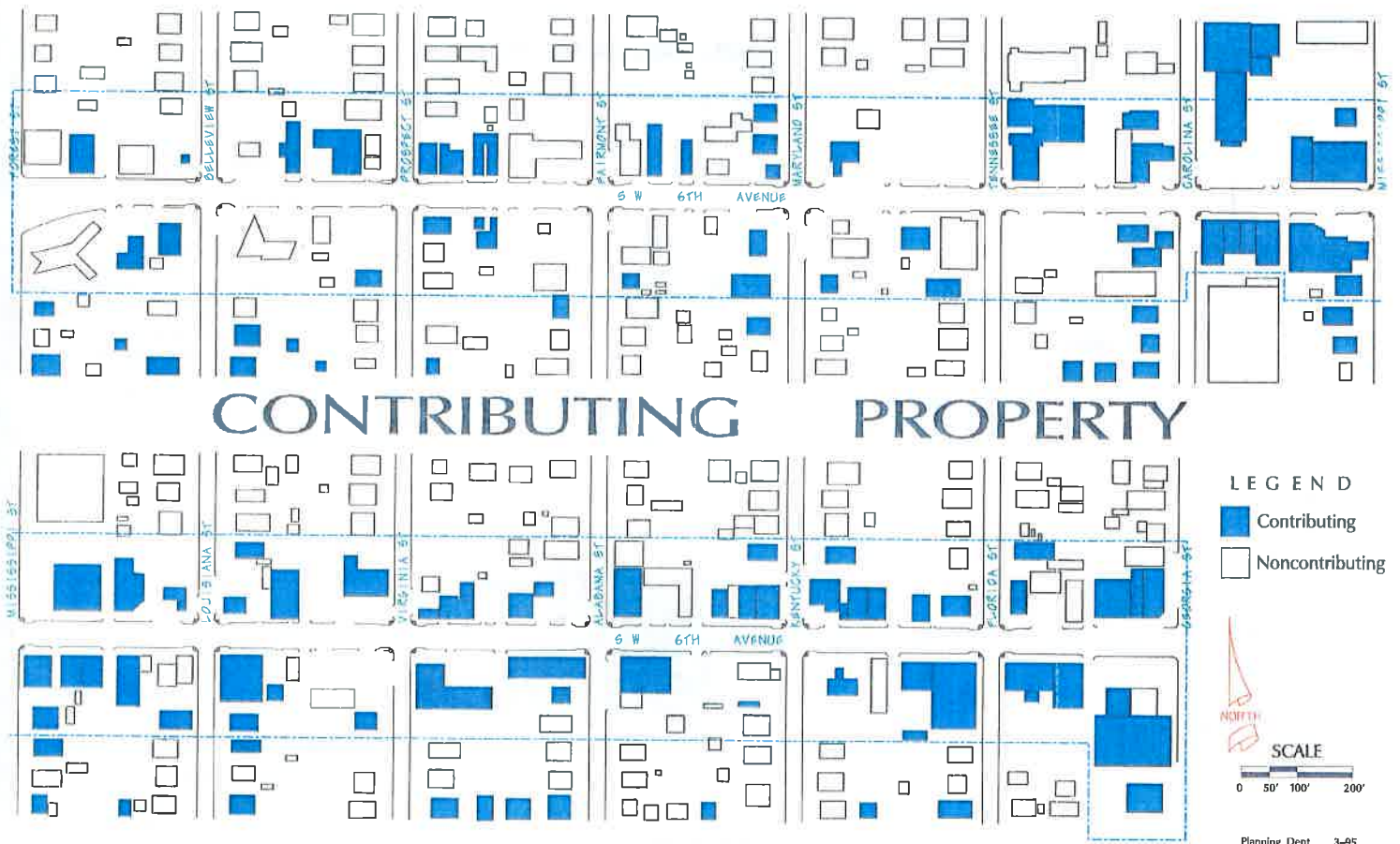
|                |          |             |                                                                     |
|----------------|----------|-------------|---------------------------------------------------------------------|
| April 13, 1977 | Approved | 3503 SW 6th | 16-ft. height variance for Soul's Harbor Church (56' instead of 40) |
|----------------|----------|-------------|---------------------------------------------------------------------|

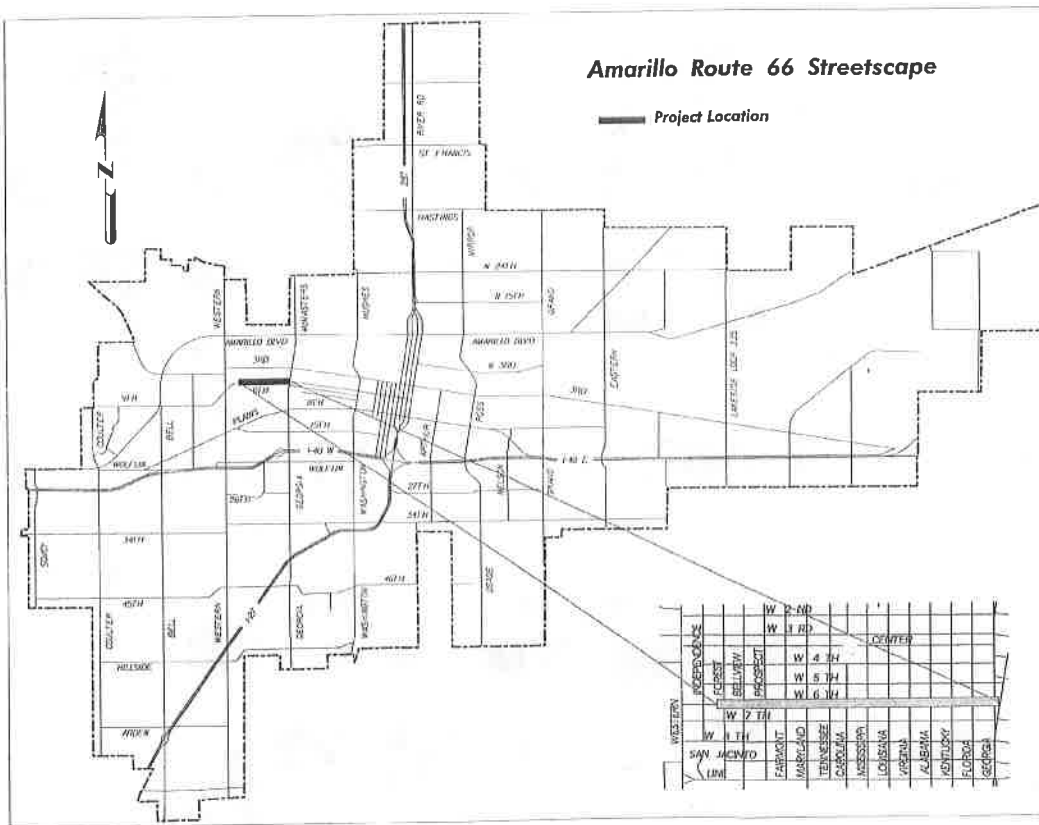
Landscaping

|                |        |             |                                                         |
|----------------|--------|-------------|---------------------------------------------------------|
| March 11, 1987 | Denied | 3413 SW 6th | Landscaping variance requested to eliminate requirement |
|----------------|--------|-------------|---------------------------------------------------------|

Parking

|                   |          |                     |                                                                                         |
|-------------------|----------|---------------------|-----------------------------------------------------------------------------------------|
| February 23, 1977 | Approved | 3304 SW 6th         | Delete 1 off-street parking space                                                       |
| June 22, 1977     | Approved | 2725 SW 6th         | Reduce parking by 3 spaces                                                              |
| June 9, 1982      | Approved | 815 Independence    | Reduce parking 232 to 195                                                               |
| June 26, 1985     | Approved | 4100 SW 7th         | Reduce parking from 70 to 44                                                            |
| January 23, 1990  | Approved | 605 S. Independence | 1 space variance                                                                        |
| February 14, 1990 | Approved | 3209 SW 6th         | Eliminate required off-street parking                                                   |
| January 12, 1994  | Denied   | 3121 SW 6th         | Wanted to reduce parking 50 to 0                                                        |
| February 8, 1995  | Denied   | 3323 SW 6th         | Wanted to reduce off-street parking 28 to 7 to convert from retail sales to coffee shop |





### Amarillo Route 66 Streetscape

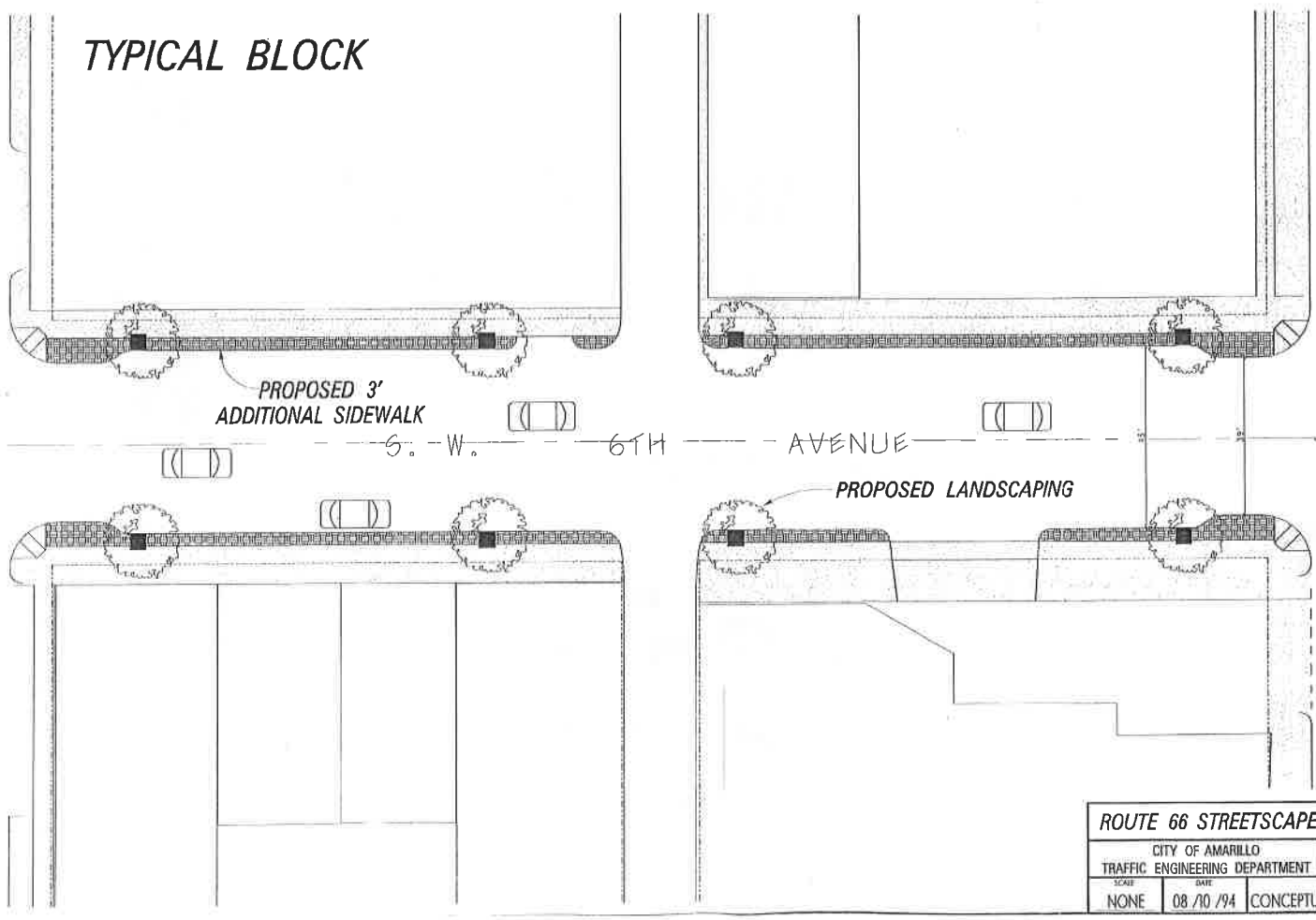
— Project Location

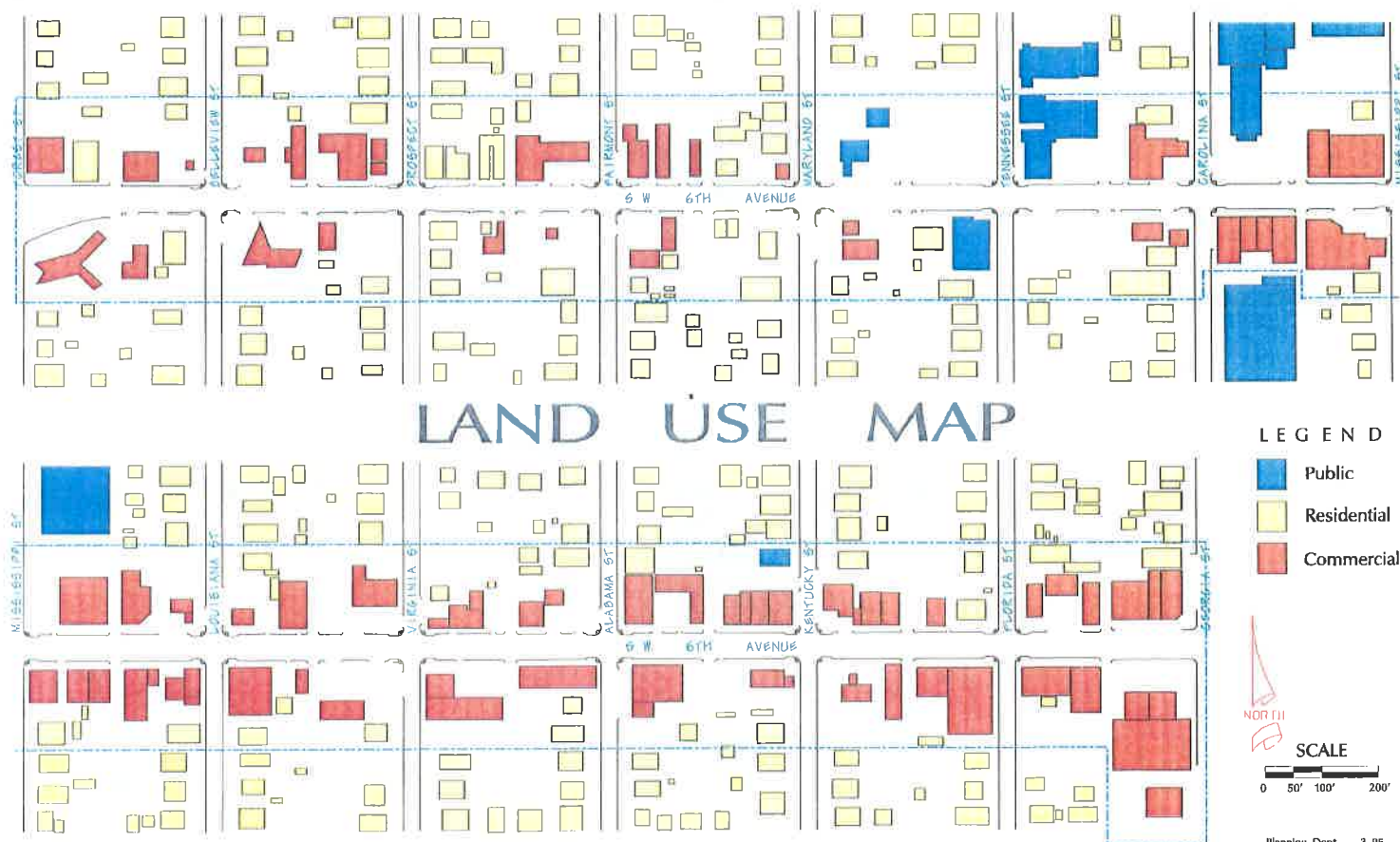
The Amarillo Route 66 Streetscape project is located in the Northwest quadrant of the City, as is shown on the map. The project will encompass a 13 block area that extends from Georgia street on the east to Bellevue on the west.

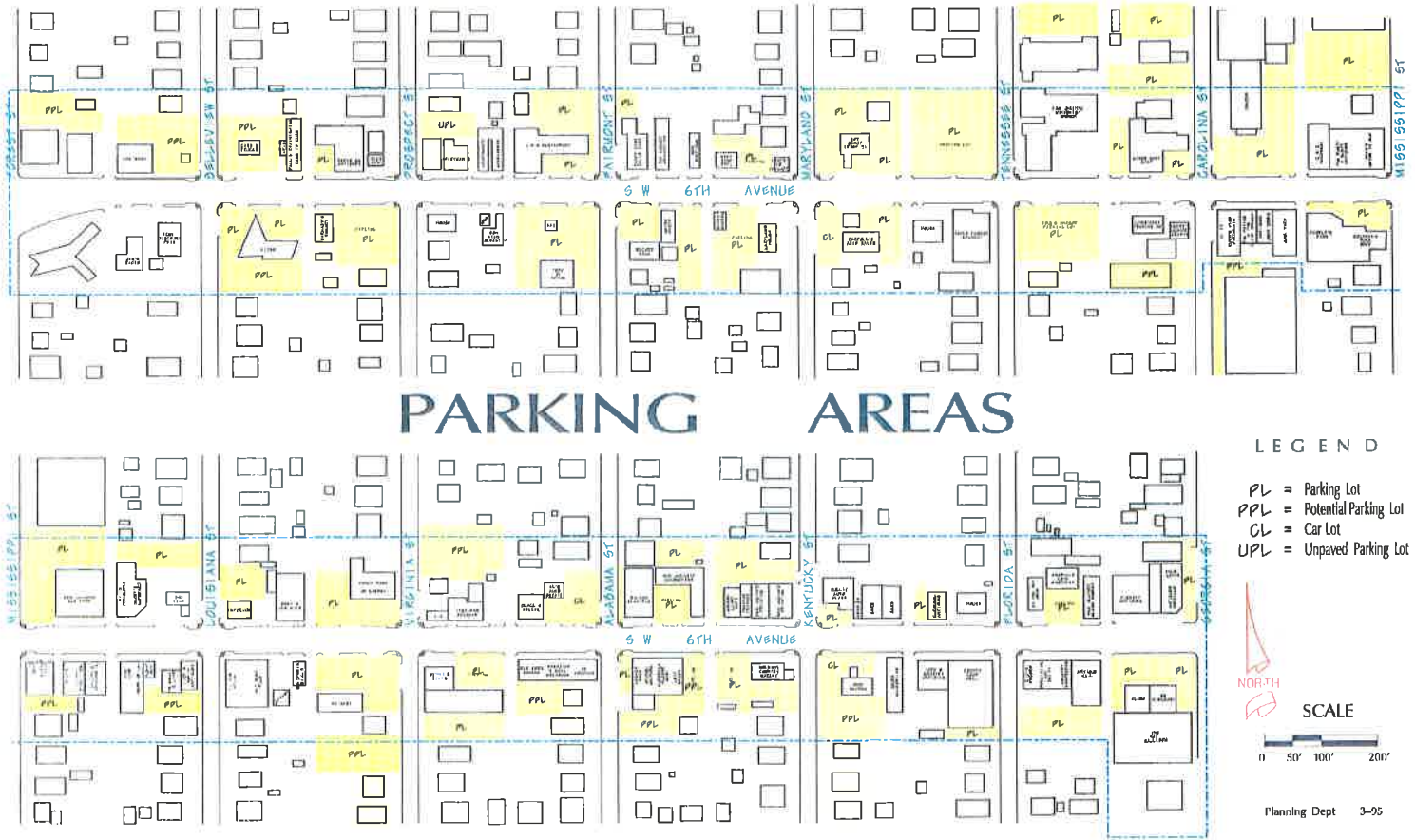
The roadway has an existing right-of-way of 60 feet and a paved section of 51 feet. Parallel parking is permitted along the entire length of the street. All of the major work will be located in the right-of-way adjacent to the existing curb line. A major portion of the work will occur at the corners of the intersections. Three feet of brick sidewalk will be added to the back of the existing curb. 121 trees with grates will be planted along the 13 block area.

APPENDIX C

| ROUTE 66 STREETScape PLAN      |            |                   |
|--------------------------------|------------|-------------------|
| CITY OF AMARILLO               |            | SHEET             |
| TRAFFIC ENGINEERING DEPARTMENT |            | 1 OF 6            |
| SCALE                          | DATE       |                   |
| NONE                           | 08 /10 /94 | CONCEPTUAL DESIGN |











## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community  
Communication  
Fiscal Responsibility  
Infrastructure  
Public Safety  
Technology and Innovation

**Department:** Finance

**Contact Person:** Lola Ogunremi, Chief Financial Officer

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**Agenda Caption:** **Consideration of Resolution No. 07-14-26-1.** This item is a second and final reading to consider a resolution adopting the City of Amarillo 2026 Investment Policy. Amarillo City Council is responsible for approving the investment policy annually, in accordance with Chapter 2256, Texas Government Code, the Public Funds Investment Act.

**Agenda Item Summary:** Each year, the City reviews and updates its Investment Policy, as needed, for any necessary changes. The Policy is then submitted to City Council for their review and approval in accordance with Chapter 2256, Texas Government Code, the Public Funds Investment Act (PFIA). The City has adhered to these requirements and routinely reviewed and adopted the Investment Policy. The City has also received a Government Treasurers' Organization of Texas (GTOT) Certificate of Excellence for its adopted Investment Policy for its compliance with PFIA and other industry standards.

The city's investment objectives are to preserve capital, to provide liquidity, and to optimize earnings within the constraints of the first two objectives. The City invests in securities authorized by the Policy and the Public Funds Investment Act.

The Amarillo Economic Development Board aligned their portion of the Investment policy with the overall City Investment policy in prior year.

**Requested Action:** Consideration of the resolution

**Funding Summary:** Not applicable.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** .Adopt the resolution as presented



RESOLUTION NO. 07-14-26-1

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS:  
APPROVING AN INVESTMENT POLICY PER CHAPTER 2256  
OF THE TEXAS GOVERNMENT CODE; APPOINTING AN  
INVESTMENT OFFICER; PROVIDING A SEVERABILITY  
CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the Texas Public Funds Investment Act, Chapter 2256, Texas Government Code (the “Act”) requires the City to adopt a written investment policy regarding the investment of the City’s funds and funds under its control and to appoint an investment officer to be responsible for the investment of the City’s funds consistent with the investment policy of the City; and,

WHEREAS, the City Council finds and determines that the City of Amarillo Investment Policy as amended, attached hereto as Exhibit A (the “Investment Policy”), primarily emphasizes safety of principal and liquidity and addresses investment diversification, yield, and maturity and the quality and capability of investment management as required by the Act; and,

WHEREAS, the City Council finds and determines that adoption of this Resolution promotes the health, safety, and welfare of the public and the City of Amarillo; and,

WHEREAS, the City Council finds and determines that the meeting at which this Resolution was passed was open to the public, that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code; and that all other requirements have been met;

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

SECTION 1. That the foregoing recitals are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein.

SECTION 2. The Investment Policy is adopted as the investment policy of the City of Amarillo pursuant to the Act, replacing any and all other investment policies adopted by the City pursuant to the Act prior to the effective date of this Resolution and that under the direction of the City Manager, the Chief Finance Officer, Finance Director, and Deputy Finance Director are designated as investment officers of the City pursuant to the Act.

SECTION 3. Severability. Should any section, subsection, sentence, provision, clause or

phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause, or phrase of this Resolution and same are deemed severable for this purpose.

SECTION 4. Effective Date. This Resolution shall be effective as of the date of adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 8th day of July 2026 and PASSED on Second and Final Reading on this the 28th day of July 2026.

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Cole Stanley, Mayor

ATTEST:

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Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

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Bryan McWilliams, City Attorney

## Exhibit A

### **CITY OF AMARILLO INVESTMENT POLICY AND STRATEGY** **July 28, 2026**

#### **FORMAL ADOPTION**

This Investment Policy is authorized by the City Council of the City of Amarillo (the “City”) in accordance with Chapter 2256, Texas Government Code (the Public Funds Investment Act or “PFIA”), as amended.

#### **SCOPE**

This Policy applies to all of the investment activities of the City, excluding the Employee Retirement Trusts, the OPEB Trust, the deferred compensation plan or investments donated to the City for a particular purpose or donated according to terms specified by the donor. This Policy establishes guidelines for those who can invest City funds, for how City funds will be invested, and for when and how a periodic review of investments will be made. The Investment Policy is divided into two sections: General Investment Policy and Investment Strategy.

#### **INVESTMENT POLICY**

The following are general requirements of the City Investment Policy. The general requirements address issues and requirements common to all funds separately invested by the City. Following the general requirements are specific requirements that relate to either specific fund types or funds managed by the City.

#### **INVESTMENT OBJECTIVES**

The City investment objectives are as follows:

- 1) To preserve capital; the most important investment objective.
- 2) To provide liquidity.
- 3) To optimize earnings within the constraints of Numbers 1 and 2 above.

#### **TO PRESERVE CAPITAL**

- 1) To preserve capital, the City will only invest in the following:
  - a) Financial Institution Deposits at an authorized depository of the City. Investments are limited by the amount of the combination of federal depository insurance, pledged collateral and any surety bond or letter of credit of the depository.

Deposits issued:

- a. by a depository institution that has its main office or a branch office in this state that are:
  - I. Guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC), or its successor); or
  - II. Secured in compliance with COLLATERAL; or
  - III. Secured in any other manner and amount provided by law for deposits of the

investing entity.

- b. In addition to the authority to invest funds in deposits under Section 1 a., an investment in deposits made in accordance with the following conditions is an authorized investment:

- I. The funds are invested through a depository institution or broker that has its main office or a branch office in the state of Texas. Additionally, a broker is required to be selected from a list of approved broker dealers adopted by the City;

- II. The depository institution or broker arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the City;

- III. The full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and

- IV. If appointed by the City, the depository institution or broker may act as custodian for the City with respect to the deposits issued for the account of the City.

- b) Direct obligations of the United States including Treasury Bills, Treasury Notes, Treasury Bonds, Treasury Strips, and instruments guaranteed by the Full Faith and Credit of the United States; for reporting purposes, these securities will be defined as Government Securities.
- c) Obligations of agencies and instrumentalities of the United States. For reporting purposes, the investment in agency and instrumentality securities will be categorized as Agency Securities. The investment in agencies and instrumentalities is limited to seventy-five percent (75%) of the Portfolio. Investments in agencies or instrumentalities will be diversified among the agencies and instrumentalities.
- e) A no-load money market mutual fund that is continuously rated AAA or AA+ by at least one nationally recognized rating agency; is regulated by the Securities and Exchange Commission; complies with the requirements of a money market mutual fund; and includes in its investment objectives the maintenance of a stable net asset value of \$1.0000 per share.
- f) Municipal securities rated AA- or above or its equivalent by a nationally recognized rating agency. Total investment in municipal securities would be limited to ten percent (10%) of the portfolio. The maximum investment in callable securities (redeemed at the option of the issuer) will be twenty-five percent (25%) of the Portfolio.
- g) Bond proceeds may be invested in fully collateralized flexible repurchase agreements ("flex repos"), or similar structured investment, with a defined maturity date not to exceed the final scheduled construction expenditure date. Flexible repurchase agreements must only be entered into with a primary government securities dealer as defined by the Federal Reserve or a financial institution doing business in the State of Texas. They must be secured by a combination of cash and obligations of the United States or its agencies and instrumentalities, which are pledged to the City and deposited with a third party custodian approved by the City. The collateralization percentage shall be maintained at or above one hundred two percent (102%) of the outstanding flex repo balance along with any interest accrued but not yet paid. All repurchase agreement transactions shall be governed by a signed repurchase agreement, which requires that the securities being purchased by the City or cash held by the City to be pledged to the City, held in an account in the City's name and deposited at the time the investment is made with the City or with a third party selected and approved by the City

- 2) To preserve capital, the City of Amarillo will not employ any investment strategy that is inherently risky.

- a) The City will not borrow funds using investment securities as collateral and reinvest the proceeds in other investment securities. Approved no-load money market mutual funds in 1(g) above are allowed to use Reverse Repurchase Agreements.
  - b) The City will not take a position in a security for speculation or only for anticipated capital appreciation.

- c) While a designated Investment Officer will be empowered to buy and sell securities on behalf of the City, the City will use a buy and hold strategy for most investments.
  - d) The City will diversify investments.
- 3) To preserve capital, the City will not invest in any securities that are inherently risky:
- a) Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
  - b) Obligations whose payment represents the principal stream of cash flow from underlying mortgage-backed security collateral and bears no interest.
  - c) Obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.
  - d) Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.
  - e) Any other obligations similar to items 3(a) through 3(d) above where small changes in market interest rates can produce potentially large changes in the value of a security or substantially extend the life of the security.

### **TO PROVIDE LIQUIDITY**

- 1) The Investment Portfolio will remain sufficiently liquid to meet the cash flow requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements; investing in securities with active secondary markets; maintaining appropriate Portfolio diversification; and investing with overnight liquidity. Since projected cash flows are estimates, it is the stated goal to invest in a manner that provides excess funds for reinvestment and additional liquidity each month.
- 2) In conjunction with (1) above, the City will ladder investment maturities. That is, the Portfolio will be structured so that investments mature all along the yield curve and generally target anticipated outflows. However, it will not be necessary to completely cover all outflows for a month before investing further out on the yield curve. By not fully investing every month, the City will be better able to utilize all investment options (especially more short-term securities) available in the Investment Policy. With the ladderized Portfolio structure, there would be a steady stream of funds to the Portfolio and high quality short-term securities available if securities needed to be sold before maturity. In conjunction with the above ladder approach, maturities beyond ninety (90) days will be diversified along the yield curve to avoid a concentration of maturities in one or more months.
- 3) Additional liquidity will be provided through attractive cash equivalent investment options. The combined cash equivalent investment should be a minimum of fifteen percent (15%) of the overall Portfolio.

### **TO OPTIMIZE EARNINGS**

- 1) Within the constraints of preservation, safety, and liquidity, it is the City's goal to optimize earnings.
- 2) City funds will be deposited daily to optimize funds available for investment.
- 3) Idle cash will be invested until needed to pay obligations.
- 4) The Portfolio will be structured to provide excess funds for reinvestment so that in periods of rising interest rates, funds are available for reinvestment. In periods of falling rates maturities have been ladderized to lock in higher returns.

## **PORTFOLIO COMPOSITION**

All investments purchased on behalf of the City will have a maturity date that does not exceed five (5) years. At all times at least 80% of the Portfolio must be in investments with maturities of two years or less. No more than 20% of the Portfolio can be held in maturities ranging from two to five years. The maximum dollar weighted average maturity of the Portfolio cannot exceed one year. Individual fund-types may have more restrictive parameters.

## **DESIGNATED INVESTMENT OFFICER**

The Chief Financial Officer, Finance Director, and the Deputy Finance Director are the designated Investment Officers. After the investment transaction is completed, an authorization of investment form will be executed for all City investments. The Chief Financial Officer or the Finance Director must sign the form approving investments. Also, the City Manager or the Deputy City Manager must co-sign the form acknowledging the investments.

## **INVESTMENT COMMITTEE**

The Investment Officers of the City will be members of the Investment Committee. The role of the committee will be to review and monitor quarterly reports, make recommendations on changes in the Investment Policy, approve training sources, and approve brokers/dealers.

## **PERCENTAGE TESTS**

This Policy contains several percentage tests. Because of daily changes in cash, the Portfolio can be in compliance one day and not in compliance the next day. The Portfolio limits should be adhered to as investments are purchased; however, investments would not have to be sold to comply with Portfolio limits.

## **MARKET PRICE VALUATION**

Investment reports will include market price valuations of the Portfolio from a third-party pricing agency or through a source independent of the transaction, determined at least quarterly.

## **PERFORMANCE STANDARD**

The performance standard of the Portfolio will be calculated based on the weighted average yield to maturity.

## **MONITORING**

Not less than quarterly, the Investment Officers or designee will monitor the credit rating for each held investment that has a Public Fund Investment Act required minimum rating. Prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating.

Except as stated above, the City is not required to liquidate investments that were authorized investments at the time of purchase.

## **SETTLEMENT OF SECURITIES**

All settlements of security transactions will be by “delivery versus payment.”

## **INTERFUND TRANSFERS**

From time to time some City funds (for example: General Fund, Airport Fund, and Water and Sewer Fund) will become over/under invested while the overall Portfolio is compliant with the City's Investment Policy. Investment transfers can be made to correct funds being over/under invested; however, any transfer would have to be suitable for the fund. Investment transfers will be made between funds at book value plus accrued interest. However, transfers involving tax-exempt bond proceeds shall comply with applicable IRS regulations.

## **COLLATERAL**

- 1) All financial institution deposits not insured by federal depository insurance will be collateralized in compliance with the Public Funds Collateral Act and this Policy. Any pledged securities held by an independent third party under a custody arrangement must give the City unconditional rights and claims to the collateral. In lieu of the above collateral requirement the depository may provide a surety bond or letter of credit issued by an agency or instrumentality in compliance with the Public Funds Investment Act. Deposits secured with pledged marketable securities shall have a market value equal to or greater than 102% of the principal plus accrued interest of the deposit, less any amount insured by the FDIC. Deposits secured with letters of credit shall have 100% of principal plus anticipated interest of the deposit, less any amount insured by the FDIC.
- 2) The City will accept as collateral any securities eligible under the Public Funds Collateral Act reserving the right to accept or reject any individual securities.
- 3) The City will routinely compare deposit collateral to deposit levels.
- 4) Authorized depositories will be required to sign a depository agreement with the City. The collateralized deposit portion of the agreement shall define the City's rights to the collateral in case of default, bankruptcy or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:
  - a. The agreement must be in writing;
  - b. The agreement must be executed by the depository and the City contemporaneously with the acquisition of the asset;
  - c. The agreement must be approved by the Board of Directors or designated committee of the depository and a copy of the meeting minutes must be delivered to the City; and
  - d. The agreement must be part of the depository's “Official Record” continuously since its execution.

## **SAFEKEEPING**

Securities owned by the City should be held in a manner that the safekeeping method will be categorized as “Least Risk” for Governmental Accounting Standards Board (GASB) purposes:

- 1) All securities will be held by the City's third-party safekeeping agent in an account in the City's name as evidenced by safekeeping receipts of the institution with which the securities are deposited.
- 2) All non-physical securities will be safekept at the Federal Reserve or at the City's third-party safekeeping agent.

## **COMPETITIVE BIDDING**

The City will practice competitive bidding orally, by telephone, electronically, or in any combination of these methods when purchasing an investment to help strengthen the investment process. All investments, other than the placement of funds in money markets mutual funds, which are deemed to be made at prevailing market rates, will be competitively bid and placed with providers offering the best value to the City. The City reserves the right to reject the most financially favorable bid if it is potentially disruptive to its investment strategy.

## **INTERNAL CONTROLS**

The Finance Director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

The internal controls shall address the following points:

- 1) Avoidance of collusion,
- 2) Separation of transactions authority from accounting and record keeping,
- 3) Third-party safekeeping and custody,
- 4) Clear delegation of authority of subordinate staff members, and
- 5) Written confirmation for transactions for investments and wire transfers.

## **STANDARD OF CARE**

The standard of care used by the City shall be the "prudent person rule" and shall be applied in the context of managing the overall Portfolio within the applicable legal constraints. The Public Funds Investment Act states:

"Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probably income to be derived."

## **STANDARDS OF ETHICS**

All Investment Officers shall file with the Texas Ethics Commission and the City Council a statement disclosing any personal business relationship with an entity seeking to sell investments to the City or any relationship within the second degree by affinity or consanguinity to an individual seeking to sell investments to the City.

## **REPORTING**

Investment performance will be monitored and evaluated by the Investment Officers. The Investment Officers will provide a quarterly comprehensive report signed by all Investment Officers to the City Council. This investment report shall be in compliance with the Public Funds Investment Act.



## **AUDITS**

The City, in conjunction with its annual financial audit, shall perform a compliance audit of management controls on investments and adherence to the City's Investment Policy and strategies. Additionally, the auditors will review the Investment Officers' quarterly reports and provide the results of that review to the City Council as part of the annual audit.

## **REVIEW AND AMENDMENT**

The City Council shall review and adopt this Policy at least annually. Amendments must be approved by the Investment Committee and adopted by the City Council. Investment Officers will review the Policy for any necessary changes as a result of each Texas Legislative session and include such changes in the annual review and update to the Policy for City Council approval. The timing of amendments and approval of legislative changes to the Policy must align with the required effective dates assigned by the Legislation.

## **TRAINING**

In order to have qualified and capable Investment Officers, officers will attend investment training and receive not less than ten (10) hours of instruction relating to investment responsibilities and that is in compliance with the Public Funds Investment Act within 12 months of taking office or assuming investment duties. After the initial training, Investment Officers are required to take eight (8) hours of training every two years aligned with the City's fiscal year. The Investment Committee will approve all investment training sources.

## **PRUDENT INVESTMENT MANAGEMENT**

The designated Investment Officers shall perform their duties in accordance with the adopted Investment Policy and internal procedures. Investment Officers acting in good faith and in accordance with these policies and procedures shall be relieved of personal liability.

## **PRIMARY DEPOSITORY**

In Compliance with Local Government Code, Chapter 105 – Depositories for Municipal Funds, a Primary Depository shall be selected through the City's banking services procurement process, which shall include a formal request for application (RFA). The selection of a primary depository will be determined by evaluation of the "most advantageous" criteria during the RFA process, and may include the following selection criteria:

- 1) The ability to qualify as a depository for public funds in accordance with state law,
- 2) The ability to provide requested information or financial statements for the periods specified,
- 3) The ability to meet the minimum required items in the banking RFA,
- 4) Complete response to all required items on the RFA form, and
- 5) Competitive net banking service cost, consistent with the ability to provide an appropriate level of service.

## **BROKER/DEALERS**

Investment Broker/Dealers shall adhere to the spirit, philosophy and specific term of the Policy and shall avoid recommending or suggesting transactions outside the "Standard of Care."

The Investment Committee will perform selection of Broker/Dealers at least annually. The Investment Committee will establish criteria to evaluate Broker/Dealers, including:

- 1) Adherence to the City's policies and strategies.
- 2) Transaction pricing.
- 3) Responsiveness to request for services, information and open communication.
- 4) Understanding of the inherent fiduciary responsibility of investing public funds.
- 5) Similarity in philosophy and strategy with the City's investment objectives.

Selected Broker/Dealers shall provide timely transaction confirmations.

The approved Broker/Dealers are authorized to engage in investment transactions with the City and can be revised periodically by the Investment Committee. It may become necessary to revise Broker/Dealers during the year to ensure competition and quality service to the City. Therefore, the Investment Committee can add or subtract Broker/Dealers during the year.

### **INVESTMENT POLICY CERTIFICATION**

All business organizations (local government investment pools and discretionary investment management firms) must sign a certification acknowledging that the organization has received and reviewed the City's Investment Policy and that reasonable procedures and controls have been implemented to preclude investment transactions that are not authorized by the City's Policy and in accordance with the PFIA.

The City shall not transact with a business organization prior to receiving the certification above.

### **WIRE PROCEDURES**

The City is allowed to initiate wires through a City authorized depository. The individuals authorized to perform wire transactions include the Deputy or Assistant City Manager over financial services, the Finance Director, the Deputy Finance Director, the Treasurer, and the Controller. Wires may be done as repetitive or non-repetitive transactions. Repetitive wires can be set up at a City depository bank with approval of two of the authorized individuals. Thereafter, repetitive wires may be completed with approval of one of the authorized individuals. Non-repetitive wires will require approval from two of the authorized individuals.

### **STATUTORY VERIFICATIONS**

#### **NOT BOYCOTTING ISRAEL**

Pursuant to the Texas Government Code, Chapter 2270, Title 10, Subtitle F, a business organization transacting investment business for the City shall verify that the business (1) does not boycott Israel currently; and (2) will not boycott Israel during the contract term. "Boycott Israel" means that the business refuses to deal with, terminates business activities with, or otherwise takes any action intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

#### **NOT IDENTIFIED AS COMPANY DOING BUSINESS WITH FOREIGN TERRORIST ORGANIZATION**

In accordance with Texas Government Code, Chapter 2252, Subchapter F, those companies responding to the City's advertisement or solicitation for bids, proposals, offers, or qualifications for which a contract or purchase is thereafter made are subject to being identified on a Texas Comptroller list of companies known to have contracts with or provide supplies or services to a foreign terrorist organization. The City shall not enter into a governmental contract with a company that is identified on this list.

## **INVESTMENT STRATEGY**

The City maintains fund groups which utilize specific investment strategy considerations, designed to address the unique characteristics of the fund groups represented in the portfolio. The investment objectives are:

- 1) Suitability of the investment to the financial requirements of the City;
- 2) Preservation and safety of principal;
- 3) Liquidity;
- 4) Marketability of the investment if a need to liquidate arises prior to maturity;
- 5) Diversification of the portfolio; and
- 6) Yield

## **OPERATING FUND**

The operating funds include the General Fund and other Special Revenue Funds of the City. The primary objective in investing available funds is the preservation and safety of principal. All of the allowable investments mentioned in the Investment Policy would be suitable for the operating funds. The investments should be structured so that investments mature to meet cash needs and have excess funds for additional liquidity. In the investment of funds decision, the investment with the best return within a three to six month range will be selected with the intention of investing in the other maturities at a later date. This strategy allows the City to take full advantage of the yield curve and all investments allowed in the Investment Policy. Short-term securities such as discount notes can be used for shorter maturities, while treasury notes and other agency securities can be used for longer-term maturities. At least some of the purchases will be in U.S. Treasuries or Agency securities, which are both liquid and marketable. Investments in Agency securities should be diversified among different Government Agencies. Investments will be laddered along the yield curve to optimize earnings.

## **DEBT SERVICE AND DEBT SERVICE RESERVE FUNDS**

All Debt Service Reserve funds will be kept in money market mutual funds/accounts or short-term investments in the unlikely event the funds would be needed for a shortfall in making debt service payments. Debt Service funds will be accumulated in money market funds/accounts until needed for scheduled debt service payments. The primary objective in investing available funds is the preservation and safety of principal. Yield will be dictated by short-term rates.

## **PROPRIETARY FUNDS**

Proprietary funds include both Enterprise Funds and Internal Service Funds. These funds provide for the operations, capital replacement, and future claims of each functional area. Specifically, proprietary funds include Water and Sewer Fund, Airport Fund, Municipal Garage, Data Processing, Risk Management, and Employee Insurance. All of the allowable investments would be suitable for the proprietary funds. The primary objective in investing available funds is the preservation and safety of principal. The investments should be structured so that maturities are scheduled to meet cash needs and have excess funds for additional liquidity. In the investment of funds decision, the investment with the best return within a three to six month range will be selected with the intention of investing in the other maturities at a later date. This strategy allows the City to take full advantage of the yield curve and all investments allowed in the Investment Policy. Short-term securities such as discount notes can be used for shorter maturities, while treasury notes and other agency securities can be used for longer-term maturities. At least some of the purchases will be in U.S. Treasuries or Agency securities, which are both liquid and marketable. Investments in Agency securities should be diversified among different Government Agencies. Investments will be laddered along the yield curve to optimize earnings.

## **CAPITAL PROJECT FUNDS**

Capital Project funds are used to account for the construction of various City improvements including General Construction, Street Improvement, Golf Improvement, and other capital improvement funds. All allowable City investments would be suitable for the capital projects funds. The cash should be invested to correspond to the estimated aggregate cash draws on the various projects. At least some of the purchases will be in U.S. Treasuries and Agency securities, which provide both liquidity and marketability. Investments in Agency securities should be diversified among the various Government Agencies.

## **AMARILLO ECONOMIC DEVELOPMENT CORPORATION**

The primary objective in investing Amarillo Economic Development Corporation (AEDC) funds is the preservation and safety of principal, along with investment earnings. AEDC will follow all the guidelines outlined in the above City of Amarillo investment policy.

## **OTHER ENTITY FUNDS**

The City also invests funds for other entities. As with City funds, the primary objective in investing available funds is the preservation and safety of principal. Because of the uncertainty of when funds will be needed, liquidity is also very important. When the City invests funds for other entities, the funds will be invested in a similar manner as AEDC funds above.

## **TRUST FUNDS**

Trust funds will be invested in accordance with provisions of the applicable trust agreement. If there are not specific investment requirements, trust funds will be invested in a similar manner as operating funds. In the investment of funds decision, the investment with the best return within a three to six month range will be selected with the intention of investing in the other maturities at a later date. This strategy allows the City to take full advantage of the yield curve and all investments allowed in the Investment Policy. Short-term securities such as discount notes can be used for shorter maturities, while U.S. Treasuries and Agency securities can be used for longer-term maturities. Investments in Agency securities should be diversified among the various Government Agencies. The primary objective in investing available funds is the preservation and safety of principal.

## **BOND PROCEEDS**

The investment of bond proceeds (excluding reserve and debt service funds) shall generally be limited to the anticipated cash flow requirement or the "temporary period," as defined by Federal tax law. During the temporary period bond proceeds may be invested at an unrestricted yield. After the expiration of the temporary period, bond proceeds subject to yield restriction shall be invested considering the anticipated cash flow requirements of the funds and market conditions to achieve compliance with the applicable regulations. Bond proceeds may be invested in a single flexible repurchase agreement if the Investment Officers determine that such an investment has advantage to comply with Federal arbitrage restrictions or to facilitate arbitrage record keeping and calculation.

A flexible repurchase agreement provides that disbursements are allowed in the amount necessary to satisfy reasonable expenditure requests and the defined termination date of the investment does not exceed the estimated expenditure date of the bond proceeds.



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility

**Department:** Community Development

**Contact Person:** Jason Riddlespurger, Managing Director of Community Development, Stefanie Rodarte-Suto, Assistant Community Development Director

**Agenda Caption:** **Consider Award - New Home Construction Contract.** This item considers the award of a contract for a new home construction at 1110 N. Monroe Street, Amarillo, TX.

**Award to:** Habitat for Humanity

**Amount:** \$80,000.00

**Funding Source:** HOME Investment Partnership funds and CHDO set-aside funds

**Is the item budgeted?** Yes

**Agenda Item Summary:** This project will provide funding for the new construction of a three-bedroom, two-bath, single-family dwelling, located at 1110 N. Monroe St, Amarillo, TX. Construction will be completed by the Amarillo chapter of Habitat for Humanity. As a Community Housing Development Organization (CHDO), Habitat for Humanity is eligible to receive federally mandated funding set aside for CHDOs by the HOME Investment Partnership Program, which is administered by the Community Development Department. Habitat for Humanity is the only City-certified CHDO, making Habitat for Humanity an organization in the area eligible to receive these funds.

**Requested Action:** Community Development requests the contract award to Habitat in the amount of \$80,000.00 HOME CHDO Project Expense funds to fund a new construction project for 1110 N. Monroe St, Amarillo, TX. These funds were previously approved by the Council for use by Habitat for Humanity to meet the HOME CHDO set-aside requirement.

**Funding Summary:** On July 22, 2025, the Amarillo City Council approved Resolution No. 07-22-25-3, which authorized the adoption of the 2025/2026 Community Development Block Grant and HOME Investment Partnership Programs Annual Action Plan. The approved plan authorized a total of \$129,784 in HOME funds for CHDOs, which was added to the City's CHDO Reserves. For this construction project, Habitat for Humanity has requested \$80,000.00 from this reserve; \$42,942.31 from FY2024 funding, and \$37,057.69 from FY2025 funding. This funding is available to the City of Amarillo through reimbursement by the U.S. Department of Housing and Urban Development.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** CHDO funds are a required HOME entitlement set-aside, with 15% allocated to CHDO. This is outlined in the Annual Action Plan and Consolidated Plan, approved by CDAC on June 6, 2025, and approved by Council on July 22, 2025.

**Staff Recommendation:** Community Development recommends awarding HOME CHDO funds in the amount of \$80,000 to Habitat for Humanity for the construction of a new home at 1110 N. Monroe St, Amarillo, TX.



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Public Safety

**Department:** Police Department

**Contact Person:** Thomas Hover, Police Chief

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**Agenda Caption:** **Consider Approval - Appointment of One Candidate to the Amarillo Police Reserve Force.** This item considers approval to appoint Robert M Woodard as a reserve officer for the Amarillo Police Reserve Force.

**Agenda Item Summary:** This item considers the appointment of Robert Woodard to the Amarillo Police Reserve Force. The candidate is a retired Amarillo Police Officer and meets all of the qualifications for consideration. Sgt. Robert Woodard served a total of 37 years with the Amarillo Police Department up until his retirement on June 25th, 2026. Sgt. Woodard currently holds a TCOLE Master Peace Officer License.

**Requested Action:** Approval of appointment.

**Funding Summary:** This is a volunteer position.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Staff recommends the appointment of Robert Woodard as reserve officer for the Amarillo Police Reserve Force.



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Public Safety

**Department:** Police Department

**Contact Person:** Thomas Hover, Police Chief

**Agenda Caption:** **Consider Approval – Purchase of Automated External Defibrillators (AEDs).** This item considers the purchase of AEDs to replace existing Cardiac Science and ZOLL AED units that have reached the end of their recommended service life.

**Award to:** AED One-Stop-Shop (HGAC #EE1125B31)

**Amount:** \$114,999.00

**Funding Source:** General fund revenues (CIP #412041)

**Is the item budgeted?** Yes

**Agenda Item Summary:** This purchase will be for 50 AEDs with a life expectancy of 8 years that will replace our current AEDs that have reached the end of serviceable life.

**Requested Action:** Request Approval of purchase of AED replacements.

**Funding Summary:** This purchase will be made from CIP Project account 412041 for the amount of \$114,352 and \$647 from APD general funds.

**Purchasing Summary:** This purchase is with AED One-Stop-Shop via HGAC Contract EE1124B31.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Staff recommends approval of purchase for replacement AEDs for the amount of \$114,999.00

| To be awarded as one lot                                                         |                | AED One Stop Shop |
|----------------------------------------------------------------------------------|----------------|-------------------|
| Line 1 LIFEPAK CR2 Cellular Defibrillator, Semi-Automatic, English carrying case |                |                   |
| 50 ea                                                                            |                |                   |
| Unit Price                                                                       | \$3,367.000    |                   |
| Extended Price                                                                   |                | 168,350.00        |
| Line 2 CR2 4G Cellular ata Plan                                                  |                |                   |
| 50 ea                                                                            |                |                   |
| Unit Price                                                                       | \$537.000      |                   |
| Extended Price                                                                   |                | 26,850.00         |
| Line 3 LIFELINKcentral PRO License Fee, 8 YR                                     |                |                   |
| 1 ea                                                                             |                |                   |
| Unit Price                                                                       | \$799.000      |                   |
| Extended Price                                                                   |                | 799.00            |
| Line 4 Replacement Electrode Kit for LIFEPAK CR2                                 |                |                   |
| 20 ea                                                                            |                |                   |
| Unit Price                                                                       | \$196.000      |                   |
| Extended Price                                                                   |                | 3,920.00          |
| Line 5 HGAC Discount                                                             |                |                   |
| 1 ea                                                                             |                |                   |
| Unit Price                                                                       | (\$52,667.600) |                   |
| Extended Price                                                                   |                | (52,667.60)       |
| Line 6 Customer Loyalty Discount                                                 |                |                   |
| 1 ea                                                                             |                |                   |
| Unit Price                                                                       | (\$32,252.400) |                   |
| Extended Price                                                                   |                | (32,252.40)       |
| Total Amount Bid                                                                 |                | \$114,999.00      |
| AED One Stop Shop                                                                |                |                   |
| Albuquerque, NM                                                                  |                |                   |





## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Public Safety

**Department:** Fire Department

**Contact Person:** Jacob Oehlert, Deputy Fire Chief

**Agenda Caption:** **Consider Approval - Purchase of Wildland Firefighter Personal Protective Equipment (PPE).** This item considers the purchase of wildland over-pants. These over-pants will ensure continued compliance with the Texas Commission of Fire Protection (TCFP) and the National Fire Protection Association (NFPA) regulations.

**Award to:** Proper International

**Amount:** \$49,899.63

**Funding Source:** General fund revenues

**Is the item budgeted?** Yes

**Agenda Item Summary:** The Amarillo Fire Department is requesting approval to purchase wildland over-pants as part of the required personal protective equipment for firefighters. These over-pants are regulated by both the Texas Commission on Fire Protection and the National Fire Protection Association standards and are required for personnel engaging in wildland firefighting operations. The over-pants will be issued to AFD firefighters assigned to wildland fire incidents to ensure they are equipped with compliant protective clothing appropriate for those conditions.

**Requested Action:** Approval

**Funding Summary:** General Fund

**Purchasing Summary:** This purchase is through the COA competitive bidding process.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Recommend Approval

To be awarded as one lot

Propper International

## Line 1 Wildland Overpant- size S-Small Regulars

1 ea

Unit Price \$186.890

Extended Price 186.89

## Line 2 Wildland Overpant- size Size M2-Medium Regular

41

Unit Price \$186.890

Extended Price 7,662.49

## Line 3 Wildland Overpant- size M3 Medium Long

5 ea

Unit Price \$186.890

Extended Price 934.45

## Line 4 Wildland Overpant- size L2 Large Regular

124 ea

Unit Price \$186.890

Extended Price 23,174.36

## Line 5 Wildland Overpant- size L3 Large Long

27 ea

Unit Price \$186.890

Extended Price 5,046.03

## Line 6 Wildland Overpant- size XL2

44 ea

Unit Price \$186.890

Extended Price 8,223.16

## Line 7 Wildland Overpant- size XL3

21 ea

Unit Price \$186.890

Extended Price 3,924.69

## Line 8 Wildland Overpant- size XXL

4 ea

Unit Price \$186.890

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Extended Price

747.56

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Total amount bid  
Propper International  
St. Charles. MO

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\$49,899.63



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Communication, Fiscal Responsibility, Infrastructure, Public Safety, Technology and Innovation

**Department:** Parks and Recreation

**Contact Person:** Michael Kashuba, Director of Parks and Recreation

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**Agenda Caption:** **Consider Award - Agreement for Engineering Services for an Aquatic Market Viability Study.** This item considers the award of an agreement to engage an engineer in professional services for the City's Aquatic Market Viability Study.

**Award to:** Kimley-Horn and Associates, Inc.

**Amount:** \$99,900.00

**Funding Source:** General fund revenues (CIP #PRJ-0000012)

**Is the item budgeted?** Yes

**Agenda Item Summary:** The Aquatic Market Viability Study will provide a comprehensive assessment of the City's existing aquatic facilities and help establish a long-term strategy for meeting community aquatic recreation needs. The study will evaluate three public pool sites—Amarillo Southwest Pool, Southeast Pool, and the Charles E. Warford Activity Center Pool—as well as up to fifteen existing splash pads and their service coverage areas. Through market and facility analysis, the project will identify service gaps, assess the current level of aquatic services, and develop recommendations to guide future planning and investment decisions. Findings and recommendations will be presented to the Parks Board and City Council to support informed decision-making for the community's aquatic system.

**Requested Action:** Approve the agreement with Kimley-Horn to conduct the Aquatic Market Viability Study, including the evaluation of existing aquatic facilities and splash pads, development of long-term aquatic service recommendations, and presentation of findings to the Parks Board and City Council to guide future planning and investment decisions for the City's aquatic system.

**Funding Summary:** Funding is available in PRJ-0000012

**Purchasing Summary:** The City of Amarillo issued Request for Qualification No. 306-26 for a Structural Assessment and Aquatic Market Viability Study and received one statement of qualifications from Kimley-Horn and Associates, Inc.

**Community Engagement Summary:** The Parks and Recreation Board reviewed the proposed Amarillo Aquatic Market Viability Study agreement at its June 10, 2026 meeting and recommended the agreement to City Council for consideration.

**Staff Recommendation:** Staff recommends approval of the agreement with Kimley-Horn and Associates, Inc.

# RFQ 306-26 KD - Structural Assessment and Aquatic Market Viability Scoring Summary

## Active Submissions

| Supplier                         | Total<br>/ 100 pts | A - Evaluators<br>/ 100 pts | A-1 - Relevant Experience<br>/ 35 pts | A-2 - References<br>/ 10 pts | A-3 - Project Timeline<br>/ 20 pts |
|----------------------------------|--------------------|-----------------------------|---------------------------------------|------------------------------|------------------------------------|
| Kimley-Horn and Associates, Inc. | 96.33              | 96.33                       | 34                                    | 9                            | 18.33                              |

# ility Study

| A-4 - Response to<br>Scope of Work<br>/ 35 pts |
|------------------------------------------------|
| 35                                             |



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility

**Department:** Public Works

**Contact Person:** Alan Harder, Director of Public Works

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**Agenda Caption: Consider Award - Agreement for City-Owned Fleet Vehicle GPS System.** This item considers the award of a 36-month contract for a vehicle GPS system utilized in City of Amarillo Fleet vehicles, including installation of the GPS unison 959 vehicles. This system, which is a replacement to the existing system whose contract has expired, enables departments to observe and record their assigned vehicles, including speed, location, and idle time in real time. The system will support improved vehicle routing, operational efficiency, and overall fleet activity management.

**Award to:** Samsara, Inc. (SourceWell #102924-SAM)

**Amount:** \$239,224.76 Year 1, \$172,620.00 Years 2 & 3, Total \$584,464.76

**Funding Source:** Fleet services fund revenues

**Is the item budgeted?** Yes

**Agenda Item Summary:** This item considers the award of a 36-month contract for a vehicle GPS system utilized in City of Amarillo Fleet vehicles, including installation of the GPS units. This system enables departments to observe and record their assigned vehicles, including speed, location, and idle time. The system will support improved vehicle routing, operational efficiency, and overall fleet activity management.

**Requested Action:** Approval as presented.

### Funding Summary:

Fleet Services Rental Other Equipment, account 61110.69220 request total award \$584,467.76

**Purchasing Summary:** This purchase will be on SourceWell Contract #102924-SAM.

**Community Engagement Summary:** Not applicable.

### Staff Recommendation:

City Staff recommends approval.

To be awarded as one lot

Samsara, Inc.

Line 1 -Year 1, Vehicle Tracking System and  
Hardware, per specifications

1 yr

|                |               |            |
|----------------|---------------|------------|
| Unit Price     | \$239,224.760 |            |
| Extended Price | \$            | 239,224.76 |

Line 2 -Year 2, Licenses, per specifications

1 ea

|                |               |            |
|----------------|---------------|------------|
| Unit Price     | \$172,620.000 |            |
| Extended Price | \$            | 172,620.00 |

Line 3 -Year 3, Licenses, per specifications

1 ea

|                |               |            |
|----------------|---------------|------------|
| Unit Price     | \$172,620.000 |            |
| Extended Price | \$            | 172,620.00 |

|              |           |                   |
|--------------|-----------|-------------------|
| <b>Total</b> | <b>\$</b> | <b>584,464.76</b> |
|--------------|-----------|-------------------|





## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility  
Infrastructure

**Department:** Public Works

**Contact Person:** Alan Harder, Director of Public Works

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**Agenda Caption: Consider Approval - Purchase of Wilkens Transfer Trailer.** This item considers the purchase of a Wilkens Transfer Trailer for daily use in the Solid Waste Disposal Division. This is the scheduled replacement of Unit 8034 which is a 2014 Wilkens Transfer Trailer.

**Award to:** Wilkens Industries Inc. (BuyBoard #786-25)

**Amount:** \$142,520.00

**Funding Source:** General fund revenues

**Is the item budgeted?** Yes

### Agenda Item Summary:

This item considers the purchase of a Wilkens Transfer Trailer for daily use in the Solid Waste Disposal Division. This is the schedule replacement of Unit 8034 which is a 2014 Wilkens Transfer Trailer. Transfer Trailers are used to transport large volumes of waste from the City of Amarillo Transfer Station to the Landfill, hauling up to 75 cubic yards in one load. This replacement is funded from the FY25-26 Equipment Replacement debt issuance.

**Requested Action:** Approval

### Funding Summary:

Fleet Services Auto Rolling Stock, account 61120.84200 request total award \$142,520.00

### Purchasing Summary:

This purchase will be on BuyBoard Contract # 786-25. Contract assures discounted governmental pricing and a quicker delivery schedule.

**Community Engagement Summary:** Not applicable.

### Staff Recommendation:

City Staff recommends approval.

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To be awarded as one lotWilkens Industries Inc.

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Line 1 Wilkens Transfer Trailer

1 ea

Unit Price

\$142,520.000

Extended Price

142,520.00

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Total amount bid

Wilkens Industries Inc.

\$142,520.00

Morris, Minnesota

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## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Infrastructure

**Department:** Facilities

**Contact Person:** Jerry Danforth, Managing Director of Capital Projects, Development & Engineering

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**Agenda Caption:** **Consider Approval - Street Day Center IT & Automation Package.** This item considers the award of a construction package of vital items necessary for the Street Day Center construction project. The package items includes IT Installation & Initial Start Up of IT components, Entech (BAS Package), HVAC & Door Security Installation.

**Award to:**

**Amount:** \$271,309.00

**Funding Source:** General fund revenues (CIP #411413)

**Is the item budgeted?** Yes

### Agenda Item Summary:

This item pertains to the new Street Day Center Project. The Facilities Department will be acting as the contractor for this scope of work. This package of items is being presented to the City Council for approval prior to completion of the project to ensure the items can be procured and installed during the appropriate phases of construction. The requested items are necessary for the operations of the Community Development Department, which will be relocating from the Simms Building and permanently housed within the new Street Day Center facility. An agreement has been established between the City, CKP Construction, and Joe Street to follow the City's established procurement procedures. Under this process, Facilities E&I account will be utilized for requisitions through the City of Amarillo procurement process, and reimbursement will be requested from CKP Construction for payment in accordance with the project agreement. This package is a combination of vital items necessary for the Street Day Center. The package items include IT Installation & Initial Start Up of IT components, Entech (BAS Package), and HVAC & Door Security.

**Requested Action:** Staff requests that this package be approved.

### Funding Summary:

Facilities E&I account (411413) will be utilized for requisitions and invoice processing and reimbursement will be requested from CKP Construction for payment in accordance with the project agreement.

Total - \$271,309.00

**Purchasing Summary:** Purchasing has been made aware of this construction project.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Staff recommends approval.





## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility  
Infrastructure

**Department:** Capital Projects Development and Engineering

**Contact Person:** Jerry Danforth, Managing Director of Capital Projects, Development & Engineering

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**Agenda Caption:** **Consider Award - Professional Engineering Services Agreement for the Hollywood Road II Wastewater Treatment Facilities.** This item is to consider the award of the professional engineering services agreement for Phase 2 of the Hollywood Road II Waste Water Treatment Facility. The agreement will include pre-design and conceptual services to support expansion planning and cost model development.

**Award to:** Kimley-Horn & Associates

**Amount:** \$9,397,700.00

**Funding Source:** Wastewater Treatment Expansion Phase 1 — Design Grant

**Is this budgeted?** Yes

### Agenda Item Summary:

This item is to consider the award of the professional engineering services agreement for Phase 2 of the Hollywood Road II Waste Water Treatment Facility. The agreement will include pre-design and conceptual services to support expansion planning and cost model development. These services are needed to meet the City's projected capacity, regulatory compliance, and long-term operational needs for the Hollywood Road Wastewater Treatment Facility. The City Council was given a presentation on this item at its July 14th city council meeting.

**Requested Action:** Consider award of the professional services agreement to Kimley-Horn & Associates.

**Funding Summary:** This project is being funded by the Wastewater Treatment Expansion Phase 1 Design Grant (PRJ-0000133).

**Purchasing Summary:** This agreement was procured via the RFQ (Request for Qualifications) process. Kimley-Horn & Associates was the highest scored vendor in the pre-qualified list.

**Community Engagement Summary:** The professional services agreement has a small public impact. Affected property owners and stakeholders will be engaged throughout the design of Phase 2.

**Staff Recommendation:** City Staff is recommending award of the agreement.

| To be awarded as one lot                                                                                                |                 | Kimley-Horn and Associates |              |
|-------------------------------------------------------------------------------------------------------------------------|-----------------|----------------------------|--------------|
| Line 1 -Pre-Design and Conceptual Services to Support Expansion Planning and Cost Model Development, per specifications |                 |                            |              |
| 1 ea                                                                                                                    |                 |                            |              |
| Unit Price                                                                                                              | \$9,397,700.000 |                            |              |
| Extended Price                                                                                                          |                 | \$                         | 9,397,700.00 |
| Total Amount                                                                                                            |                 | \$                         | 9,397,700.00 |



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility  
Infrastructure

**Department:** Capital Projects Development and Engineering

**Contact Person:** Jerry Danforth, Managing Director of Capital Projects, Development & Engineering

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**Agenda Caption: Consider Award - Professional Engineering Services Agreement for the River Road II Wastewater Treatment Facilities.** This item is to consider the award of the professional engineering services agreement for Phase 2 of the River Road II Wastewater Treatment Facility. The agreement will include pre-design and conceptual services to support expansion planning and cost model development.

**Award to:** Kimley-Horn & Associates

**Amount:** \$12,874,250.00

**Funding Source:** Wastewater Treatment Expansion Phase 1 - Design Grant

**Is this budgeted?** Yes

**Agenda Item Summary:** This item is to consider the award of the professional engineering services agreement for Phase 2 of the River Road II Waste Water Treatment Facility. The agreement will include pre-design and conceptual services to support expansion planning and cost model development. These services are needed to meet the City's projected capacity, regulatory compliance, and long-term operational needs for the River Road Wastewater Treatment Facility. The City Council was given a presentation on this item at its July 14th city council meeting.

**Requested Action:** Consider award of the professional services agreement to Kimley-Horn & Associates.

**Funding Summary:** This project is being funded by the Wastewater Treatment Expansion Phase 1 Design Grant (PRJ 0000133).

**Purchasing Summary:** This agreement was procured via the RFQ (Request for Qualifications) process. Kimley-Horn & Associates was the highest scored vendor in the pre-qualified list.

**Community Engagement Summary:** The professional services agreement has a small public impact. Affected property owners and stakeholders will be engaged throughout the design of Phase 2.

**Staff Recommendation:** City Staff is recommending award of the agreement.

| To be awarded as one lot                                                                                                 |                | Kimley-Horn and Associates |                  |
|--------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------|------------------|
| Line 1 -Pre-Design and Conceptual Services to Support Expansion Planning and Cost Model Developement, per specifications |                |                            |                  |
| 1                                                                                                                        | ea             |                            |                  |
|                                                                                                                          | Unit Price     | \$12,874,250.000           |                  |
|                                                                                                                          | Extended Price |                            | \$ 12,874,250.00 |
| Total Amount                                                                                                             |                |                            | \$ 12,874,250.00 |





## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility  
Infrastructure  
Public Safety

**Department:** Water and Sewer Utilities

**Contact Person:** William Johnson, Director of Utilities - Operations

**Agenda Caption:** **Consider Approval - Purchase of Water Tee Fittings for 24th Street Valves Distribution.** This item considers the purchase of water and sewer fittings and accessories for the installation of new water valves on 24th Street.

**Award to:** Southern Trenchless (Buyboard #730-24)

**Amount:** \$127,484.50

**Funding Source:** Water and sewer fund revenues

**Is the item budgeted?** Yes

**Agenda Item Summary:** Approval is requested for the purchase of a custom-fabricated water tee fitting and related materials needed to install new water valves on 24th Street as part of a planned water infrastructure improvement project. The new tee fitting will connect the new valves to one of the City's major water transmission lines, allowing crews to safely isolate sections of the water system for maintenance or emergency repairs without affecting larger portions of the community. Installing these valves will improve the reliability, flexibility, and long-term operation of the City's water distribution system while helping reduce future service interruptions.

**Requested Action:** Requesting the approval of the purchase to Southern Trenchless for \$127,484.50.

**Funding Summary:** Funding for the purchase is supported through account 52230.68300 - R&M-Improvements with a remaining amount of \$244,276.00.

**Purchasing Summary:** Funding is supported through the cooperative process. Buyboard was selected due to the scope of work that Southern Trenchless is performing later in the year.

**Community Engagement Summary:** The purchase of this custom-fabricated water tee fitting supports the City's commitment to protecting public health and maintaining a reliable drinking water system. Installing new water valves on 24th Street will improve the Water Distribution Department's ability to isolate portions of the water system for routine maintenance and emergency repairs, minimizing service interruptions and helping ensure a safe and dependable water supply for residents and businesses.

Although this purchase does not require direct public participation, it represents a proactive investment in critical infrastructure that supports the long-term reliability and resilience of the City's water distribution system. Completing this work during the planned fall construction season will help maintain efficient operations while reducing the potential for unexpected disruptions to water service.

**Staff Recommendation:** City Staff recommends the approval of the purchase.

ITB 217-26 YM Water Tee Fitting on 24th St.

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To be awarded as one lot

Southern Trenchless Solutions

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Line 1 -Electrical Supplies Used by Various City  
Departments, per specifications

5,099 lb

Unit Price

\$25.000

Extended Price

\$ 127,484.50

---

**Total**

**\$ 127,484.50**



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Public Safety  
Technology and Innovation

**Department:** Airport

**Contact Person:** Michael Conner, Director of Aviation

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**Agenda Caption:** **Consider Award - Tasers Supply Contract for Airport Police.** This item considers the award of a five-year contract to supply 14 tasers, associated equipment, and five-year warranties, for use by Airport Police in daily operations.

**Award to:** AXON Enterprises, Inc. (BuyBoard #743-24).

**Amount:** \$93,656.45

**Funding Source:** Airport fund revenues

**Is the item budgeted?** Yes

**Agenda Item Summary:** This item considers the award of a 5-year contract for supply of 14 tasers and associated equipment for the Airport Police. It includes the batteries, holsters, cartridges, operational magazines, training magazines, training vouchers, the Axon VR package, the Taser research evaluation and data program, and 5-year warranties. This contract will replace all of the current Airport Police tasers with new tasers and associated equipment. The current tasers are at end of life and are not supported by the current manufacturer, necessitating the purchase of new tasers.

**Requested Action:** Please approve this contract for new tasers.

**Funding Summary:** Airport revenues were budgeted for this purchase.

**Purchasing Summary:** This will be purchased through the BuyBoard co-op contract 743-24.

**Community Engagement Summary:** N/A

**Staff Recommendation:** Airport staff recommends this purchase.

---

|                          |                       |
|--------------------------|-----------------------|
| To be awarded as one lot | Axon Enterprises Inc. |
|--------------------------|-----------------------|

---

Line 1 60 Month Taser 10 Certification Pro Plan,  
including Hardware, Software, Services and  
Warranties

1 ea

|            |              |
|------------|--------------|
| Unit Price | \$93,656.450 |
|------------|--------------|

|                |           |
|----------------|-----------|
| Extended Price | 93,656.45 |
|----------------|-----------|

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|                       |           |
|-----------------------|-----------|
| Total amount bid      | 93,656.45 |
| Axon Enterprises Inc. |           |
| Phoenix, AZ           |           |

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## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility  
Infrastructure  
Technology and Innovation

**Department:** Airport

**Contact Person:** Michael Conner, Director of Aviation

**Agenda Caption:** **Consider Acceptance - FAA Grant #3-48-0007-062-2026 - Airport Layout Plan & Drainage Master Plan.** This item considers acceptance of a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant for an update to the Airport Layout Plan (ALP) and a Drainage Master Plan Study at the Rick Husband Amarillo International Airport. The ALP update is needed to maintain compliance with FAA planning requirements and the Drainage Master Plan Study is required to meet requirements of the Airport's FAA Part 139 Certification Manual.

**Grantor:** Federal Aviation Administration

**Amount:** \$1,120,166.00

**Local Match/Funding Source:** \$58,956.00 (Local match of 5% from Airport revenues)

**Is the item budgeted?** Yes

**Agenda Item Summary:** This item considers acceptance of a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant for an update to the Airport Layout Plan (ALP) and a Drainage Master Plan Study at the Rick Husband Amarillo International Airport. The ALP update is needed to maintain compliance with FAA planning requirements and the Drainage Master Plan Study is required to meet requirements of the Airport's FAA Part 139 Certification Manual.

Specifically, the Airport has to update the ALP routinely in order to maintain grant assurance compliance and to be able to do any work on the airfield. Also, the drainage master plan study was a recommendation from our FAA Part 139 certification inspector due to the long-standing issue of ponding in certain taxiway areas due to an unknown underground source. We aim to ultimately rectify that ponding issue once the source of the water is determined and a comprehensive plan is established to ensure that the airfield is draining properly in all areas.

**Requested Action:** Please approve the acceptance of this FAA grant.

**Funding Summary:** Airport revenues will provide the grant match. This is a federal FAA grant approval.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Airport staff recommends the approval of this grant acceptance.



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community  
Infrastructure  
Technology and Innovation

**Department:** Airport

**Contact Person:** Michael Conner, Director of Aviation

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**Agenda Caption:** **Consider Acceptance - FAA AIG Grant #3-48-0007-063-2026 - Baggage Handling System.** This item considers acceptance of Federal Aviation Administration AIG grant for the construction phase of the baggage handling system modernization project at the Rick Husband Amarillo International Airport. The project is required in order to bring the Airport's baggage handling system up to current TSA standards and to replace some old system components.

**Grantor:** Federal Aviation Administration

**Amount:** \$2,435,598.00

**Local Match/Funding Source:** \$128,189 (5% grant match, from Airport fund revenues)

**Is the item budgeted?** Yes

**Agenda Item Summary:** This item considers acceptance of Federal Aviation Administration AIG grant for the construction phase of the baggage handling system modernization project at the Rick Husband Amarillo International Airport. This construction is required to replace needed components of the Airport's baggage handling system and to upgrade it to current TSA operational standards. The funds from this grant will be combined with the funds from Grant #65 to complete the project.

**Requested Action:** Please approve this grant acceptance.

**Funding Summary:** The 5% grant match is from Airport revenues.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Airport staff recommends this grant acceptance.



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Infrastructure  
Public Safety  
Technology and Innovation

**Department:** Airport

**Contact Person:** Michael Conner, Director of Aviation

**Agenda Caption: Consider Acceptance - FAA Grant #3-48-0007-064-2026 - Airport ARFF Simulator Design & Hardware.** This item considers acceptance of an FAA AIP Earmark grant for the design and hardware for an Aircraft Rescue and Firefighting (ARFF) Simulator at the Rick Husband Amarillo International Airport. This grant is needed to develop and obtain the replacement ARFF simulator at the Airport which is used by AFD to train for aircraft firefighting.

**Grantor:** Federal Aviation Administration

**Amount:** \$1,869,668.00

**Local Match/Funding Source:** \$98,404.00 (Grant match is 5%, from Airport fund revenues.)

**Is the item budgeted?** Yes

**Agenda Item Summary:** This item considers acceptance of an FAA AIP Earmark grant for the design and hardware for an Aircraft Rescue and Firefighting (ARFF) Simulator at the Rick Husband Amarillo International Airport. This simulator is a replacement of the old and de-certified simulator. This new simulator will allow the AFD firefighting staff that serve the Airport to conduct required training at the Airport instead of going to other locations for the training, saving money and providing more convenient and less operationally disruptive training. This grant only includes funds for the system design and the actual simulator hardware. The required civil work will be accomplished through a future anticipated grant.

**Requested Action:** Please approve this grant acceptance.

**Funding Summary:** Grant match of 5% will be from Airport revenues. This is a grant acceptance.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Airport staff recommends this grant acceptance.



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community  
Infrastructure  
Technology and Innovation

**Department:** Airport

**Contact Person:** Michael Conner, Director of Aviation

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**Agenda Caption: Consider Acceptance - FAA Grant #3-48-0007-065-2026 - Baggage Handling System.** This item considers acceptance of Federal Aviation Administration AIG grant for the construction phase of the baggage handling system modernization project at the Rick Husband Amarillo International Airport. The project is required in order to bring the Airport's baggage handling system up to current TSA standards and to replace some old system components.

**Grantor:** Federal Aviation Administration

**Amount:** \$1,930,332.00

**Local Match/Funding Source:** \$101,596.00 (Grant match is 5%, from Airport fund revenues)

**Is the item budgeted?** Yes

**Agenda Item Summary:** This item considers acceptance of Federal Aviation Administration AIG grant for the construction phase of the baggage handling system modernization project at the Rick Husband Amarillo International Airport. The project is required in order to bring the Airport's baggage handling system up to current TSA standards and to replace some old system components. This grant's funding will be combined with the funds from grant #63 to complete the project.

**Requested Action:** Please approve this grant acceptance.

**Funding Summary:** Grant match of 5% will be from Airport revenues. This is a grant acceptance.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Airport staff recommends this grant acceptance.





## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community

**Department:** Planning and Development Services

**Contact Person:** Brady Kendrick, Senior Planner

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**Agenda Caption: Public Hearing and Consideration of Ordinance No. 8252.** This item is a public hearing and first reading of an ordinance considering the rezoning of Lot 2, Block 1, 66 Village Unit No. 2, an addition to the City of Amarillo, in Section 73, Block 2, A.B.& M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Industrial District to Light Industrial District with Specific Use Permit 210 for an Asphalt or Concrete Batching Plant (VICINITY: Triangle Dr. & Lakeside Dr. (Loop 335); APPLICANT/S: OJD Engineering, LLC for Redline Cattle LLC)

**Agenda Item Summary: Purpose:** The applicant is requesting a change in zoning to develop the property with an asphalt batching plant. The City's Zoning Ordinance requires the consideration of a specific use permit for a batching plant in Light Industrial District and is the reason for the request.

**Adjacent Zoning:** Light Industrial District in all directions.

**Adjacent Land Uses:** Vacant property and a trucking company to the north; property associated with an asphalt plant to the south; vacant property to the east; and a manufactured home to the west.

**City Plan 2045:** The place type identified for the property is 'Manufacturing & Logistics.'

**Analysis:** The applicant's property is located in an industrial area on the north side of Rick Husband Amarillo International Airport. While not allowed by right in Light Industrial District, an asphalt batching plant can be requested via a specific use permit given it shares many characteristics with uses that are allowed in the district, but this should be considered on a case-by-case basis.

The applicant has submitted a site plan for review to demonstrate the general layout of the site. Upon review by the Planning and Zoning Commission, the site plan was found to be satisfactory and typical of industrial development in the city with the addition of landscaping and fencing for portions of the site.

It is noted that the applicant will also have to conform with TCEQ regulations and permitting with the State of Texas prior to beginning operation. Prior to a building permit being allowed to be issued, the applicant will still need to address the need for a drainage report as noted within the document's note section. The drainage report will have to be reviewed and approved by the City Engineer prior to a full building permit being issued.

Given the presence of an existing asphalt plant just to the east of the applicant's property and the existing industrial nature of the surrounding properties, it is the Planning and Zoning Commission's opinion that the proposed use would be in character with the overall development and land use patterns found within this area. Additionally, the City Plan Place Type as previously noted would also recommend industrial type land uses. The Planning and Zoning Commission also notes that in 2022, another specific use permit was granted for a batching plant along Triangle Drive approximately 0.35 miles to the west of the applicant's property.

Regarding the appraisal report provided by the applicant, it was the conclusion of the appraiser that “rezoning the site to allow for a hot mix asphalt plant will not adversely affect the property values of the adjoining property or other property in the area.”

**Requested Action:** Public hearing and consideration of the ordinance by the City Council. Staff notes that a valid protest has been received regarding this rezoning request which states that the request shall not become effective except by the favorable vote of three-fourths of all the members of the City Council.

City of Amarillo Ordinance 4-10-23(c)(3): ***Approval or denial of an application for Zoning District classification change shall be by a majority of all the members of the City Council; however, in the event of a written protest against such change, signed by the owners of twenty (20) percent or more, either of the area of the Lots or land included in such proposed change, or of the Lots or land immediately adjoining the same and extending two hundred (200) feet therefrom, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council.***

**Funding Summary:** Not applicable.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Two commentors, who are representatives for the project, spoke in favor of the request at the Planning and Zoning Commission meeting.

Three comments in opposition to the request were received at the Planning & Zoning Commission meeting. The concerns expressed included the following;

- Lower property values for neighboring properties if the batch plant is approved.
- Concerns about health impacts from exposure to the emissions from the plant.
- Being unable to utilize their property for outdoor activity due to the potential odors.
- The addition of another batch plant in the area would be negative to the area.

Additionally, one of the commentors submitted a letter of opposition to the request signed by 24 people who represent renters, property owners, and people who are employed in the area (the letter is attached within this packet). Based on staff's analysis, two of the individuals who signed the letter are property owners within the 200 foot notice buffer area. The area of property owned in the buffer by these two individuals represents 31.47% of the 200 foot notice buffer. City of Amarillo Ordinance 4-10-23(c)(3) states that ***Approval or denial of an application for Zoning District classification change shall be by a majority of all the members of the City Commission; however, in the event of a written protest against such change, signed by the owners of twenty (20) percent or more, either of the area of the Lots or land included in such proposed change, or of the Lots or land immediately adjoining the same and extending two hundred (200) feet therefrom, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council.***

**Staff Recommendation:** The Planning and Zoning Commission recommended approval of the request with a 6-0 vote at the July 6, 2026 meeting of the Planning and Zoning Commission.

ORDINANCE NO. 8252

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS;  
PROVIDING 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 TRIANGLE DRIVE AND LAKESIDE DRIVE  
(LOOP 335), POTTER COUNTY, TEXAS; PROVIDING A  
SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE;  
AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council adopted the “City Plan – Vision 2045” comprehensive plan on June 25, 2024, 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 2, Block 1, 66 Village Unit No. 2, an addition to the City of Amarillo, in Section 73, Block 2, A.B.& M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Industrial District to Light Industrial District with Specific Use Permit 210 for an Asphalt or Concrete Batching Plant, further described in Exhibit A attached herein.

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

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

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 28th day of July 2026 and PASSED on Second and Final Reading on this the 11th day of August 2026.

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Cole Stanley, Mayor

ATTEST:

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Stephanie Coggins, City Secretary

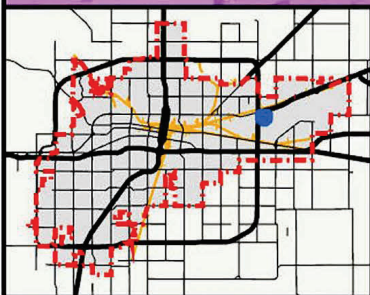
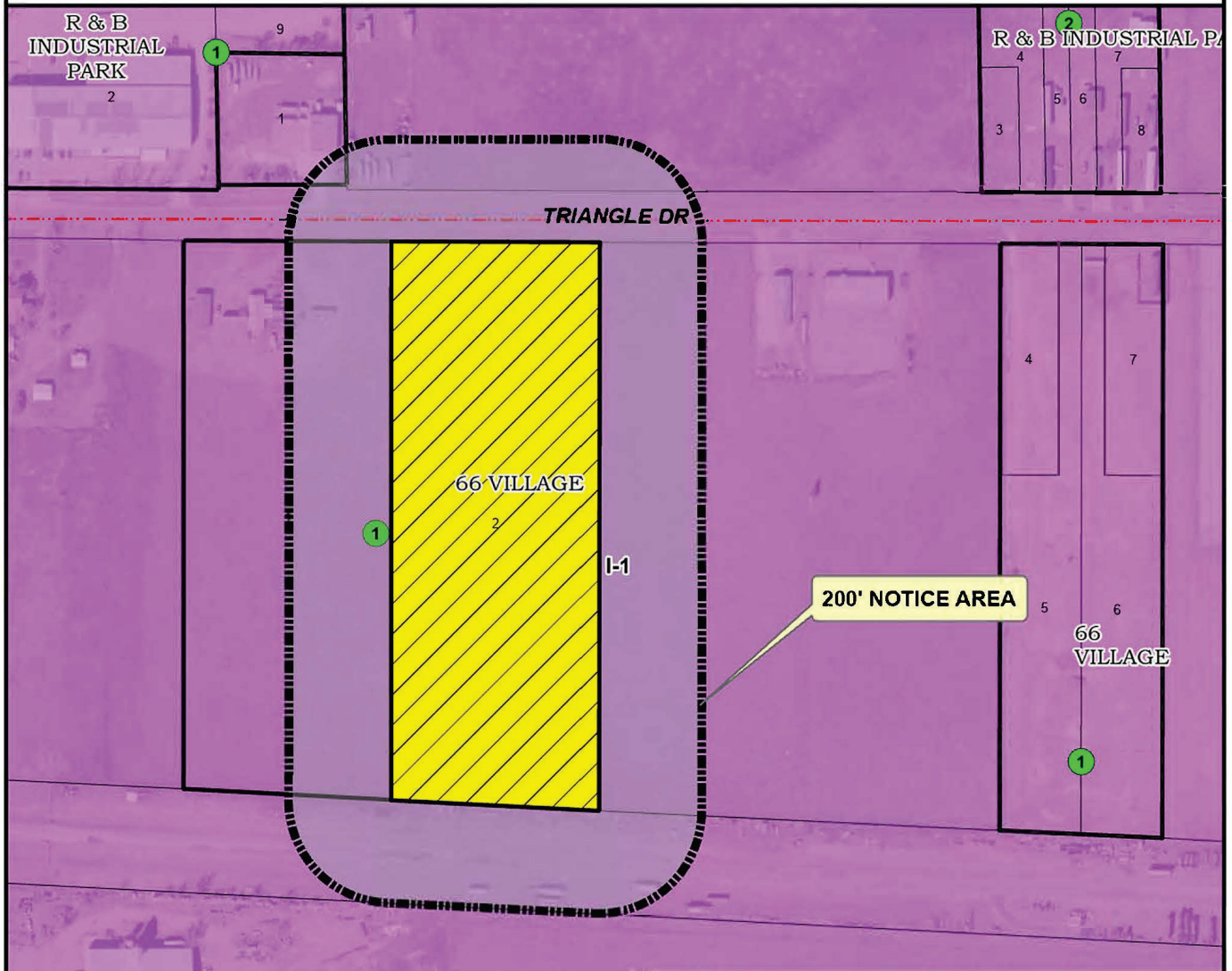
APPROVED AS TO FORM:

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Bryan McWilliams, City Attorney



# REZONING FROM I-1 to I-1 / SUP



## Legend

- |                        |                       |
|------------------------|-----------------------|
| Platted Parcel         | Block Numbers         |
| Easements              | Zoning Classification |
| City Limits            | I-1                   |
| ETJ                    | Proposed Rezoning     |
| Section Line           | 200' Notice Area      |
| Subdivision Boundaries |                       |

## CITY OF AMARILLO PLANNING DEPARTMENT

**Scale:** 1 inch = 300 Feet  
**Date:** 4/22/2026  
**Case No:** 2026-58-Z



Case 2026-58-Z Rezoning of Lot 2, Block 1, 66 Village Unit No. 2, an addition to the City of Amarillo, in Section 73, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Light Industrial District to Light Industrial District with a Specific Use Permit for a Asphalt or Concrete Batching Plant  
 VICINITY: Triangle Dr. & Lakeside Dr. (Loop 335)  
 APPLICANT/S: OJD Engineering, LLC for Redline Cattle LLC

AP: T-11

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.

## **PROPERTY EVALUATION**

### **LOCATED AT**

8800 Triangle Dr  
Amarillo, TX 79107

### **FOR**

Bryers Paving, LLC  
PO Box 31030  
Amarillo, TX 79120

### **AS OF**

05/27/2026

### **BY**

Paul Craig Davis  
Craig Davis Real Estate Co.  
58 Prestwick Lane  
Amarillo, TX 79124  
(806) 374-0064  
Munihack@aol.com

## Report - Page 1

May 27, 2026

Bryers Paving, LLC  
c/o David Rieff  
PO Box 31030  
Amarillo, Texas 79120

### **RE: Specific Use Permit Request for vacant tract of land located at 8800 Triangle Drive, Amarillo, Texas 79107**

Mr. Rieff,

The purpose of this appraisal consulting assignment is to request the rezoning of the property located at 8800 Triangle Drive, Amarillo, Texas legally described as Lot 2, Block 1, 66 Village #2, Amarillo, Potter County, Texas from I1 to I1/S (Specific Use Permit to allow hot mix asphalt plant). The intended client/user of this report is Bryers Paving, LLC and The City of Amarillo Planning Department and it is intended for their exclusive use only. This report has been requested by David Rieff on behalf of Bryers Paving, LLC. The intended use of this report is to assist the client in the rezoning of the site from I1 to I1/S (Specific Use Permit to allow hot mix asphalt plant). I have made an onsite observation of the property and area on 05/20/2026 for the purpose of completing this report, this date will serve as the effective date of this report.

#### **NEIGHBORHOOD DESCRIPTION**

The subject neighborhood is defined as: Loop 335/Lakeside on the west, Rick Husband International Airport on the east, SE 3<sup>rd</sup> Avenue on the south, and Amarillo Blvd/Route 66 on the north. The area is a mix of residential (manufactured homes), commercial, and light industrial property types. In addition, there are a number of undeveloped vacant tracts in the area.

#### **SITE DESCRIPTION**

The subject property is located at 8800 Triangle Drive. The site is a mostly level site that measures 404.66' x 1104.75' computed to 10.17 acres of land. Primary access to the property is along Triangle Drive on the north boundary of the site. Triangle Drive is asphalt paved and carries traffic in two lanes flowing east and west. Typical utility easements were noted.

The proposed rezoning request is to allow the construction of a hot mix asphalt plant on the site. The site is more than adequate in size for the proposed use and setback requirements have been considered. The proposed improvements will be placed in conformity to present City of Amarillo codes regarding construction and includes height restrictions for the nearby airport.

#### **CONCLUSION**

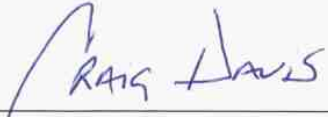
The area appears to be in a slow state of growth and demand for vacant sites in the area to build on appears slow. There are similar light industrial uses in the area (photos of these properties have been included in the report).

It is my opinion that rezoning the site to allow for a hot mix asphalt plant will not adversely affect the property values of the adjoining property or other property in the area.

I trust this is satisfactory to your needs.



Sincerely,

A handwritten signature in blue ink that reads "Paul Craig Davis". The signature is written in a cursive style with a large initial "P".

---

Paul Craig Davis  
Certified General Real Estate Appraiser  
#TX1321132G

A handwritten date in blue ink that reads "05/27/2024".

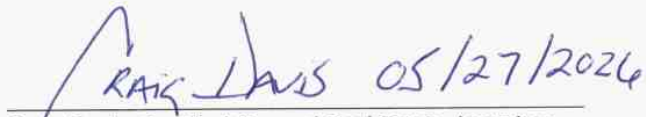
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**Dated**

**Certification**

I certify that, to the best of my knowledge and belief:

- 1) The statements of fact contained in this report are true and correct.
- 2) The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- 3) I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
- 4) I have no bias with respect to the property that is the subject of this report or to the parties involved in this assignment.
- 5) My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- 6) My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause, the amount of value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- 7) The reported analyses, opinions, and conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
- 8) I have made a personal observation of the property that is the subject of this report.
- 9) No one provided significant professional assistance to the person signing this report.
- 10) I have not performed services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.

  
Craig Davis, Certified General Real Estate Appraiser

### Assumptions and Limiting Conditions

**Identification of the property:** The legal description used by the appraiser is presumed to be correct and should be confirmed by a survey. The appraiser assumes no responsibility for such survey or for encroachments which might be revealed thereby. The appraiser renders no opinion of a legal nature, such as to ownership of the property or condition of title. The appraiser assumes the title to the property to be marketable, that the property is an unencumbered fee, and that the property does not exist in violation of applicable codes, ordinances, statutes, or other governmental regulations. The property is appraised on the basis of it being under reasonable ownership.

**Unapparent conditions:** The appraiser has noted in the appraisal any adverse conditions observed during the inspection of the property or that he has become aware of during normal research involved in performing the appraisal. Unless otherwise stated in the report, the appraiser has no knowledge of and assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable. The appraiser makes no guarantees or warranties, expressed or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing required to discover whether such conditions exist.

**Information and data:** The information and data supplied to the appraiser by others which has been considered in the valuation are from sources believed to be reliable but no further responsibility is assumed for its accuracy.

**Use of appraisal:** Possession of the appraisal or a copy thereof does not carry with it the right of publication. The appraisal may not be used for any purpose except substantiation of the value estimated without written consent of the appraiser. The appraiser will not disclose the contents of the report except as provided in the Uniform Standards of Professional Appraisal Practice. Neither all nor any part of the content of the report or copy thereof shall be used for any purpose by anyone but the client specified in the report without previous written consent and approval of the appraiser; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media without the written consent of the appraiser.

**Sketches:** The sketches included in the report show approximate dimensions of the improvements and are only for the purpose of aiding the reader in visualizing the property and understanding the appraisers determination of its size. Dimensions not shown should not be scaled from the sketches.

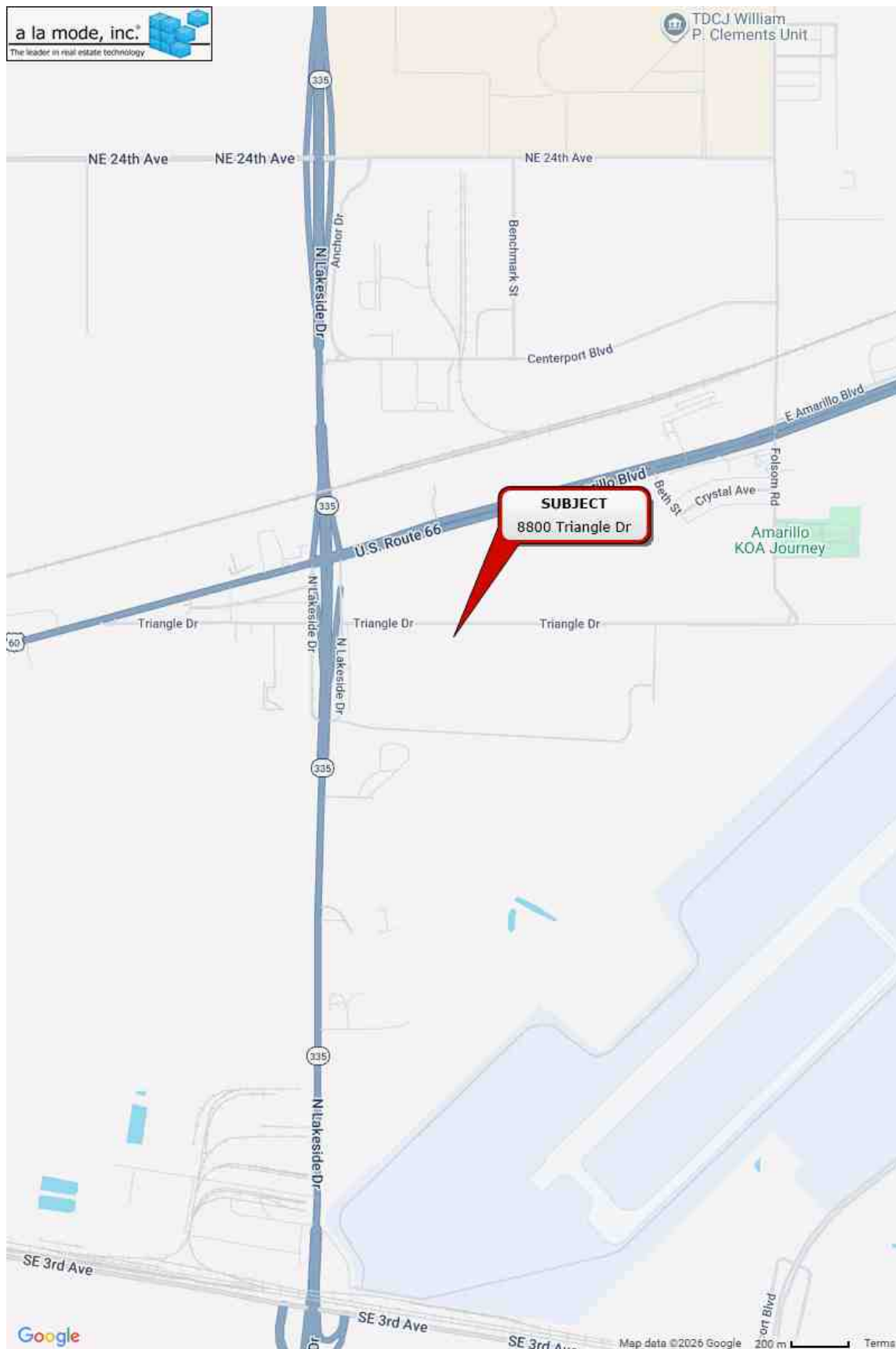
**Court testimony:** The appraiser will not give testimony or appear in court by reason of this appraisal with reference to the property in question unless specific arrangements to do so have been made beforehand.

**Environmental disclaimer:** Unless otherwise stated in the report, it is assumed that there are no hidden or unapparent environmental conditions of the property, subsoil, or structures which would render it more or less valuable. The appraiser assumes no responsibility for such conditions or the engineering required to discover such factors. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.

**Satisfactory completion:** On all appraisals which are subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusions are contingent upon completion of the improvements in a workmanlike manner.

## Location Map

|                  |                     |        |        |       |    |                |
|------------------|---------------------|--------|--------|-------|----|----------------|
| Owner            | Redline Cattle, LLC |        |        |       |    |                |
| Property Address | 8800 Triangle Dr    |        |        |       |    |                |
| City             | Amarillo            | County | Potter | State | TX | Zip Code 79107 |
| Client           | Bryers Paving, LLC  |        |        |       |    |                |





## Aerial Map

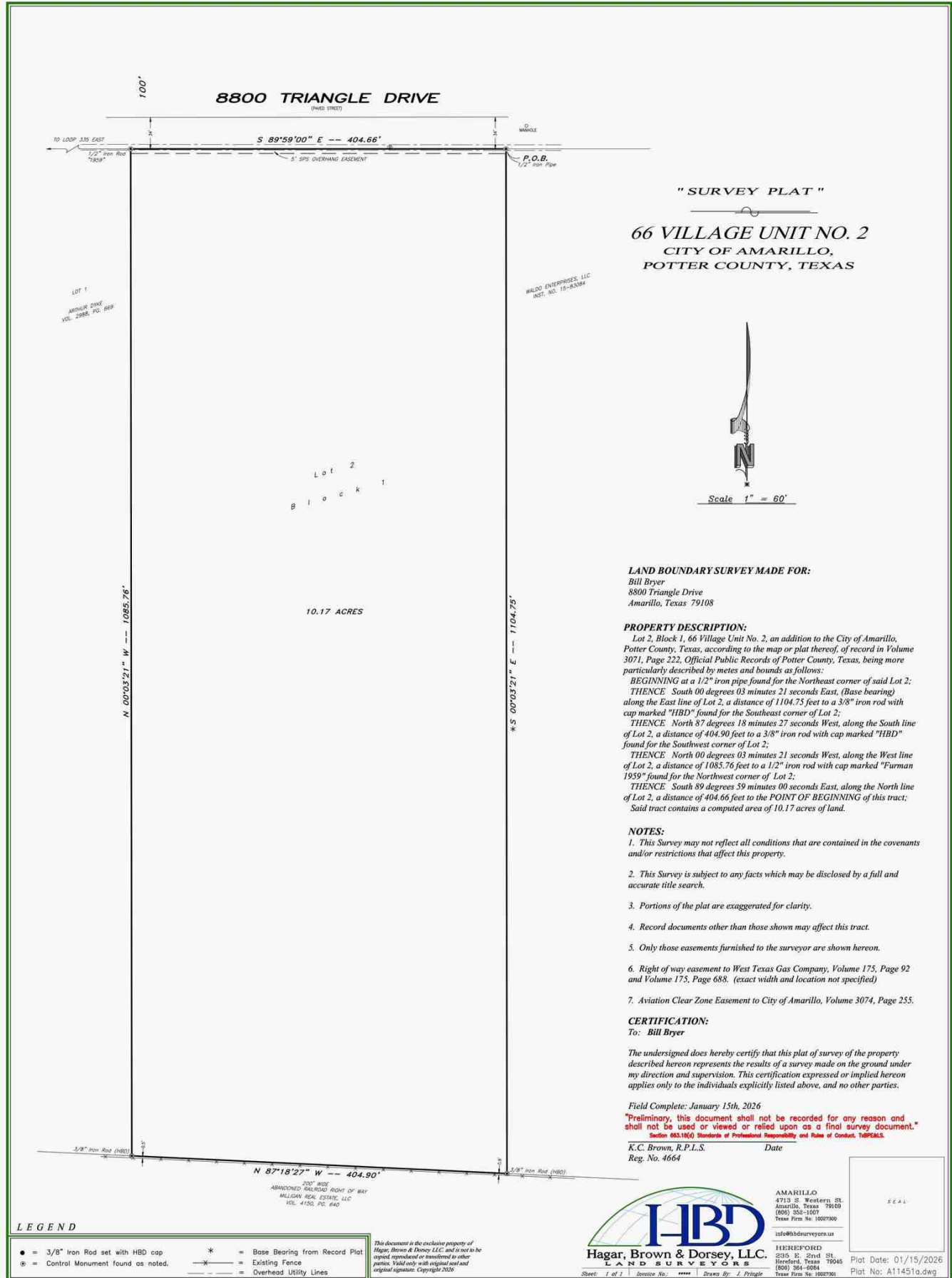
|                  |                     |        |        |       |    |                |
|------------------|---------------------|--------|--------|-------|----|----------------|
| Owner            | Redline Cattle, LLC |        |        |       |    |                |
| Property Address | 8800 Triangle Dr    |        |        |       |    |                |
| City             | Amarillo            | County | Potter | State | TX | Zip Code 79107 |
| Client           | Bryers Paving, LLC  |        |        |       |    |                |



## Plat Map

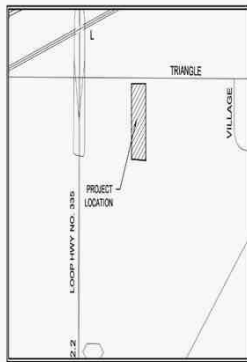


# Survey





## Site Plan



NAME OF DEVELOPMENT: BRYERS PAVING  
NUMBER OF EMPLOYEES: 14  
HOURS & DAYS OF OPERATION: MON. THRU FRI. 7 AM TO 5 PM,  
SAT. 7 AM TO 3 PM

BRYERS PAYING

LEGAL DESCRIPTION

ALL OF LOT 2, BLOCK 1, 66 VILLAGE UNIT NO. 2, CITY OF AMARILLO,  
POTTER COUNTY, TEXAS, AS PER THE PLAT FILED OF RECORD IN  
VOL. 3071, PG. 222, DEED RECORDS, POTTER COUNTY, TEXAS.

**FLOOD ZONE**

ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48370C0555C, EFFECTIVE DATE OF JUNE 4, 2010, THIS PROPERTY DOES NOT APPEAR TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA (AS SHOWN THEREON). THE UNDERSIGNED SURVEYOR DOES NOT ACCEPT RESPONSIBILITY FOR THE ACCURACY OF THE FEMA MAP UPON WHICH THIS OPINION IS BASED.

## DEVELOPMENT AREA &amp; ZONING

THE PURPOSE OF DEVELOPMENT IS AN ASPHALT BATCHING PLANT.  
PROPOSED AREA TO BE DEVELOPED CONTAINS 10.17 ACRES  
(443,099 SQ. FT)  
THE PROPERTY IS ZONED LIGHT INDUSTRIAL DISTRICT 1.

#### PARKING REQUIREMENTS

OFFICE: 1,200 SF (20' HEIGHT)  
(1 SPACE / 400 SF OF GROSS FLOOR AREA)  
SPACES REQ'D: 3  
SPACES PROVIDED: 5 SPACES  
ADA SPACES REQ'D: 1  
ADA SPACES PROVIDED: 1

SHOP: 3,000 SF (40' HEIGHT)  
(1 SPACE / 500 SF OF GROSS FLOOR AREA)  
SPACES REQ'D: 7.2  
SPACES PROVIDED: 8 SPACES

LOT COVERAGE

OFFICE & SHOP FOOTPRINT: 4,500 SF  
LOT COVERAGE: 1.08%

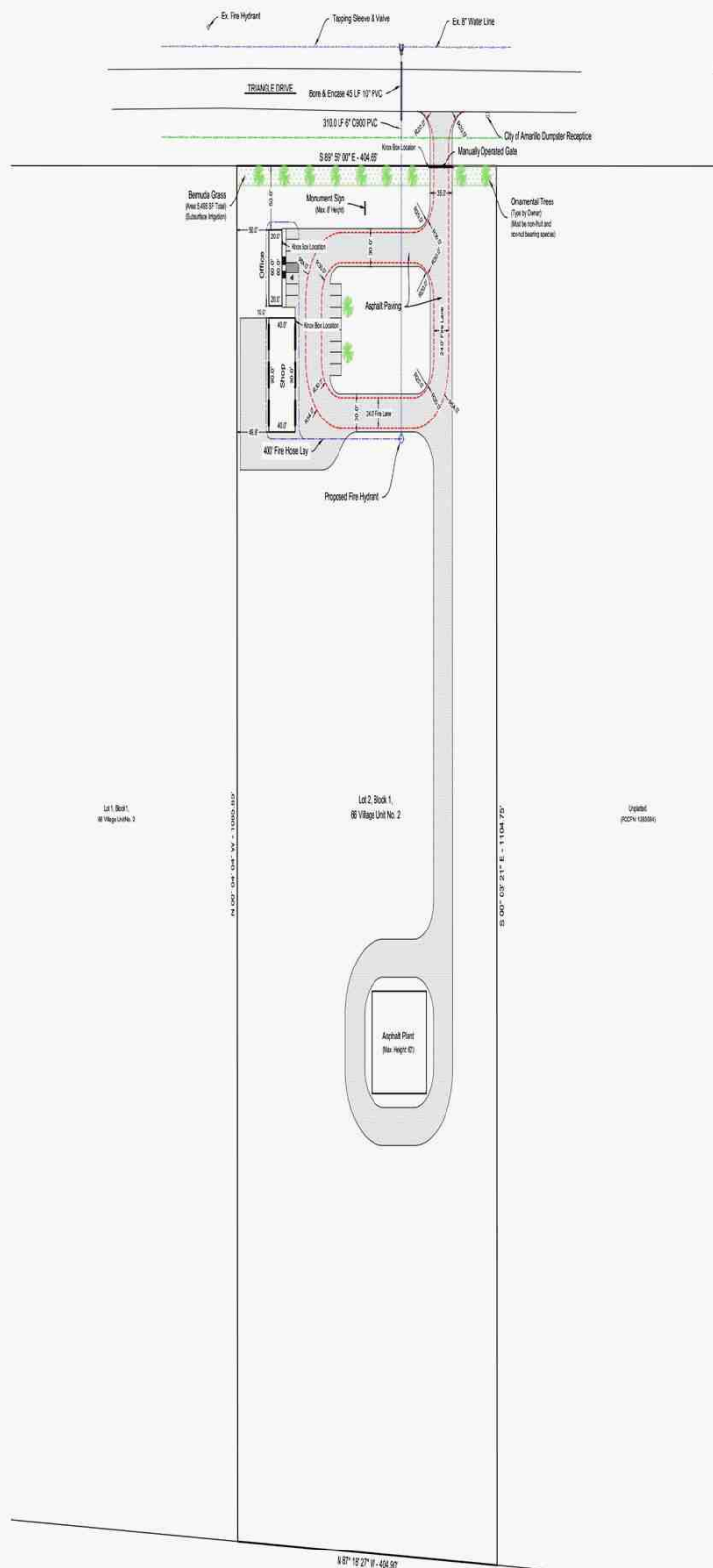
## OWNER / DEVELOPER

BRYERS ASPHALT, L.L.C.  
3910 SANBORN ST.  
AMARILLO TX 79107

## NOTES

- A. All parties and drawings shall conform to the requirements of Section 9 of The Development Policy Manual of the City of Amherst unless otherwise indicated.
- B. Exterior lighting shall be directed onto the property or a structure to minimize or eliminate glare across adjacent properties.
- C. No signs shall be placed on the property that use or have attached any building, painting or structure to attract notice or display.
- D. Portable signs may be allowed.
- E. Any additional traffic or sign equipment not specifically noted on this site plan shall comply with the zoning district in which the property was located prior to the amendment.
- F. Any and all regulations or adjustments required for this development shall be the responsibility of the development.
- G. For fencing, screening, landscaping, structures, and parking areas shall be maintained in good condition at all times by owners.
- H. All parking spaces shall be provided in a parking structure, or within the public rights of way, or on the property. All weathered walls, all landscape material, trees, grass, shrubs, etc., shall be maintained or be in the same manner as depicted on this plan and all landscaped areas shall be owned with the property.
- G. The approval of this development by the City of Amherst in no way shall alter or change the requirements of the International Building Code as accepted and amended by the City of Amherst.
- H. The City of Amherst shall be responsible for the zoning classification of which a property is located. This plan will require a zoning amendment. If a user other than is shown on the plan a prior zoning is allowed under the previous zoning district (not previous zoning district), development standards shall comply with the City of Amherst Zoning Ordinance (not previous zoning district) development.
- I. The City of Amherst is to be held liable until all shall be required to remove any obstructions, parking, or plantings that must be removed during the course of construction or during any public utility work.
- J. All exterior mechanical equipment shall be located and screened so as a manner to eliminate or minimize noise and visual impact to adjacent residential properties.
- K. All surface water collected in this site plan shall drain to adjacent drainage or storm water by their means approved by the City Engineer.
- L. The developer shall comply with all ADA requirements when required.

\*I acknowledge and agree to all standards of development as listed on this site plan.



**AMARILLO**  
2420 Lakeshore Drive  
Amarillo, TX 79108  
(800) 362-3117

**WORK FORTH**  
1024 E. Hwy 82, Suite 200  
Weatherford, TX 76082  
(817) 961-2303

**OJD Engineering, LLC**  
*The Benchmark*  
P-43003



66 Village Unit No. 2  
Bryers Paving Site Plan

Specific Use Permit Exhibit

|             |       |
|-------------|-------|
| Project No. | Sheet |
| Date        |       |
| Drawn By    | 1     |
| Checked By  |       |
| Scale       |       |



## Photograph Addendum

|                  |                     |        |        |       |    |                |
|------------------|---------------------|--------|--------|-------|----|----------------|
| Owner            | Redline Cattle, LLC |        |        |       |    |                |
| Property Address | 8800 Triangle Dr    |        |        |       |    |                |
| City             | Amarillo            | County | Potter | State | TX | Zip Code 79107 |
| Client           | Bryers Paving, LLC  |        |        |       |    |                |



Front view of subject site



Front view of subject site

## Photograph Addendum

|                  |                     |        |        |       |                   |
|------------------|---------------------|--------|--------|-------|-------------------|
| Owner            | Redline Cattle, LLC |        |        |       |                   |
| Property Address | 8800 Triangle Dr    |        |        |       |                   |
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| Client           | Bryers Paving, LLC  |        |        |       |                   |



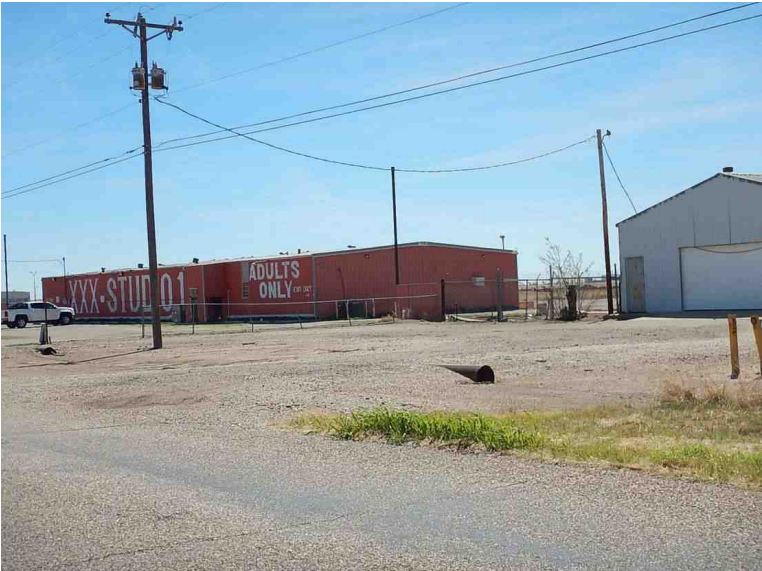
Street view



Street view

Photograph Addendum

|                  |                     |        |        |       |                   |
|------------------|---------------------|--------|--------|-------|-------------------|
| Owner            | Redline Cattle, LLC |        |        |       |                   |
| Property Address | 8800 Triangle Dr    |        |        |       |                   |
| City             | Amarillo            | County | Potter | State | TX Zip Code 79107 |
| Client           | Bryers Paving, LLC  |        |        |       |                   |



View of adjoining/nearby property



View of adjoining/nearby property

Photograph Addendum

|                  |                     |        |        |       |                   |
|------------------|---------------------|--------|--------|-------|-------------------|
| Owner            | Redline Cattle, LLC |        |        |       |                   |
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| City             | Amarillo            | County | Potter | State | TX Zip Code 79107 |
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View of adjoining/nearby property



View of adjoining/nearby property

Photograph Addendum

|                  |                     |        |        |       |                   |
|------------------|---------------------|--------|--------|-------|-------------------|
| Owner            | Redline Cattle, LLC |        |        |       |                   |
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| Client           | Bryers Paving, LLC  |        |        |       |                   |



View of adjoining/nearby property

## Photograph Addendum

|                  |                     |        |        |       |                   |
|------------------|---------------------|--------|--------|-------|-------------------|
| Owner            | Redline Cattle, LLC |        |        |       |                   |
| Property Address | 8800 Triangle Dr    |        |        |       |                   |
| City             | Amarillo            | County | Potter | State | TX Zip Code 79107 |
| Client           | Bryers Paving, LLC  |        |        |       |                   |



## Qualifications - Page 1

### Qualifications for Craig Davis, Certified General Real Estate Appraiser

#### Education

Graduate Tascosa High School, Amarillo, Tx 1977  
Bachelor of Science (Geology), West Texas State University (West Texas A&M), Canyon, Tx 1984  
Fundamentals of Real Estate Appraising, West Texas A&M University, Canyon, Tx 1984  
Challenge exam Society of Real Estate Appraisers, Course 101, Trinity University, San Antonio, Tx 1987  
Society of Real Estate Appraisers, Course 102, Trinity University, San Antonio, Tx 1986  
Federal National Mortgage Association, Quality Control, Lubbock, Tx 1990  
RTC, Affordable Housing Disposition Program, San Antonio, Tx 1990  
Society of Real Estate Appraisers, Professional Practice, Amarillo, Tx 1990  
Appraisal Institute, State Certification Seminar, Amarillo, Tx 1991  
Appraisal Institute, The New Uniform Residential Appraisal report, San Antonio, Tx 1993  
Appraisal Institute, Standards of Professional Appraisal Practice, Lubbock, Tx 1995  
Appraisal Institute, Market Extractions/Income Properties, Lubbock, Tx 1997  
Appraisal Institute, Litigation Skills for the Appraiser, Lubbock, Tx 1997  
Appraisal Institute, Standards of Professional Appraisal Practice, Houston, Tx 1999  
NAIFA, Land Use, Amarillo, Tx 1999  
Columbia Institute, Limited Residential Appraisals, Dallas, Tx 1999  
NAIFA, Basic Residential HUD Appraisal Requirements, Amarillo, Tx 1999  
Appraisal Institute, Dynamics of Office Building Valuation, Lubbock, Tx 2000  
Appraisal Institute, Standards of Professional Appraisal Practice (Part B), Houston, Tx 2000  
NAIFA, Professional Standards of Practice, Amarillo, Tx 2001  
Appraisal Institute, Residential Sales Comparison, Amarillo, Tx 2001  
Appraisal Institute, 1) Gramm-Leach-Bliley Act, 2) Mark to Market: The Next FIRREA?, 3) State of the Appraisal Profession, Lubbock, Tx 04/2002  
NAIFA, USPAP 5.0, Amarillo, Tx 04/2003  
NAIFA, Review Residential Appraisals, Amarillo, Tx 10/2004  
Appraisal Institute, Appraising Blueprints and Specifications, Online 06/2005  
Appraisal Institute, Appraising Manufactured Housing, Online 06/2005  
Columbia Institute, National USPAP Update, Online 06/2005  
Appraisal Institute, USPAP Update, Lubbock, Texas 01/2007  
Columbia Institute, Fundamentals of Appraisal Review, Lubbock, Texas 04/2007  
Appraisal Institute, Residential Property Construction and Inspection, Online 06/2007  
Appraisal Institute, Residential Design and Functional Utility, Online 06/2007  
NAIFA, National USPAP Update, Amarillo, Tx 03/2008  
NAIFA, Institutional Fraud, Amarillo, Tx 03/2008  
Columbia Institute, Cost Approach and Sales Comparison Approach, Online 06/2009  
NAIFA, USPAP Update, Amarillo, Tx 01/2010  
Appraisal Institute, Residential Appraisal Updated, 2011 Texas Appraisal Issues, and Valuation by Comparison, Lubbock, Tx 04/2011  
Columbia Institute, Mortgage Fraud, 06/2011, Online  
Appraisal Institute, The Uniform Appraisal Dataset from Fannie Mae/Freddie Mac, Midland, Tx 07/2011  
Appraisal Institute, USPAP Update, Lubbock, Tx, 01/2012  
NAIFA, Fannie Mae Selling Guide/Appraisal Guidelines, Amarillo, Tx, 02/2012  
Appraisal Institute, 10 Deadly Mistakes Appraisers Make, Lubbock, Tx, 10/2012  
NAIFA, Residential Appraisal Review, Amarillo, Tx 01/2014. NAIFA, USPAP Update, Amarillo, Tx 01/2014  
Appraisal Institute, Litigation Assignments for Residential Appraisers, Lubbock, Tx 04/2014. Appraisal Institute, Unraveling the Mystery of Fannie Mae Appraisal Guidelines, Lubbock, Tx 04/2014  
Managing and Investing in Income Properties, Online 12/2014  
Appraisal Institute, Residential Applications: Using technology to measure/support assignment results, Lubbock, Tx 04/2015  
Appraisal Institute, USPAP Update, Lubbock, Tx 02/2016  
Appraisal Institute, FHA Appraising for Valuation Professionals, Lubbock, Tx 04/2016  
McKissock, Residential Property Inspection for Appraisers, Online, 06/2017

## Qualifications - Page 2

McKissock, Residential Report Writing: More than Forms, Online, 06/2017  
Appraisal Institute, USPAP Update (2018-2019), Amarillo, Tx, 01/2018  
Appraisal Institute, Ignorance Isn't Bliss: Understanding an Investigation by a State Approval Board or Regulatory Agency, Lubbock, Tx 04/2019  
Appraisal Institute, Litigation Assignments for residential Appraisers: Doing Expert Work on Atypical Cases, Lubbock, Tx 04/2019  
McKissock, Residential Construction and the Appraiser, Online, 06/2019  
McKissock, Managing Appraiser Liability, Online, 06/2019  
Appraisal Institute, USPAP Update, Lubbock, Tx, 02/2020  
Champions School of Real Estate, Covering all the bases in residential reporting, Online, 04/2020  
Appraisal Institute, FHA Appraising-Principles and Procedures, Online, 05/2020  
Appraisal Institute, 2022-2023 National USPAP Update, Lubbock, TX 01/2023  
McKissock, Appraising Today's Manufactured Homes, Online (05/2023)  
McKissock, Fair Housing, Bias and Discrimination, Online (06/2023)  
McKissock, Appraisal of REO and Foreclosure Properties, Online (06/2023)  
Appraisal Institute, USPAP Update, Lubbock, Tx 01/2024  
Appraisal Institute, Advanced Land Valuation, Lubbock, Tx 06/2024  
OREP Education Network, Non-Lending Appraisal Assignment, Online (06/2025)  
Appraisal Institute, Appraisers Guide to Expert Witnessing, Online (06/2025)

### **Experience**

Owner/broker/appraiser Craig Davis Real Estate Company 12/1990 to present. Independent Fee Appraiser Gaut Appraisal Services 02/1983 to 12/1990. Former SRA member (Senior Residential Appraiser), Appraisal Institute, Certified General Real Estate Appraiser (TX1321132G), Texas Real Estate Broker & member National Association of Realtors, Texas Association of Realtors and Amarillo Association of Realtors, Chairman Zoning Board of Adjustment (City of Amarillo, Tx, 3 year term).



## State Certification

PAUL CRAIG DAVIS  
58 PRESTWICK LANE  
AMARILLO, TX 79124



### Certified General Real Estate Appraiser

**Appraiser: PAUL CRAIG DAVIS**

**License #: 1321132-CG**

**License Expires: 06/30/2027**

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Occupations Code, Chapter 1103, authorization is granted to use this title:  
Certified General Real Estate Appraiser

For additional information or to file a complaint please contact TALCB at [www.talcb.texas.gov](http://www.talcb.texas.gov).



**Chelsea Buchholtz**  
Executive Director

MY NAME IS ARTHUR DYKE .

Cassett  
2026-58-Z

I LIVE AT 8616 TRIANGLE DR. THE  
PROPERTY

THAT IS BEING CONSIDERED FOR  
REZONING, IS CONNECTED EAST OF MY  
PROPERTY. APPROXIMANTLY 150 FT FROM MY  
BACK DOOR OF MY RESIDENSE. THE TWO  
BUSINESSES OJD ENGINEERING, FOR  
REDLINE CATTLE COMPANY ARE PLANNING TO  
PUT USED A ASPHALT BATCHING MACHINE TO  
MAKE ASPHALT. THE ASPHALT HAS TO BE  
HEATED, THE BATCHING MACHINE WILL GIVE  
OF TOXIC FUMES THAT CAN CAUSE  
BREATHING PROBLEMS, EYE IRRITATION, AND  
CAN CAUSE CANCER!

IF THE COMPANY PLANS TO MAKE ASPHALT 5  
OR 6 DAYS A WEEK 8,10,12 HOURS A DAY.  
ITS NOT GOING TO BE HEALTHY. I HAVE MY  
FAMILY AND FRIENDS THAT ENJOY VISITING  
MY PLACE FOR FAMILY GET TOGETHERS,  
BBQS. AND WE WON'T BEABLE TO BE OUT  
SIDE. DO TOO HEATH CONCERNS FROM

INHALING THE ASPHALT FUMES . IF I WAS GOING TO PUT A R.V.PARK. OR AIR BAND ON MY PROPERTY THE ASPHALT COMPANY WOULD LIMIT OR MAKE IT VERY DIFFCULT TO PUT IN. I HAVE PROVIDED NAMES OF THE PEOPLE THAT LIVE IN CLOSE PROXIMITY OF THE PROPERTY. THEY ARE IN PROTEST OF THE ZONE CHANGE AND THE CHANCE OF BEING EXPOSED TO TOXIC ASPHALT FUMES! THEY AGREE THAT THEY DONT WONT THE FUMES GOING IN TO THERE HOME, OR BUSSINESSES!

I am protesting the  
REZONEING OF THE PROPERTY ON TRIANGLE  
DRIVE .

- Ali Rife. 806 673 6679 8616 Triangle.*
- *Jerry Roberts 8616 Triangle Drive 806-654-3510*
  - *Amy Elmgvist 8614 Triangle Dr #575-791-8862*
  - *Dulcefondo 806 731 5887 Neice.*
  - *Amber Nelson 8615 Triangle Dr. (806) 517 2524*



- Josh Nelson - 8615 Triangle Drive (806) 511-0722
- Ethan Nelson - 8615 Triangle Drive (806) 677-4939
- Billy Strussell 8615 Triangle (806) 324-7137 Employee
- Madison Nelson 806 382 5508 8615 Triangle Drive Employee
- Aidan Hatter 806 382 5508 8615 Triangle Employee
- Maximo, Mora 806-674-5980 " " "
- Mariano Maldonado 505 614 7507 " " "
- Vanessa Ojeda 806 584 5902 9000 Triangle Dr
- Nick Hokeans 806-570-8814 - 9100 Triangle
- Otter Butler 806-672-7585 9100 Triangle
- Eddie G Alegos 9053 Triangle 12/
- Sonya Valadez 806-881-1544 8500 Triangle Dr
- Adelisset Cruz 806-676-3162 " " "
- Bailey Hart 806-340-9638 8605 Triangle Dr.
- Justin Dyke Josh Dyke 806-382-6954
- Anica Dyke Anica Dyke 806-626-8597
- Mark Messick 806-382-3657
- Beth Messick 806-683-3387
- Jordan Calderas 806-421-9541

## Are Asphalt Fumes Harmful? OSHA Guidance

Asphalt fumes are **harmful to humans** and can cause both short-term irritation and long-term health risks, including potential cancer.

### Health Effects

Exposure to asphalt fumes — especially when asphalt is heated above about 300°F — releases **volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs),** and other toxic substances [asphaltcalculatorusa.com](https://asphaltcalculatorusa.com) . Known health effects include [Occupational Safety and Health Administration +1](#) :

- **Acute symptoms:** Headaches, eye and throat irritation, coughing, skin rash, fatigue, reduced appetite.
- **Chronic risks:** Potential skin cancer with long-term exposure; PAHs are classified as *reasonably anticipated to be human carcinogens* by the U.S. National Toxicology Program [Occupational Safety and Health Administration](#) .
- **Dermal absorption:** Solvents in asphalt can soak through skin and enter the bloodstream, potentially damaging internal organs [www.getonecrew.com](https://www.getonecrew.com) .

### OSHA Regulations

OSHA **does not have a specific standard** for asphalt fumes, but it requires employers to protect workers from recognized hazards under general industry and construction standards [www.getonecrew.com](https://www.getonecrew.com) .

- **NIOSH recommendation:** Maximum exposure of **5 mg/m<sup>3</sup>** for any 15-minute period



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility

**Department:** Community Development

**Contact Person:** Jason Riddlespurger, Managing Director of Community Development, Stefanie Rodarte-Suto, Assistant Community Development Director

**Agenda Caption:** **Public Hearing and Consideration of Resolution No. 07-28-26-1.** This item is the first and recommended final reading to consider a resolution adopting the 2026-2027 Annual Action Plan for Community Development Block Grant (CDBG) & HOME Investment Partnership Programs.

**Agenda Item Summary:** This item considers a resolution for the Community Development Department's Annual Action Plan to fund Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs. With approval, the Department of Housing and Urban Development (HUD) will allocate \$1,648,797.00 in CDBG entitlement funding and \$674,523.19 in HOME entitlement funding to the City of Amarillo Community Development Department.

**Requested Action:** Conduct a public hearing to approve a resolution authorizing the fiscal year 2026/2027 Annual Action Plan and Authorizing the Assistant City Manager as Chief Administrative Officer to execute and file said Plan with the United States Department of Housing and Urban Development; providing an effective date; providing a repealer clause; providing a savings clause.

**Funding Summary: Summary of Final Recommendations - CDBG: \$1,648,797.00**

|                        |              |
|------------------------|--------------|
| Demolition & Clearance | \$200,000.00 |
| Demolition Admin       | \$70,000.00  |

|                               |              |
|-------------------------------|--------------|
| Public Services Capped at 15% |              |
| Panhandle Community Services  | \$15,000.00  |
| Martha's Home, INC            | \$25,000.00  |
| Maverick Boys & Girls Club    | \$17,342.00  |
| Another Chance House          | \$10,000.00  |
| The Salvation Army            | \$24,001.00  |
| Transformation Park           | \$32,316.77  |
| Coming Home                   | \$123,659.78 |

|                                       |              |
|---------------------------------------|--------------|
| CARE Program                          | \$91,000.00  |
| CARE Program Grant Monitor            | \$75,000.00  |
| Rehabilitation Support Administration | \$250,000.00 |

|                                                  |              |
|--------------------------------------------------|--------------|
| Administration Capped at 20%                     |              |
| Program Administration                           | \$329,759.40 |
| City of Amarillo Parks and Recreation Department | \$192,859.03 |
| City of Amarillo Planning Department             | \$192,859.02 |

|                                          |              |
|------------------------------------------|--------------|
| Summary of Final Recommendations - HOME: | \$674,523.19 |
| Administration Capped at 10%             |              |

|                                |              |
|--------------------------------|--------------|
| Program Administration         | \$67,452.31  |
| Tenant Based Rental Assistance | \$372,166.24 |

|                                                               |              |
|---------------------------------------------------------------|--------------|
| Community Housing Development Organization – CHDO 15% Minimum |              |
| Amarillo Habitat for Humanity                                 | \$201,178.48 |
| Amarillo Habitat for Humanity – Operating Cost 5%             | \$33,726.16  |

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Community Development publicized and held the first public hearing during a community meeting on June 11, 2026, in which the Community Development Advisory Committee (CDAC) received citizen input with respect to the CDBG and HOME program funding for the 2026-2027 Annual Action Plan. CDAC evaluated funding applications and made funding recommendations during the June 11, 2026, community meeting.

Community Development publicized and opened a 30-day comment period beginning on June 29, 2026, and concluding on July 28, 2026, inviting citizens to comment on the final funding recommendations.

**Staff Recommendation:** The community engagement process included an initial public hearing on June 11, 2026, followed by a 30-day public comment period, and a final public hearing on July 28, 2026. Staff recommends approval of the item as presented with a waiver (per Section 7 of Resolution 08-12-25-1) from the two-reading requirement for resolutions. Community Development and the Community Development Advisory Committee (CDAC) recommend the funding allocations outlined in the 2026-2027 Annual Action Plan.



**NOTICE OF PUBLIC HEARING & PUBLIC COMMENT PERIOD**  
**2026-2027 ANNUAL ACTION PLAN**  
**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**  
**& HOME INVESTMENT PARTNERSHIPS PROGRAMS**

The City of Amarillo is considering recommendations for the budget and allocations of funding approved by the Community Development Advisory Committee during the Public Hearing conducted on June 11, 2026. The details and timeline for this comment period are outlined below. Upon completion of the 30-day comment period, the final recommendations listed below and any public comments received will be addressed and presented to Amarillo City Council for final consideration and approval. The 2026-2027 Annual Action Plan will be submitted to HUD to request release of funds on or before August 15, 2026.

**30-DAY PUBLIC COMMENT PERIOD:** June 29, 2026, through July 28, 2026

**SEND WRITTEN COMMENTS TO:** Community Development Department  
Attention: Jason Riddlespurger, Community Development Director  
P.O. Box 1971  
Amarillo, Texas 79105-1971  
Email: [PublicService@amarillo.gov](mailto:PublicService@amarillo.gov)

**FINAL CITY COUNCIL CONSIDERATION:** Tuesday, July 28, 2026, at 3:00 PM.

**Summary of Final Recommendations - CDBG:** **\$1,648,797.00**

|                                              |                     |
|----------------------------------------------|---------------------|
| <b>Demolition &amp; Clearance</b>            | <b>\$200,000.00</b> |
| <b>Demolition Admin</b>                      | <b>\$70,000.00</b>  |
| Public Services Capped at 15%                |                     |
| <b>Panhandle Community Services</b>          | <b>\$15,000.00</b>  |
| <b>Martha's Home, INC</b>                    | <b>\$25,000.00</b>  |
| <b>Maverick Boys &amp; Girls Club</b>        | <b>\$17,342.00</b>  |
| <b>Another Chance House</b>                  | <b>\$10,000.00</b>  |
| <b>The Salvation Army</b>                    | <b>\$24,001.00</b>  |
| <b>Transformation Park</b>                   | <b>\$32,316.77</b>  |
| <b>Coming Home</b>                           | <b>\$123,659.78</b> |
| <br>                                         |                     |
| <b>CARE Program</b>                          | <b>\$91,000.00</b>  |
| <b>CARE Program Grant Monitor</b>            | <b>\$75,000.00</b>  |
| <b>Rehabilitation Support Administration</b> | <b>\$250,000.00</b> |





Administration Capped at 20%

**Program Administration** **\$329,759.40**

**City of Amarillo Parks and Recreation Department** **\$192,859.03**

**City of Amarillo Planning Department** **\$192,859.02**

**Summary of Final Recommendations - HOME:** **\$674,523.19**

Administration Capped at 10%

**Program Administration** **\$67,452.31**

**Tenant Based Rental Assistance** **\$372,166.24**

Community Housing Development Organization – CHDO 15% Minimum

**Amarillo Habitat for Humanity** **\$201,178.48**

**Amarillo Habitat for Humanity – Operating Cost 5%** **\$33,726.16**

#### **PUBLIC COMMENTS**

Any individual, group, or agency disagreeing with this decision may submit written comments to the City of Amarillo Community Development Department at the above address. All comments received by the close of business July 28, 2026, at 4:30 PM, will be considered by the City of Amarillo prior to the submittal of the request for release of funds. Comments should specify which Notice they are addressing.

#### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of funds and the City of Amarillo's certification received by July 31, 2026, or for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if the objection is made on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Amarillo; (b) the City of Amarillo has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to HUD-Environmental Review Officer at P.O. Box 2905, Fort Worth, TX 79113-2905. Potential objectors should contact HUD to verify the actual last day of the objection period.

The Amarillo Simms Municipal Building is accessible to individuals with disabilities through its main entry located at the front of the building. Parking spaces for individuals with disabilities are available in the front parking lot. The Simms Municipal Building is equipped with restroom facilities, an elevator and communications equipment that are accessible. Individuals with disabilities who require special accommodation or a sign language interpreter must make a request with the Community Development Department by telephoning 806-378-6276. Requests may also be made to the City's TDD number 806-378-4229.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: CONDUCTING A PUBLIC HEARING AND AUTHORIZING THE ADOPTION OF THE 2026/2027 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME INVESTMENT PARTNERSHIP PROGRAM ANNUAL ACTION PLAN AS REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; DESIGNATING THE CITY MANAGER TO ACT AS THE CITY’S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO THE CITY’S PARTICIPATION IN SAID PLAN; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE.**

---

**WHEREAS,** a Community Development Block Grant (“CDBG”) and HOME Investment Partnership (“HOME”) Program Annual Action Plan must be adopted by the City of Amarillo in fulfillment of the requirements of the United States Department of Housing and Urban Development (“HUD”);

**WHEREAS,** the Community Development Advisory Committee (“CDAC”) publicized a neighborhood and community meeting on June 11, 2026, to hold the first public hearing and receive citizen input with respect to the CDBG and HOME Programs for the 2026/2027 Annual Action Plan;

**WHEREAS,** the 2026/2027 Annual Action Plan was available in the Community Development office for public review and comment for at least 30 days;

**WHEREAS,** the City Council has reviewed the 2026/2027 Annual Action Plan as recommended by the CDAC and finds it to be consistent with the Five-Year, 2025-2029 Consolidated Planning document for Housing and Community Development;

**WHEREAS,** the City Council conducted a public hearing on this date to consider the views and opinions of the citizens, especially those most affected by the 2026/2027 Annual Action Plan; and

**WHEREAS,** the City Council designates the City Manager, and/or his designee, as the City’s authorized official for the City’s participation in such Plan.

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

**SECTION 1.** The 2026/2027 Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) Annual Action Plan is hereby adopted for the CDBG Program in the amount of \$1,648,797 and the HOME Program in the amount of \$674,523.19.

**SECTION 2.** The CDAC evaluated the proposed plan, and the City Council hereby adopts the CDAC's recommendation for the 2026/2027 Annual Action Plan to be submitted to HUD.

**SECTION 3.** The City Council further designates the City Manager, and/or his designee, as the City's authorized official as to the City's participation in the 2026/2027 CDBG and HOME Annual Action Plan on behalf of the City.

**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 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, on  
this 28th day of July 2026.

\_\_\_\_\_  
Cole Stanley, Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Coggins, City Secretary

APPROVED AS TO FORM

\_\_\_\_\_  
Bryan McWilliams, City Attorney



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community  
Communication  
Fiscal Responsibility  
Infrastructure

**Department:** Finance

**Contact Person:** Kimberlee Dillard, Administrative Technician

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**Agenda Caption:** **Public Hearing and Consideration of Resolution No. 07-28-26-2.** This item is for the consideration of a resolution for the establishment of the Rock Ridge Public Improvement District in the vicinity of the City of Amarillo bound on the East by North Western Street, adjacent to the South and West by Hester Road and adjacent to the West by another subdivision, Which will be considered.

**Agenda Item Summary:** This resolution conducts a public hearing and establishes a Public Improvement District to be known as the Rock Ridge Public Improvement District, in the vicinity of the City of Amarillo bound on the East by North Western Street, adjacent to the South by Hester Road and adjacent to the West by Hester Road and adjacent to the west by North Loop 335. This Petition was submitted by North Western Development Company, LLC. and RRDC Amarillo, LP. Property owners, for residential and other property use. The proposed improvements to be included in the PID are the Capital Improvements, and the general nature of the proposed improvements will primarily be aesthetic in nature to enhance the lifestyle, personal pride, enjoyment, and property values within the PID.

**Requested Action:** The petition of this Public Improvement District has been reviewed by city staff and have determined that it meets the requirements to be established as a Public Improvement District within the City of Amarillo.

**Funding Summary:** Not applicable.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** Public Improvement District (PID) staff have reviewed the Rock Ridge PID Petition and recommend approval as submitted.

RESOLUTION NO. 07-28-26-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS ("CITY") AUTHORIZING A PUBLIC HEARING ON A PETITION REQUESTING ESTABLISHMENT OF A PUBLIC IMPROVEMENT DISTRICT TO BE KNOWN AS THE "THE ROCK RIDGE PUBLIC IMPROVEMENT DISTRICT," IN THE VICINITY OF THE CITY OF AMARILLO BOUND ON THE EAST BY NORTH WESTERN STREET, ADJACENT TO THE SOUTH AND WEST BY HESTER ROAD AND ADJACENT TO THE WEST BY ANOTHER SUBDIVISION AS SHOWN ON THE ATTACHED MAPS AND SURVEY; CONCERNING ADVISABILITY OF CREATING SUCH DISTRICT; NATURE OF IMPROVEMENTS; ESTIMATED COST; METHOD AND APPORTIONING OF ASSESSMENTS; BOUNDARIES OF SUCH DISTRICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

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WHEREAS, North Western Development Company, L.L.C., a Texas Limited Liability Company, and RRDC Amarillo, L.P., a Texas Limited Partnership, are property owners within the City of Amarillo and submitted a Petition Requesting Establishment of a Public Improvement District, hereinafter referred to as a "PID", for the comprehensive development of real property within certain boundaries as is set out in the Petition, attached hereto and incorporated herein;

WHEREAS, such Petition is submitted under the authority of Texas Local Government Code, Chapter 372, which requires a governing body to hold a public hearing on the advisability of the creation of a PID after notice;

WHEREAS, the City Council finds that notice of a public hearing has been published in the manner required by Texas Local Government Code, Section 372.009;

WHEREAS, in compliance with the Texas Local Government Code, Chapter 372, the City Council has heard as to the advisability of such improvement, the nature of the improvement, the estimated cost of such improvement, the boundaries of such public improvement district; the proposed method of assessment, and the apportionment of such costs between the district and the municipality as a whole; and

WHEREAS, the City Council finds that the public hearing was held and closed according to law; and

WHEREAS, during the six month period after this public hearing is closed, the City Council may authorize such improvement district as long as it finds the PID is advisable in accordance with the Texas Local Government Code, Section 372.010.

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

SECTION 1. All of the above recitals 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 Resolution as if copied in their entirety.

SECTION 2. The public hearing calling for consideration of the Public Improvement District ("PID") is hereby closed, and the City Council finds the following:

A. The Petition requesting establishment of a PID appears to be in order and in compliance with requirements of state law and local regulations.

B. The Petition proposes constructing of landscaping and green areas above that generally provided in the rights-of-way of platted subdivisions in the City of Amarillo and provides for additional maintenance for both permanent and seasonal plantings in the common areas. Further, the petition proposes that the PID be authorized to engage in any other statutorily allowed project, as may be approved in a service plan to be adopted.

C. The Developer's total estimated cost for the improvements proposed in the Rock Ridge Public Improvement District is \$11,788,539.00. The actual cost may be affected by various matters, including inflation or changes in improvements actually made.

D. The boundaries of The Rock Ridge Public Improvement District are described in Exhibit E, attached to, and incorporated into the Petition Requesting Establishment of a PID, which is attached hereto and incorporated herein.

E. The PID will bear all costs of the improvements, maintenance, and administrative costs.

F. The method of assessment for maintenance, operation, and administrative costs to properties within the Public Improvement District will be assessed as follows:

(a) Residential Property: Each Residential Lot will be assessed 0.2200% of the Net Appraised Value of the Residential Lot (including any and all improvements located on or attributable to the Residential Lot) for the current tax year as determined by the Potter-Randall County Appraisal District.

(b) Other Property: All tracts other than those described above will be assessed in the same manner as Residential Property.

G. The terms, limitations, conditions, duties, and obligations of the City, Developer, and current and future owners of properties within the PID as stated in the Petition, incorporated herein by reference. In the event of a change or conflict between this Resolution and the Petition, the terms of this Resolution prevail.

H. The improvements proposed in the Petition requesting establishment of the PID are in the best interests of the citizens of Amarillo and will add to the quality of life without any additional cost to the Amarillo taxpayers. Therefore, the improvements proposed in the submitted Petition are beneficial and advisable.

SECTION 3. In finding the above-stated PID to be beneficial to and promotes the best interests of the Amarillo citizens, the City Council hereby finds that the PID to be known as "The Rock Ridge Public Improvement District" is hereby approved, authorized, and established.

SECTION 4. 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 5. 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 6. In accordance with the Texas Local Government Code, Section 372.010(b), a copy of this Resolution shall be filed with Potter County Clerk's office, which said PID is located in Potter County, Texas, not later than the seventh day after this Resolution's adoption.

SECTION 7. This Resolution is effective on and after its adoption. However, actual construction of an improvement shall not begin until after the twentieth (20th) day after this authorization takes effect as stated in Texas Local Government Code, Section 372.010(c).

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 28th day of July 2026 and PASSED on Second and Final Reading on this the 11th day of August 2026.

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Cole Stanley, Mayor

ATTEST:

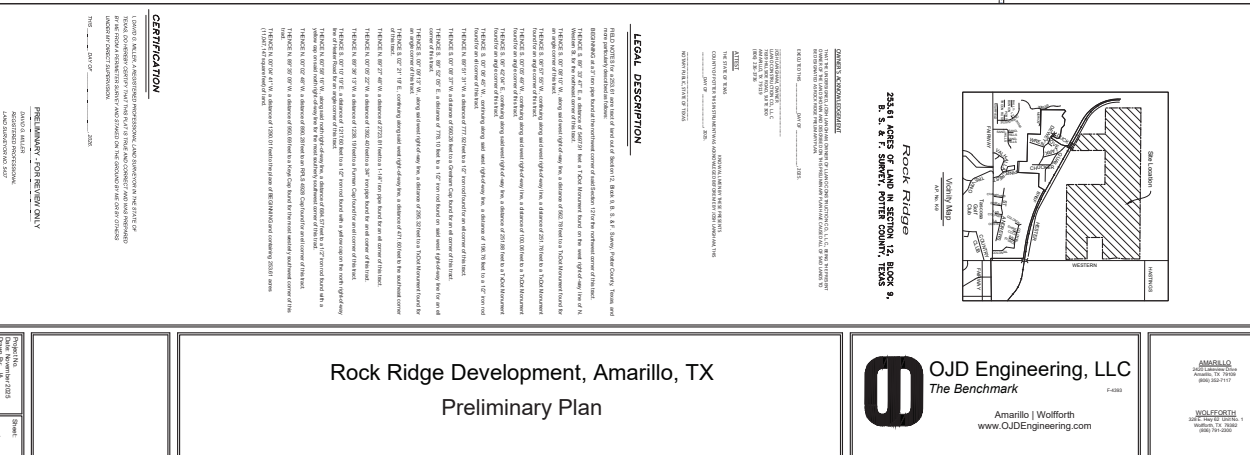
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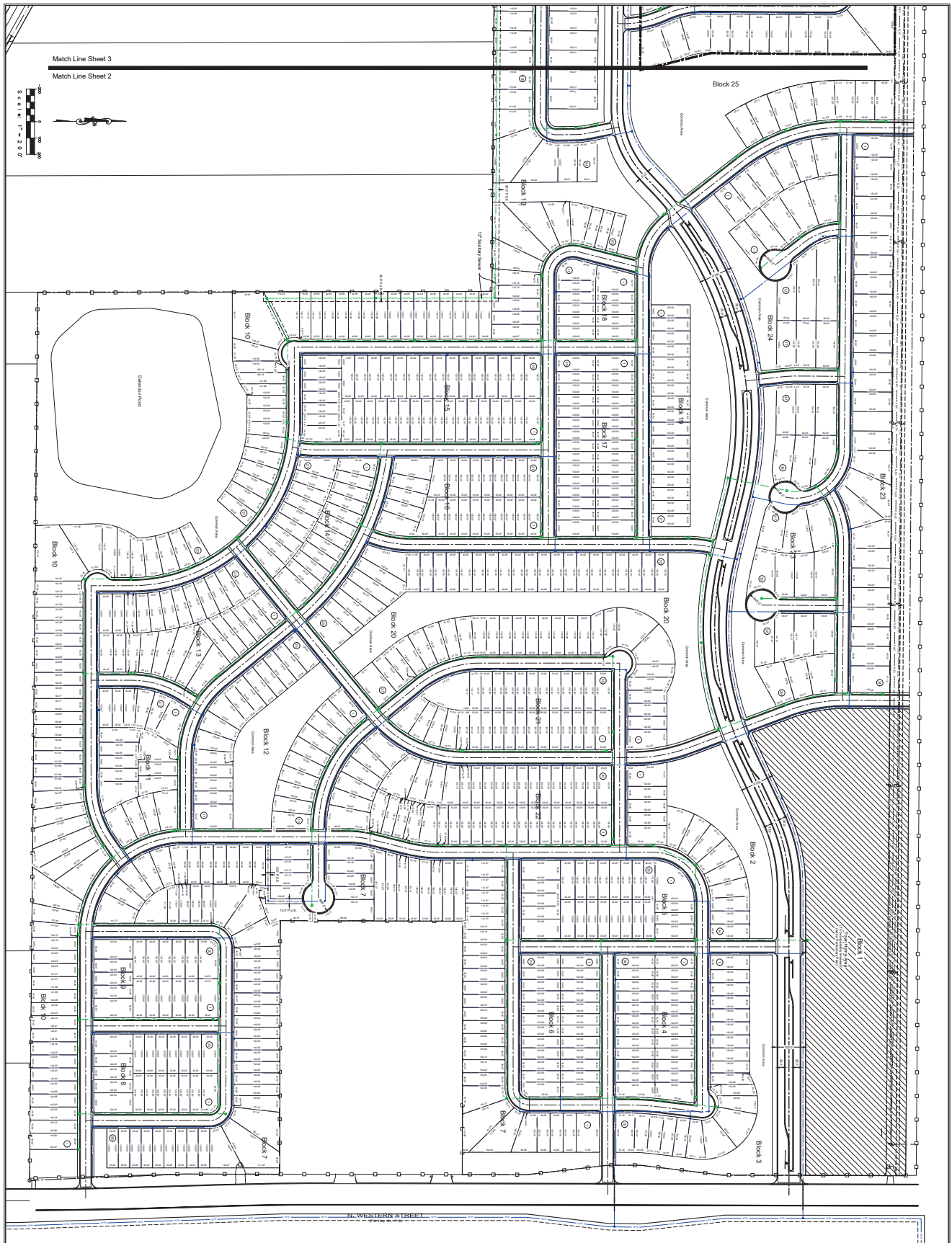
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

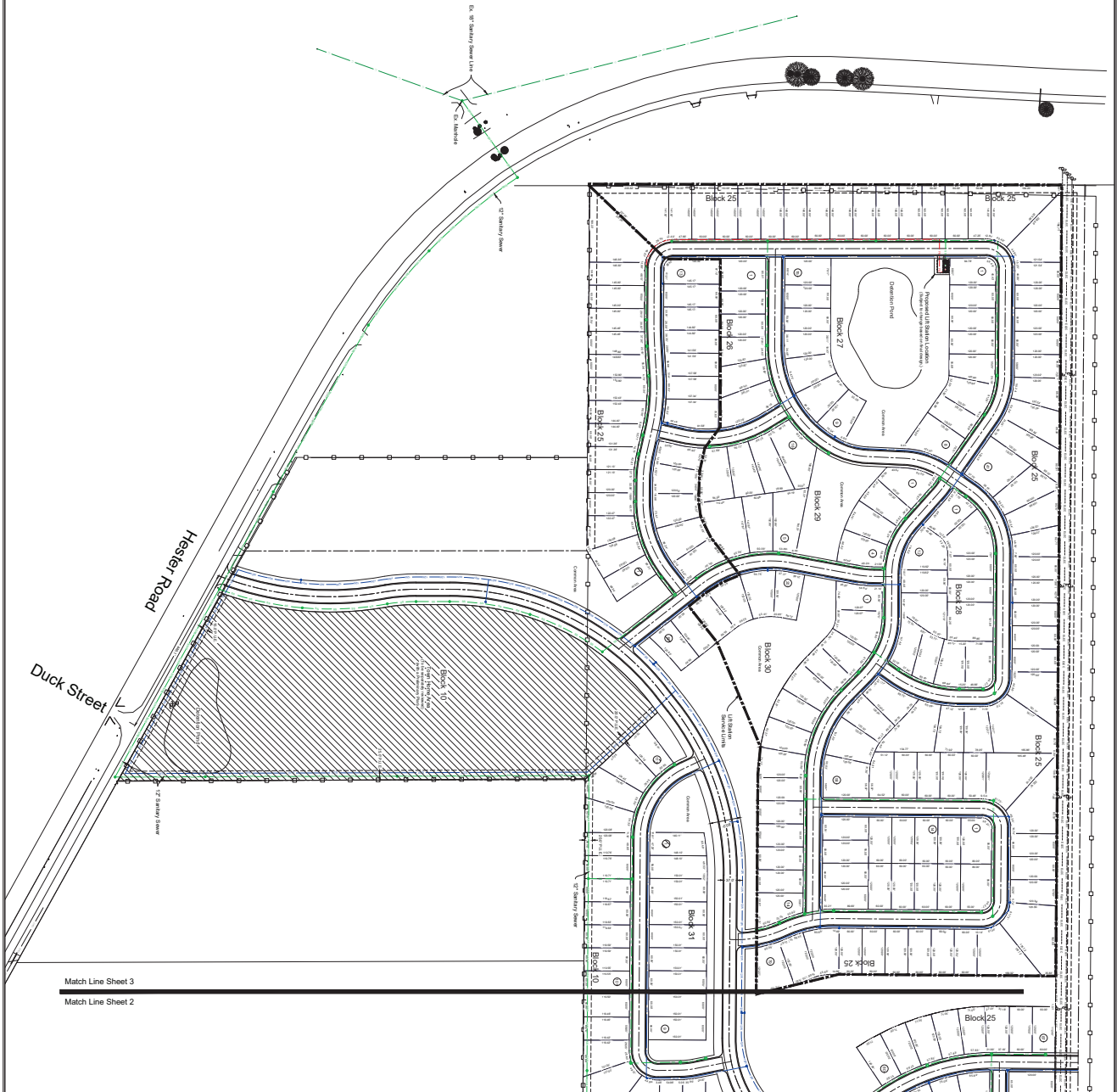
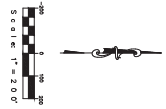
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Bryan McWilliams, City Attorney





|                                                                                    |                                                                         |                                                                                                                                                                                                                                        |                                                              |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| PREPARED BY<br>DATE: MAY 2023<br>CHECKED BY: J.C. - 10/1/2023<br>SHEET<br><b>2</b> | <h3>Rock Ridge Development, Amarillo, TX</h3> <h3>Preliminary Plan</h3> |  <b>OJD Engineering, LLC</b><br><i>The Benchmark</i><br>Amarillo   Wolforth<br><a href="http://www.OJDEngineering.com">www.OJDEngineering.com</a> | AMARILLO<br>J.C. - 10/1/2023<br>WOLFORTH<br>J.C. - 10/1/2023 |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|



Match Line Sheet 3  
Match Line Sheet 2

Rock Ridge Development, Amarillo, TX  
Preliminary Plan

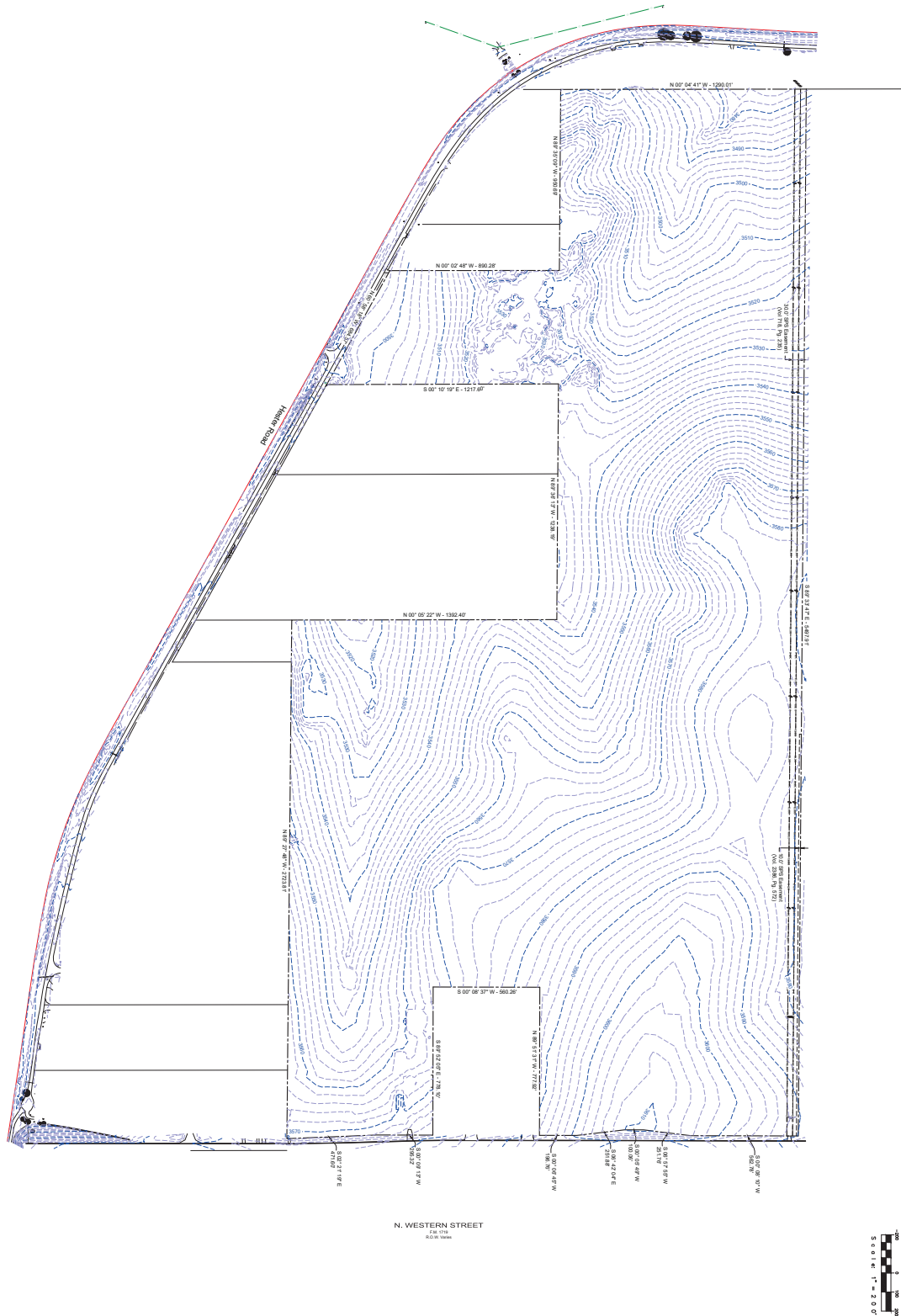
**OJD Engineering, LLC**  
The Benchmark  
Amarillo | Wofforth  
www.OJDEngineering.com

AMARILLO  
JULIO GARCIA  
Project Engineer  
P.E. License No. 10000  
(806) 422-7177

WOFFORTH  
JAMES W. WOFFORTH  
Surveyor License No. 10000  
(806) 741-0200

DATE: 07/15/2023  
DRAWN BY: JLG  
CHECKED BY: JLG  
SCALE: 1" = 200'

SHEET  
3



|                                                              |                                                              |
|--------------------------------------------------------------|--------------------------------------------------------------|
| 4<br>SHEET<br>OF 4<br>DATE: 11/11/2020<br>DRAWN BY: J. L. L. | 4<br>SHEET<br>OF 4<br>DATE: 11/11/2020<br>DRAWN BY: J. L. L. |
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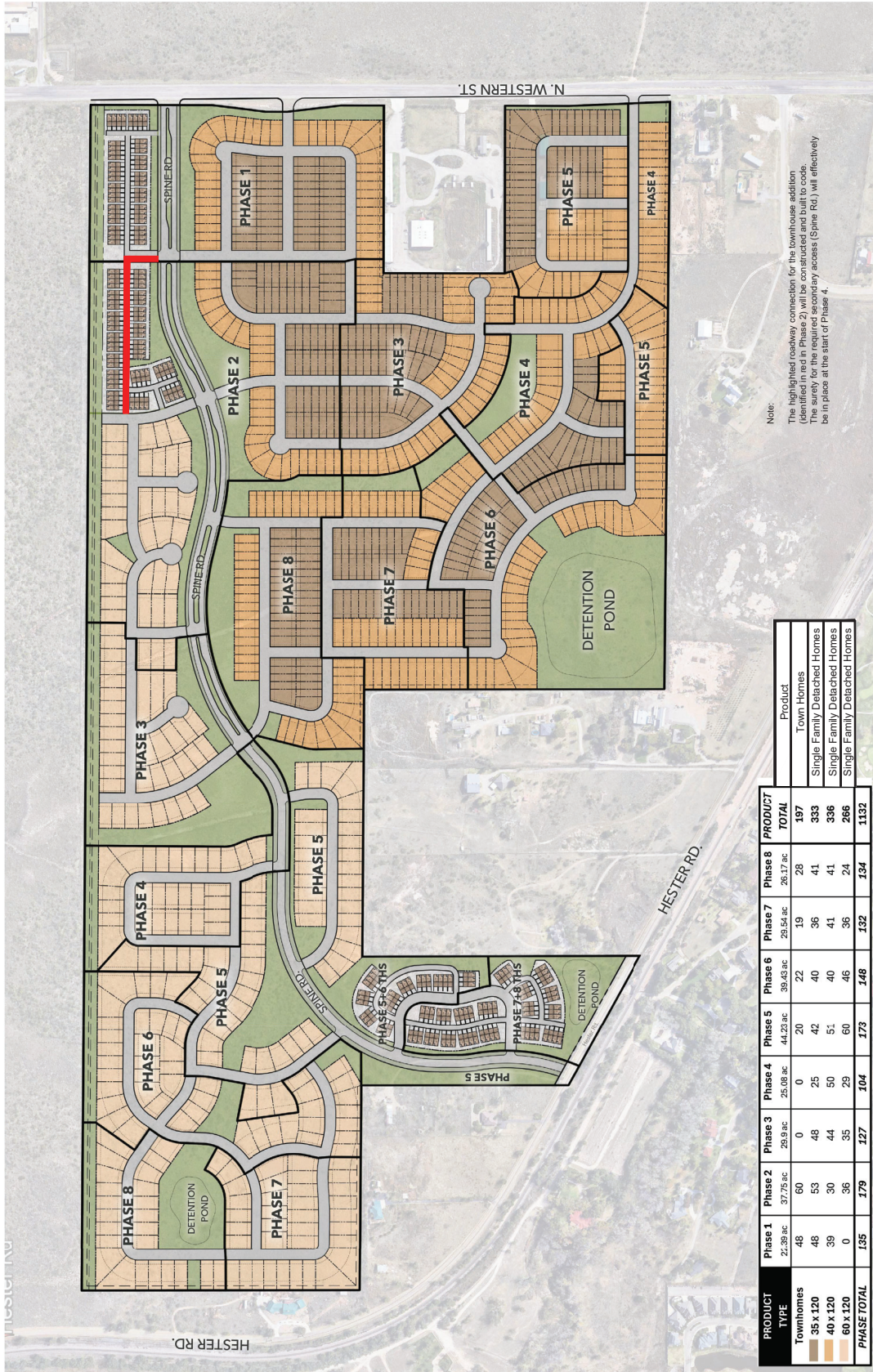
Rock Ridge Development, Amarillo, TX  
Preliminary Plan  
Existing Topography

**OJD Engineering, LLC**  
The Benchmark  
Amarillo | Wolforth  
www.OJDEngineering.com

AMARILLO  
JULIO L. L. L.  
PROFESSIONAL ENGINEER  
No. 11111  
(806) 333-7117

WOLFORTH  
JULIO L. L. L.  
PROFESSIONAL ENGINEER  
No. 11111  
(806) 333-7117





| PRODUCT TYPE | Phase 1 | Phase 2 | Phase 3 | Phase 4 | Phase 5 | Phase 6 | Phase 7 | Phase 8 | PRODUCT TOTAL | Product                      |
|--------------|---------|---------|---------|---------|---------|---------|---------|---------|---------------|------------------------------|
| Townhomes    | 48      | 60      | 0       | 0       | 20      | 22      | 19      | 28      | 197           | Town Homes                   |
| 35' x 120'   | 48      | 53      | 48      | 25      | 42      | 40      | 36      | 41      | 333           | Single Family Detached Homes |
| 40' x 120'   | 39      | 30      | 44      | 50      | 51      | 40      | 41      | 41      | 336           | Single Family Detached Homes |
| 60' x 120'   | 0       | 36      | 35      | 29      | 60      | 46      | 36      | 24      | 266           | Single Family Detached Homes |
| PHASE TOTAL  | 135     | 179     | 127     | 104     | 173     | 148     | 132     | 134     | 1132          |                              |



NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION



Rock Ridge, Amarillo, TX  
Llano Real Estate







NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION



Rock Ridge, Amarillo, TX  
Llano Real Estate







## **NOTICE OF PUBLIC HEARING AMARILLO CITY COUNCIL**

**DATE:** July 28, 2026

**TIME:** 3:00 P.M.

**PLACE:** City Council Chambers, 3rd Floor, City Hall, 623 South Johnson Street Amarillo, TX 79101

The Amarillo City Council will consider in a public hearing on July 28th at 3:00 P.M., a Resolution for the establishment of the Rock Ridge Public Improvement District in the vicinity of the City of Amarillo bound on the East by North Western Street, adjacent to the South and West by Hester Road and Adjacent to the West by another subdivision, which will be considered. The particulars regarding the Public Improvement District are as follows:

The owners and developer of property in the City of Amarillo have submitted a Petition requesting the creation of the Rock Ridge Public Improvement District (PID) in accordance with Chapter 372, Texas Local Government Code, which requires a public hearing on a PID after notice.

The Resolution requesting establishment of the PID proposes the installation and maintenance of improvements that confer a special benefit to the neighborhood over and beyond the normal or typical City standard, for an improvement project listed in Section 372.003 of the Texas Local Government Code, including but not limited to landscaping, parkways, screen walls, and entrances.

The total estimated cost of the improvements proposed in the Public Improvement District is \$11,788,539.00.

The developer has planned improvements, and the cost will be reimbursed through any one or any combination of the methods described in Section 372.023(d) of the Texas Local Government Code.

The approximate boundaries of the Public Improvement District are as follows:

The approximate boundaries of such PID consists of a 254.55 acre tract of land being a portion of Section 12, Block 9, B. S. & F. Survey, Potter County TX, more specifically described in the Rock Ridge PID Petition located on the City of Amarillo website at \_\_\_\_\_.

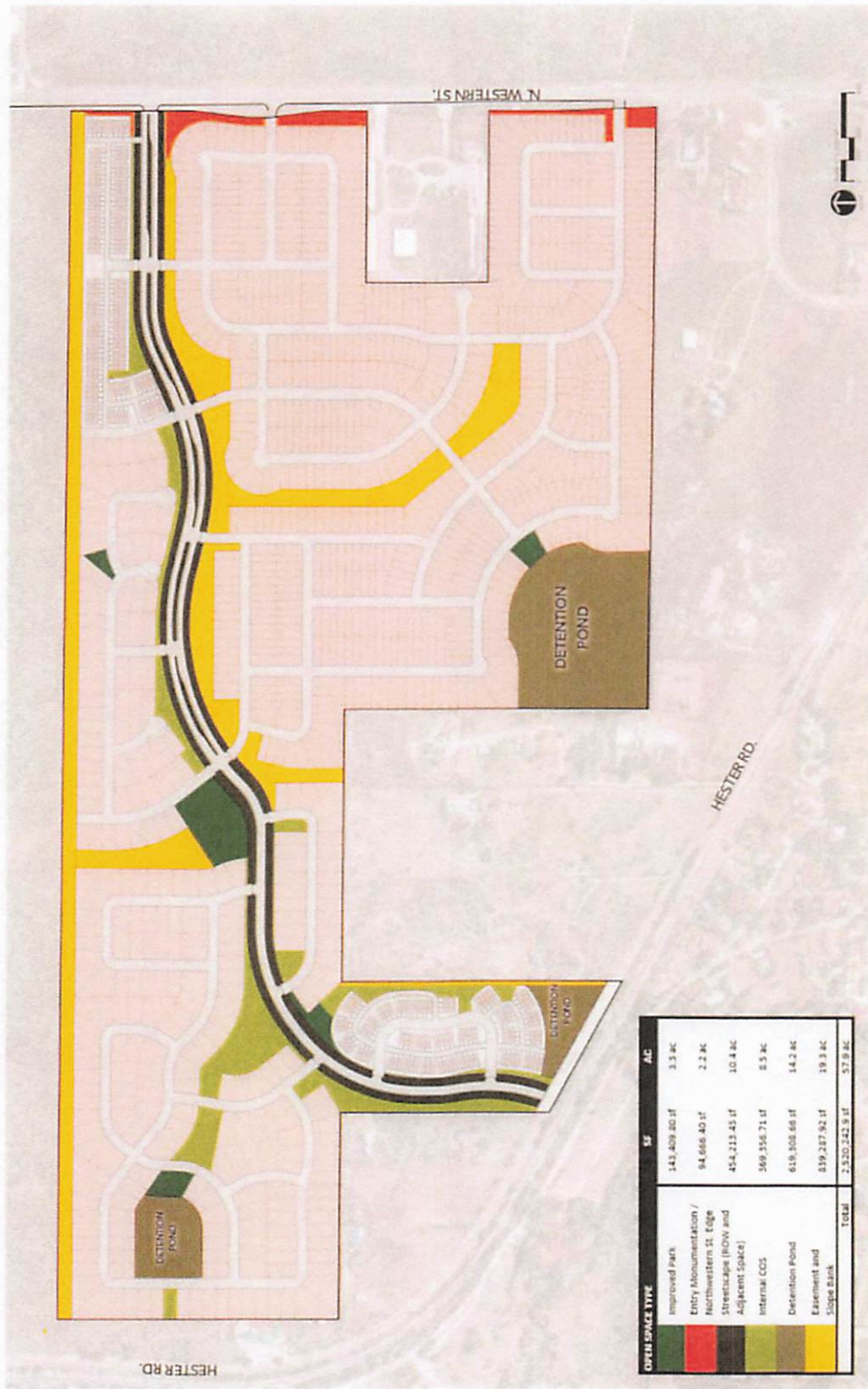
The PID will bear all costs of the improvements, maintenance, and administration of the District. No costs will be apportioned to the City of Amarillo or Potter County, Texas. The method of assessment for said costs to properties within the PID will be based on the Net Appraised Value of the Lot.

**APPLICANTS:** North Western Development Company, LLC and RRDC Amarillo, LP.

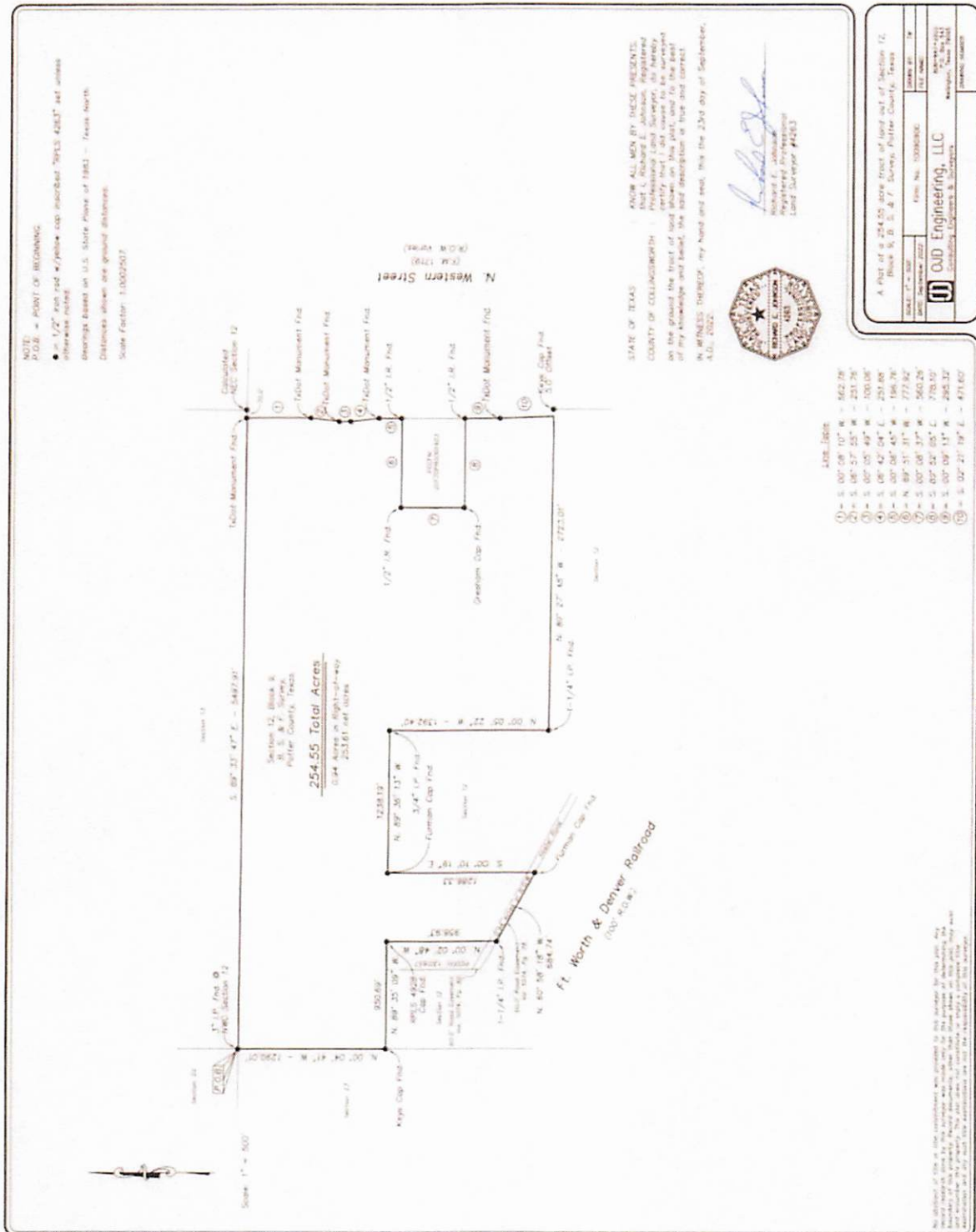
**FOR INFORMATION CALL:** City of Amarillo Public Improvement District, 806/378-6242.

Any property owner within the proposed District, or any interested party, may appear at the hearing and speak for or against the creation of the PID or the proposed improvements.

A map of the proposed district, the Petition submitted by the property owners, and the draft Service and Assessment Plan are available for public inspection in the City Secretary's Office during regular business hours and on the City's website at:



### Map of Boundaries of PID



**PETITION REQUESTING ESTABLISHMENT  
OF PUBLIC IMPROVEMENT DISTRICT**

\*\*\*\*\*

TO: The Mayor and City Council of the City of Amarillo, Texas

**Recitals**

A. North Western Development Company, LLC, a Texas limited liability company, is the owner of the real property described in EXHIBIT "A."

B. RRDC Amarillo, LP, a Texas limited partnership, is the owner of the real property described in EXHIBIT "B."

C. Developer (such term being defined in Paragraph 1 below) intends to develop said property in approximately 8 different phases.

D. Owner intends to convey each phase of the property described in EXHIBIT "A" to Developer before the Property is platted.

E. Developer will file a plat (the "Plat") of each phase with the Planning and Zoning Department of the City of Amarillo, Texas upon acquiring title. When Developer transfers a lot within a phase that has been platted to a third party, the lot will be subject to assessments as provided in this Petition.

F. Developer will create a property owners association.

**Petition**

This Petition requesting the establishment of a public improvement district is submitted by Owner (such term being defined in Paragraph 1 below) and Developer to the Amarillo City Council. This Petition is submitted under the authority of Chapter 372 of the Local Government Code of Texas so that the powers granted under the Act may be exercised by the City. In support of this Petition, Owner and Developer show the following:

1. **Definitions.** The use of any of the following defined terms in their capitalized form will have the meaning designated below. The use of any of the following defined terms in their uncapitalized form will indicate the words have their normal meaning.

(a) **"Act"** means Chapter 372 of the Local Government Code of Texas.

(b) **"Administrative Costs"** means publication fees, collection fees, postage, and other administrative costs incurred by the City directly attributable to the PID.

- (c) **"Advisory Board"** has the meaning set forth in Paragraph 4.
- (d) **"Assessment Method"** has the meaning set forth in Paragraph 14.
- (e) **"Assessed Tracts"** has the meaning set forth in Paragraph 3.
- (f) **"Association"** means the Property Owners Association as described in Paragraph 22 below.
- (g) **"Capital Improvements"** means improvements that confer a special benefit to the neighborhood over and above the normal or typical City standard, for a project listed in Section 372.003 of the Act.
- (h) **"City"** means the City of Amarillo.
- (i) **"City Council"** means the City Council of the City of Amarillo.
- (j) **"Common Areas"** means those areas designed as "Common Areas" on the Plat.
- (k) **"Developer"** means RRDC Amarillo, LP, a Texas limited partnership, and/or any of its successors and/or assigns to whom RRDC Amarillo, LP expressly conveys or assigns in writing, whether in whole or in part, any of its rights and/or obligations with respect to the PID, and expressly excludes any person or entity merely purchasing property within the PID from Developer.
- (l) **"Hard Costs"** means actual costs incurred by Developer for construction of the Capital Improvements.
- (m) **"Hybrid PID"** has the meaning set forth in Paragraph 25(a).
- (n) **"Maintenance"** means labor and materials for the repair and maintenance of the Capital Improvements, mowing grass, trimming trees and bushes, replanting landscaping, and other work as reasonably determined by the Management Company to keep the Capital Improvements attractive and in good condition.
- (o) **"Management Company"** shall mean a person or entity selected by the City and approved by the Association, which could be the Association itself, to provide certain services, in accordance with the Texas Procurement Laws, as set forth herein, associated with the PID.
- (p) **"Net Appraised Value"** shall mean the value of the Residential Lot which shall include all improvements constructed on such lot or attributable to such lot as determined by the Potter-Randall County Appraisal District.

- (q) **"Owner"** means North Western Development Company, LLC, a Texas limited liability company and RRDC Amarillo, LP, a Texas limited partnership, and/or any of its successors and/or assigns to whom North Western Development Company, LLC and/or RRDC Amarillo, LP expressly conveys or assigns in writing, whether in whole or in part, any of its rights and/or obligations with respect to the PID.
- (r) **"Petition"** means this Petition Requesting Establishment of Public Improvement District.
- (s) **"PID"** means the public improvement district to be created pursuant to this Petition.
- (t) **"PID Assessments"** means assessments imposed against Assessed Tracts, which are used to pay for the Hard Costs, Soft Costs, Maintenance, Administrative Costs, and any interest thereon.
- (u) **"Plat"** means a map of a subdivision showing the location of individual parcels of land subdivided into lots, with streets, alleys, etc., and drawn to scale.
- (v) **"Pre-Dissolution Costs"** has the meaning set forth in Paragraph 25(a).
- (w) **"Property"** means the real property described in EXHIBIT "A" and EXHIBIT "B".
- (x) **"Residential Lot"** means all lots on which single-family detached houses, attached townhouses, houses on zero lot lines, patio homes, garden homes, and other similar houses are to be constructed which are used as single-family residences.
- (y) **"Service Plan"** has the meaning set forth in Paragraph 16.
- (z) **"Soft Costs"** means costs and fees incurred by Developer for architectural design of landscaping, design for architectural and landmark features, insurance on Capital Improvements, engineering fees applicable only to Capital Improvements, and attorneys' fees for the establishment, administration, and operation of the PID.

2. **Name.** The PID will be known as the Rock Ridge Public Improvement District.

3. **PID Assessment.** The City will be authorized to utilize the PID to assess all lots and tracts located in any platted portion of the Property, except as otherwise provided herein, (the "Assessed Tracts") to raise money to pay for the Hard Costs, Soft Costs, Maintenance, Administrative Costs, and any interest thereon. The City will not assess—for the PID—the platted



portion of the Property included in streets, alleys, parks, or Common Areas. When each phase of the Property is platted and the Plat is filed in the Official Public Records of Potter County, Texas, the property within the Plat will be subject to PID Assessments beginning on January 1 of the year that follows the year during which the Plat is filed in the Official Public Records of Potter County, Texas. The property within each Plat will not be subject to PID Assessments for the year in which the Plat for such property is recorded in the Official Public Records of Potter County, Texas. Until the time that sufficient PID Assessments have been collected to pay for the cost of Maintenance, Developer shall pay for such Maintenance costs, which shall be reimbursed to Developer in accordance with Paragraph 10 below. The City should endeavor to keep the PID Assessments on the Assessed Tracts as level as reasonably possible.

**4. Advisory Board.** The City Council will appoint a PID advisory board (the "Advisory Board"). The terms of the members of the Advisory Board shall coincide with the City's fiscal year. The initial Advisory Board will consist of three members who will be suggested for approval by Developer. Unless a member is appointed to fill an unexpired term of a former member, the term for each member of the initial Advisory Board will begin on the date of his or her appointment to the Advisory Board and continue until the last day of the City's fiscal year. If on the last day of such fiscal year, Developer has not sold more than 100 Residential Lots within the PID, the initial Advisory Board shall continue serving for the subsequent fiscal year or years until such time as on the last day of a fiscal year at least 100 Residential Lots within the PID have been sold by Developer. At such time, the Advisory Board for all future fiscal years will consist of five members who will serve terms of three years each with the terms being staggered among the members as equally as possible. Such five members of the Advisory Board shall consist of:

(a) two members, other than Developer, who are lot owners in the PID and who are suggested for approval by the Association's Board of Directors;

(b) two members who are suggested for approval by Developer, unless Developer waives its right, in writing, to suggest members to serve on the Advisory Board; and

(c) one member who is suggested for approval by Owner, unless Owner waives its right, in writing, to suggest a member to serve on the Advisory Board.

At the time when Developer no longer own any residential portions of the Property or in the event that Developer waives the right to suggest members to serve on the Advisory Board, the members of the Advisory Board whom Developer had the right to suggest for approval will be suggested instead by the Association's Board of Directors.

**5. Advisory Board Services.** The Advisory Board, in collaboration with the Management Company, will recommend for approval by the Association and City Council (i) a five-year Service Plan and annual updates thereto, (ii) an annual budget setting forth in detail the proposed services and the projected costs of services, improvements, Maintenance, and Administrative Costs for the PID, (iii) service contracts, and (iv) the amount of PID Assessments. The Service Plan, when approved, will be administered by the City and the Management Company.

6. **General Nature of Proposed Improvements.** The proposed improvements to be included in the PID are the Capital Improvements, and the general nature of the proposed improvements will primarily be aesthetic in nature to enhance the lifestyle, personal pride, enjoyment, and property values within the PID. A master plan showing the proposed location of the Capital Improvements is attached hereto as EXHIBIT "C."

7. **Development Costs.** If Owners and the City agree, after required public bidding, the PID shall reimburse Developer for the Soft Costs and Hard Costs plus interest at a rate equal to the prime rate of interest published in the Money Rates column of the first issue of the Wall Street Journal published in January of each year. Interest will begin accruing on the Soft Costs and the Hard Costs on the date the City accepts each separate phase of Capital Improvements. Notwithstanding the foregoing, interest will cease accruing five years after the City accepts each separate phase of Capital Improvements. The Soft Costs to be reimbursed to Developer may not exceed 15.0% of the total Hard Costs.

8. **Regular City Services.** The proposed Capital Improvements and Service Plan applicable to the Property will be a supplement to the existing standard level of City improvements and services and will constitute an added increment to the improvements and services normally provided to the taxpayers generally. If the PID is created, the City will continue to furnish and pay for standard improvements and services in the PID at the same level as would be provided by the City to the taxpayers generally without use of any of the funds collected by the PID.

9. **Estimated Costs.** A spreadsheet showing the projected costs of the Capital Improvements is attached hereto as EXHIBIT "D." Such cost projections spreadsheet is an estimate only; the actual dates and costs may be affected by various matters, including inflation and changes in the Capital Improvements made by Developer. As shown on EXHIBIT "D", the estimated total of Hard Costs is \$11,521,039.00. The estimated total of Soft Costs is \$267,500.00 for a total estimated cost of \$11,788,539.00. An annual budget for the cost of improvements and Maintenance—within the limits of Section 372.003 of the Act—will be determined in the Service Plan recommended by the Advisory Board and adopted and amended from time to time by the City Council.

10. **Reimbursement to Developer.** Any amount of assessments received by the City for the PID in excess of (i) funds necessary to pay for Maintenance, (ii) Administrative Costs, and (iii) an amount to be held as a contingency reserve equal to at least 25.0% of the annual PID budget as determined by the Commission will be paid to Developer for reimbursement as set forth in Paragraph 7. The reimbursement to Developer will be paid quarterly as funds are available. Developer will only be reimbursed for Soft Costs and Hard Costs plus interest as provided in Paragraph 7. All payments to Developer will be applied first to accrued interest and then to principal.

11. **Payment of Surplus to Developer as Reimbursement.** Any amount of PID Assessments received by the City in excess of funds necessary for the payment of the following items (the "Surplus") will be paid to Developer as reimbursement: (i) Maintenance, (ii) Administrative Costs, (iii) an amount to be held as a contingency reserve equal to at least 25.0% of the annual PID budget as determined by the City Council, and (iv) debt service for



reimbursement payments to Developer as called for under Paragraph 10. It is the intent that in addition to the reimbursement payments to Developer called for under Paragraph 10, Developer will also receive the Surplus as a credit to the amount to be reimbursed to Developer under Paragraph 10. The payments of Surplus to Developer will be paid annually, on a first incurred, first reimbursement basis, as funds are available. All payments of Surplus to Developer will be applied first to accrued interest and then to principal.

12. **Issuance of Debt.** When the City has determined that a sufficient number of Assessed Tracts exist within the PID to generate income sufficient to amortize between 10 to 30 years the total costs of the unreimbursed Hard Costs, Soft Costs, Maintenance costs incurred by Developer, and accrued interest, the City will issue the necessary debt to provide sufficient funds to reimburse Developer therefor.

13. **PID Boundaries.** The proposed PID will include the Property and the boundaries of the proposed PID are shown on EXHIBIT "E."

14. **Method of Assessment.** At the time a Plat application is filed, Developer shall furnish the City with the number of square feet for each lot or tract lying within the Plat. Subject to Paragraph 3, PID Assessments shall be levied on tracts within the PID to pay the indebtedness for the Hard Costs, Soft Costs, Maintenance costs incurred by Developer, and accrued interest described in Paragraph 10. Until changed by the City Council, the method of establishing PID Assessments (the "Assessment Method") will be determined as follows:

- (a) **Residential Property.** Each Residential Lot will be assessed 0.2200% of the Net Appraised Value of the Residential Lot (including any and all improvements located on or attributable to the Residential Lot) for the current tax year as determined by the Potter-Randall County Appraisal District.
- (b) **Other Property.** All tracts other than those described in Subparagraphs 14(a) above will be assessed in the same manner as Residential Property.

The PID Assessments must be levied in amounts necessary to meet annual costs for Hard Costs, Soft Costs, Maintenance, Administrative Costs, reserves, and accrued interest and must continue for a period necessary to retire the indebtedness to Developer for Hard Costs, Soft Costs, costs of Maintenance incurred by Developer, and accrued interest. The PID Assessments and interest rate are to be recalculated on an annual basis based on an updated five-year Service Plan.

15. **Exemptions from Assessments.** The Advisory Board may, in its discretion, grant exemptions to non-profit organizations or entities from PID Assessments for property that will be used for non-residential purposes and in a manner that the Advisory Board determines will be beneficial to the Rock Ridge subdivision.

16. **Service Plan.** The "Service Plan" will be ongoing and will provide for:

- (a) Estimated cost and method of operating the PID to be recommended by the Advisory Board and approved by the City Council for a period of not less than five years. The City Council may, but is not obligated to, approve the recommendations of the Advisory Board. The Service Plan will be reviewed and updated each year by the Advisory Board and the City Council to establish the annual costs of the special services.
- (b) Annual costs of operating the PID to be assessed by the Assessment Method against the Assessed Tracts as established by the then current tax roll of the Potter/Randall County Appraisal District and to be collected with the ad valorem tax collections.

A summary of the potential services to be provided by the PID is described in EXHIBIT “F”; however, Owners and Developer request that the PID be authorized to engage in any activity permitted under the Act, subject to annual approval by the Advisory Board and the City Council.

**17. Administration and Management.** Administration and management of the PID will be by the City and the Management Company.

- (a) The power and duties of the City include:
  - i. exercising the duties set forth in the Act;
  - ii. levying and collecting PID Assessments to pay for the annual costs of operating the PID, debt service, and preparing and sending out statements for such PID Assessments on an annual basis;
  - iii. holding public hearings in accordance with Section 372.009 of the Act on the advisability of proposed improvements and services;
  - iv. making findings as to the advisability of improvements, the estimated costs, the method of assessment, and the apportionment of costs between the PID and the City as a whole;
  - v. authorizing acquisition of existing improvements or construction of new improvements and implementation of special supplemental services;
  - vi. approving the Service Plan for a period of not less than five years;
  - vii. reviewing and updating the Service Plan annually to determine the annual costs of operation of the PID and to determine the amount of the annual PID Assessment for each property owner;
  - viii. establishing by ordinance, if the City Council deems it necessary, reasonable classifications and formulas for the apportionment of

costs between various classes of property to be assessed and the methods of assessing the special benefits for various classes of improvements and services;

- ix. requesting reports from the Management Company concerning the operation of the PID;
- x. holding public hearings on proposed PID Assessments and passing on objections to such PID Assessments;
- xi. adopting ordinances levying PID Assessments, specifying the method and time for payment of PID Assessments, determining the rate of interest on unpaid PID Assessments, and fixing liens against property for unpaid assessments;
- xii. holding public hearings on supplemental PID Assessments to correct omissions or mistakes in original PID Assessments;
- xiii. making a reassessment or new assessment if an assessment is (1) set aside by a court of competent jurisdiction, (2) found excessive by the City Council, or (3) determined to be invalid by the City Council on the written advice of legal counsel;
- xiv. creating a separate PID fund within the City treasury to be used solely for the depositing of PID assessments and the paying of PID costs;
- xv. establishing the necessary administrative changes to the PID fund to cover all necessary administrative charges to not impact taxpayers in other areas of the City;
- xvi. approving contracts for services provided to the PID;
- xvii. reviewing bids for construction and awarding contracts;
- xviii. issuing debt on a per phase basis for the development and providing for repayment;
- xix. reviewing PID expenditures and processing payments; and
- xx. approving preliminary cost estimates for proposed improvements and services.

- (b) The powers and duties that the City intends, but is not required, to delegate to the Management Company shall include:

- i. overseeing the maintenance of PID improvements and the provision of PID services;
- ii. obtaining preliminary cost estimates for proposed improvements and services;
- iii. making recommendations to the City as to the advisability of improvements, the estimated costs, the method of assessment, and the apportionment of costs between the PID and the City as a whole;
- iv. in collaboration with the Advisory Board, reviewing and updating the Service Plan annually to determine the annual costs of operation of the PID and to determine the amount of the annual PID Assessment for each property owner;
- v. providing any reports requested by the City concerning the operation of the PID;
- vi. making recommendations to the Advisory Board regarding PID Assessments; and
- vii. recommending service providers for services to be provided within the PID.

**18. Proposed Apportionment of Cost between PID and City.** The City shall not be obligated to provide any funds to finance the Capital Improvements. The cost of the Capital Improvements will either be paid directly from the PID Assessments or paid by the Developer who will be reimbursed from the PID Assessments.

**19. Common Areas Deed.** When Developer prepares each Plat, the Plat will show that portion of the Property that will be in the Common Areas. As soon as reasonably possible after the City accepts each phase of Capital Improvements on Common Areas, Developer will deed the Common Areas to the Association and the Association will then deed the Common Areas to the City. The deed from the Association to the City will contain a provision that if the PID is ever terminated, ownership of the Common Areas will revert to the Association.

**20. Establishment.** Owners and Developer request and concur with the establishment of the PID.

**21. Petition is Legal.** As required by Section 372.005 of the Act, this Petition is sufficient because it is signed by:

- (a) owners of taxable real property representing more than 50.0% of the appraised value of taxable real property liable for assessment under this

Petition, as determined by the current tax roll of the Potter/Randall County Appraisal District; and

- (b) record owners of real property liable for assessment under this Petition who own taxable real property that constitutes more than 50.0% of the area of all taxable real property that is liable for assessment under this Petition.

Owners are the record owner of the real property liable for assessment under this Petition. The address of Owners, the descriptions of the real property liable for assessment under this Petition, the tax account numbers, and the taxable appraised value of such property are shown on EXHIBIT "G."

**22. Property Owners Association.** Developer will create a Property Owners Association (the "Association") that—in the event the PID is terminated or dissolved—will have the authority and duty to continue the services of the PID.

**23. Master Declaration.** Developer intends to subject the Property to a Master Declaration that is in a substantially similar form to that attached hereto as EXHIBIT "H."

**24. Request.** Owners and Developer request that the City Council do the following:

- (a) determine that this Petition meets the requirements of the Act;
- (b) cause this Petition to be filed with the City Secretary;
- (c) make findings by resolution as to the advisability of the nature of the proposed improvements, the estimated cost, the boundaries of the PID, the method of assessment, and the apportionment of costs between the proposed PID and the City as a whole;
- (d) give proper notice and hold a public hearing on the advisability of establishing the PID and providing for the proposed Assessment Method;
- (e) at anytime within six months after final adjournment of the hearing, adopt a resolution authorizing establishment of the PID according to its findings and authorizing the PID to engage in any other statutorily allowed project as may be approved in a Service Plan to be adopted;
- (f) cause the resolution authorizing the PID to be duly published;
- (g) prepare an assessment roll stating the PID Assessment against each parcel of land within the PID—as determined by the Assessment Method—and cause such assessment roll to be filed with the City Secretary;
- (h) give proper notice and hold a public hearing to consider the proposed PID Assessments;

- (i) levy by ordinance the PID Assessments as special assessments on the Assessed Tracts, specify the method of payment, and prepare and send to property owners bills for such special assessments;
- (j) take all other steps necessary to establish the PID and impose the special assessments on the Assessed Tracts within the PID; and
- (k) take such other action as required by the Act.

**25. Dissolution.** The PID may be dissolved through (1) a public hearing called and held in the same manner as a hearing under Section 372.009 of the Act if a petition requesting dissolution is filed and the petition contains the signatures of at least enough property owners in the PID to make a petition sufficient under Section 372.005(b) of the Act, or (2) by such other dissolution process as the legislature may authorize. If the PID is dissolved, the following shall occur:

(a) the PID nonetheless shall remain in effect solely for the purpose of meeting obligations of indebtedness to Developer (the "Hybrid PID") for all Hard Costs, Soft Costs, and costs of Maintenance, so long as such costs were incurred by Developer prior to the dissolution of the PID (the "Pre-Dissolution Costs"), together with accrued interest on such Pre-Dissolution Costs;

(b) to the extent, due to unforeseen circumstances, Developer is not reimbursed through the Hybrid PID for any Pre-Dissolution Costs and accrued interest on such Pre-Dissolution Costs, the Association shall be responsible for the payment to Developer of such Pre-Dissolution Costs and accrued interest thereon; provided, however, the Association's obligation under this Subparagraph 25(b) shall in no way affect or limit the requirement that Developer be reimbursed through the Hybrid PID under Subparagraph 25(a);

(c) the Association will have the authority and duty to continue the services of the PID as set forth in the Master Declaration attached hereto as Exhibit "H";

(d) the Association shall be obligated to remove or repair, at its expense, any Capital Improvements that are in disrepair and which create a hazard to the public safety as determined by the City.

**26. Exhibits.** The following exhibits are attached hereto and made a part hereof for all purposes:

| Exhibit | Paragraph No. | Title                                                                                            |
|---------|---------------|--------------------------------------------------------------------------------------------------|
| "A"     | A             | Real Property Owned by North Western Development Company, LLC, a Texas limited liability company |
| "B"     | B             | Real Property Owned by RRDC Amarillo, LP, a Texas limited partnership                            |
| "C"     | 6             | Rock Ridge Master Plan                                                                           |
| "D"     | 9             | Cost Projection Spreadsheet                                                                      |
| "E"     | 13            | Map of Boundaries of PID                                                                         |
| "F"     | 16            | Potential Services                                                                               |
| "G"     | 21            | Information Regarding Owners and Property                                                        |
| "H"     | 23            | Rock Ridge Master Declaration                                                                    |

Dated the 6 day of May, 2026.

**OWNER:**

North Western Development Company, LLC,  
a Texas limited liability company

By: \_\_\_\_\_

Elliot McKinney, President

**DEVELOPER:**

RRDC Amarillo, LP,  
a Texas limited partnership

By: Rock Ridge Amarillo Dev Co, LLC,  
General Partner

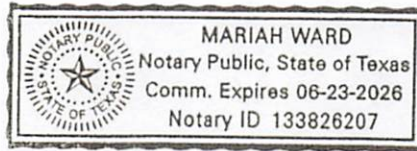
By: \_\_\_\_\_

Josh Langham (Printed Name)

Its: member GP (Title)

STATE OF TEXAS §

COUNTY OF Pandell §

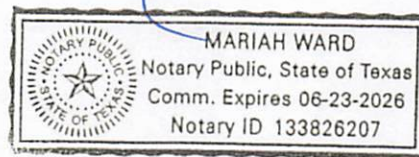


This instrument was acknowledged before me on this the 6 day of May, 2026, by Elliott McKinney, President of **North Western Development Company, LLC**, a Texas limited liability company, on behalf of said company.

  
\_\_\_\_\_  
Notary Public

STATE OF TEXAS §

COUNTY OF Pandell §



This instrument was acknowledged before me on this the 6 day of May, 2026, by Josh Langhem, GP of **Rock Ridge Amarillo Dev Co, LLC**, General Partner for **RRDC Amarillo, LP**, a Texas limited partnership, on behalf of said limited partnership.

  
\_\_\_\_\_  
Notary Public



## **EXHIBIT "A"**

### **Real Property Owned by** **North Western Development Company, LLC, a Texas limited liability company**

FIELD NOTES for a 254.55 acre tract of land out of Section 12, Block 9, B. S. & F. Survey, Potter County, Texas, and more particularly described as follows:

BEGINNING at a 3" iron pipe found at the northwest corner of said Section 12 for the northwest corner of this tract.

THENCE S. 89° 33' 47" E. a distance of 5497.91 feet a TxDot Monument found on the west right-of-way line of N. Western St. for the northeast corner of this tract.

THENCE S. 00° 08' 10" W., along said west right-of-way line, a distance of 562.78 feet to a TxDot Monument found for an angle corner of this tract.

THENCE S. 06° 57' 55" W., continuing along said west right-of-way line, a distance of 251.76 feet to a TxDot Monument found for an angle corner of this tract.

THENCE S. 00° 05' 49" W., continuing along said west right-of-way line, a distance of 100.06 feet to a TxDot Monument found for an angle corner of this tract.

THENCE S. 06° 42' 04" E., continuing along said west right-of-way line, a distance of 251.88 feet to a TxDot Monument found for an angle corner of this tract.

THENCE S. 00° 06' 45" W., continuing along said west right-of-way line, a distance of 196.76 feet to a 1/2" iron rod found for an ell corner of this tract.

THENCE N. 89° 51' 31" W. a distance of 777.92 feet to a 1/2" iron rod found for an ell corner of this tract.

THENCE S. 00° 08' 37" W. a distance of 560.26 feet to a Gresham Cap found for an ell corner of this tract.

THENCE S. 89° 52' 05" E. a distance of 778.10 feet to a 1/2" iron rod found on said west right-of-way line for an ell corner of this tract.

THENCE S. 00° 09' 13" W., along said west right-of-way line, a distance of 295.32 feet to a TxDot Monument found for an angle corner of this tract.

THENCE S. 02° 21' 19" E., continuing along said west right-of-way line, a distance of 471.60 feet to the southeast corner of this tract.

THENCE N. 89° 27' 48" W. a distance of 2723.81 feet to a 1-1/4" iron pipe found for an ell corner of this tract.

THENCE N. 00° 05' 22" W. a distance of 1392.40 feet to a 3/4" iron pipe found for an ell corner of this tract.

THENCE N. 89° 36' 13" W. a distance of 1238.19 feet to a Furman Cap found for an ell corner of this tract.

THENCE S. 00° 10' 19" E. a distance of 1286.33 feet to a Furman Cap found on the northerly right-of-way line of the Ft. Worth & Denver Railroad same being the southerly right-of-way line of Hester Road for an angle corner of this tract.

THENCE N. 60° 58' 18" W., along said northerly and southerly right-of-way lines, a distance of 684.74 feet to a 1-1/4" iron pipe found for the most southerly southwest corner of this tract.

THENCE N. 00° 02' 48" W. a distance of 958.93 feet to an RPLS 4928 Cap found for an ell corner of this tract.

THENCE N. 89° 35' 09" W. a distance of 950.69 feet to a Keys Cap found for the most westerly southwest corner of this tract.

THENCE N. 00° 04' 41" W. a distance of 1290.01 feet to the place of BEGINNING and containing 254.55 acres (11,088,227 square feet) of land.

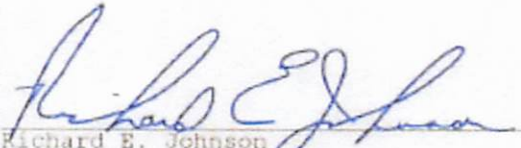
**SAVE AND EXCEPT: A 17.28- acre tract of land out of Section 12, Block 9, B.S.&F. Survey, Potter County, Texas, as more particularly described on Exhibit "B" attached hereto.**

\* \* \* \* \*

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

IN WITNESS THEREOF, my hand and seal, this the 23rd day of September, A.D.,  
2022.



  
Richard E. Johnson  
Registered Professional  
Land Surveyor #4263

OJD ENGINEERING, LLC \* WELLINGTON, TX \* FIRM NO. 10090900

## **EXHIBIT "B"**

### **Real Property Owned by RRDC Amarillo, LP a Texas partnership**

**A 17.28 acre tract of land out of Section 12, Block 9, B. S. & F. Survey, Potter County, Texas, and more particularly described as follows:**

**BEGINNING at the northeast corner of said 17.28 acre tract of land on the west right-of-way line of N. Western Street which bears S. 89° 33' 47" E. a distance of 5499.52 feet and S. 00° 26' 13" W. a distance of 306.88 feet from a 3" iron pipe found at the northwest corner of said Section 12 for the northeast corner of this tract.**

**THENCE S. 00° 08' 10" W., along said west right-of-way line, a distance of 255.89 feet to a TxDOT monument found on said west right-of-way line for a corner of this tract.**

**THENCE S. 06° 57' 55" W., continuing along said west right-of-way line, a distance of 251.76 feet to a TxDOT monument found on said west right-of-way line for a corner of this tract.**

**THENCE S. 00° 05' 49" W., continuing along said west right-of-way line, a distance of 100.06 feet to a TxDOT monument found on said west right-of-way line for a corner of this tract.**

**THENCE S. 06° 42' 04" E., continuing along said west right-of-way line, a distance of 251.88 feet to a TxDOT monument found on said west right-of-way line for a corner of this tract.**

**THENCE S. 00° 06' 45" W., continuing along said west right-of-way line, a distance of 196.76 feet to a 1/2" iron rod found on said west right-of-way line for the southeast corner of this tract.**

**THENCE N. 89° 51' 31" W. a distance of 712.89 feet to the southwest corner of this tract.**

**THENCE N. 00° 08' 29" E. a distance of 129.23 feet to a corner of this tract.**

**THENCE N. 90° 00' 00" W. a distance of 19.94 feet to a corner of this tract.**

**THENCE N. 00° 00' 00" W. a distance of 50.00 feet to a corner of this tract.**

**THENCE N. 90° 00' 00" E. a distance of 8.50 feet to a corner of this tract.**

**THENCE N. 00° 00' 00" E. a distance of 530.00 feet to a corner of this tract.**

**THENCE N. 90° 00' 00" W. a distance of 8.50 feet to a corner of this tract.**

**THENCE N. 00° 00' 00" W. a distance of 50.00 feet to a corner of this tract.**

**THENCE N. 90° 00' 00" E. a distance of 8.50 feet to a corner of this tract.**

**THENCE N. 00° 00' 00" E. a distance of 189.76 feet to a corner of this tract.**

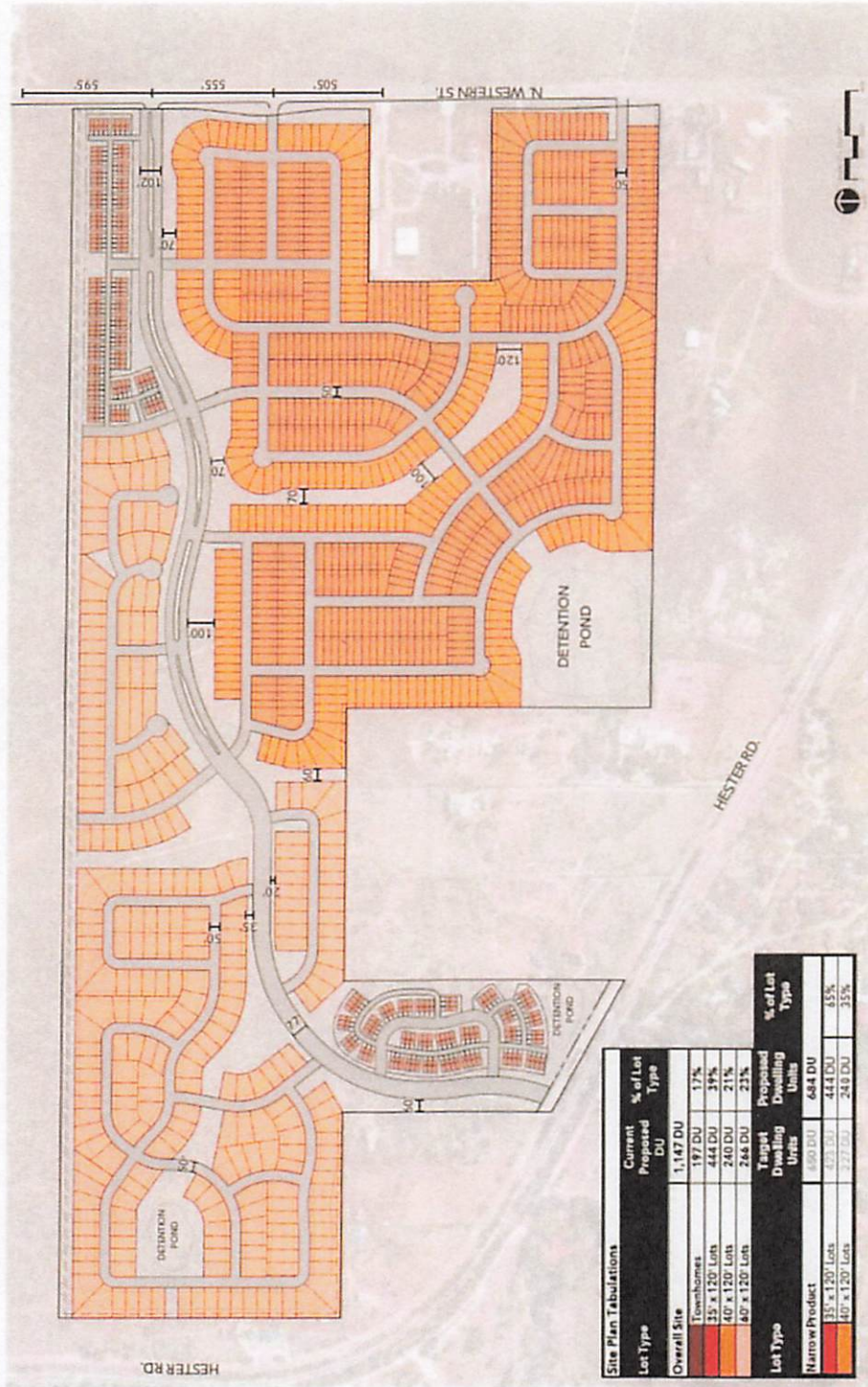
**THENCE N. 90° 00' 00" W. a distance of 11.27 feet to a corner of this tract.**

**THENCE N. 00° 00' 00" W. a distance of 102.00 feet to the northwest corner of this tract.**

**THENCE N. 90° 00' 00" E. a distance of 737.58 feet to the place of BEGINNING and containing 17.28 acres (752,792 square feet) of land.**

# EXHIBIT "C"

## Rock Ridge Master Plan



Site Plan  
June 25, 2025

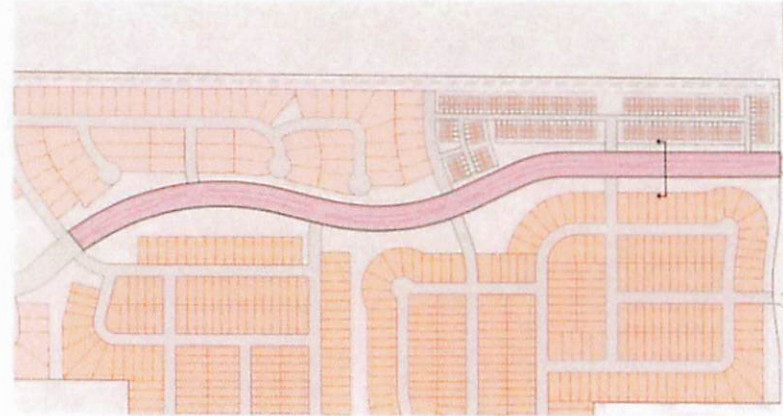
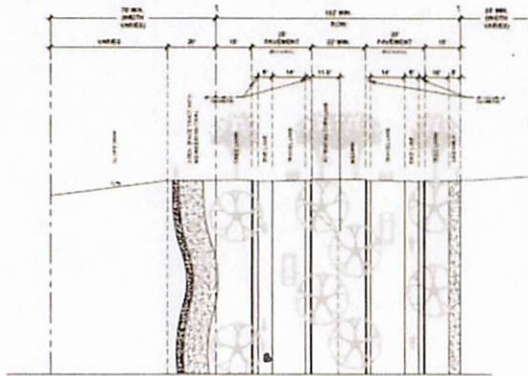


Rock Ridge, Amarillo, TX  
Llano Real Estate

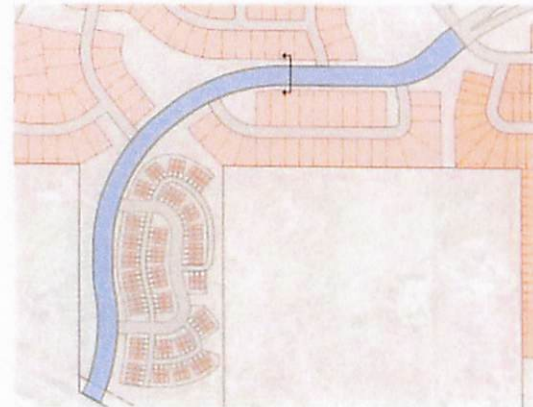
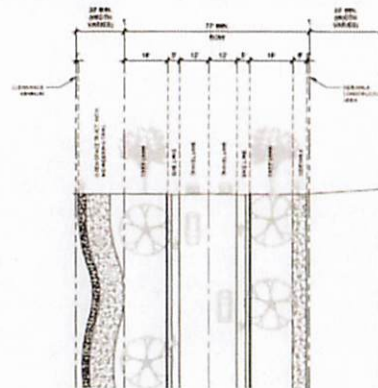




102' PARKWAY R.O.W



77' PARKWAY R.O.W



Rock Ridge, Amarillo, TX  
Llano Real Estate



Site Plan  
Street Sections  
June 25, 2025

ROCK RIDGE PID SERVICE PLAN  
Proposed Revenue Expense Worksheet

|                                                               |                                                                | Proposed        |                 |                 |                 |                 |                 |                 |                 |                  |                  |                 |                 |
|---------------------------------------------------------------|----------------------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|------------------|-----------------|-----------------|
|                                                               |                                                                | 2022            | 2023            | 2024            | 2025            | 2026            | 2027            | 2028            | 2029            | 2030             | 2031             | 2032            | 2033            |
| REVENUE                                                       | EST HOMES CLOSED                                               | -               | -               | 87              | 167             | 152             | 139             | 173             | 142             | 132              | 134              | 0               | 0               |
| EST. COMPLETED HOME VALUE                                     |                                                                | -               | -               | 15,225,000      | 44,450,000      | 71,650,000      | 65,375,000      | 121,650,000     | 173,200,000     | 199,500,000      | 224,400,000      | -               | -               |
| Average Completed Home Value/acre Est. @ \$175,000, 2027-2031 |                                                                | -               | -               | -               | -               | -               | -               | -               | -               | -                | -                | -               | -               |
| Average Completed Home Value/acre Est. @ \$200,000, 2032 ON   |                                                                | -               | -               | -               | -               | -               | -               | -               | -               | -                | -                | -               | -               |
| 0.2200%                                                       |                                                                | \$0.00          | \$0.00          | \$0.00          | \$33,495.00     | \$97,790.00     | \$156,310.00    | \$209,825.00    | \$176,430.00    | \$181,040.00     | \$439,120.00     | \$495,080.00    | \$495,080.00    |
| Total                                                         |                                                                | \$0.00          | \$0.00          | \$0.00          | \$33,495.00     | \$97,790.00     | \$156,310.00    | \$209,825.00    | \$176,430.00    | \$181,040.00     | \$439,120.00     | \$495,080.00    | \$495,080.00    |
| EXPENSE                                                       |                                                                |                 |                 |                 |                 |                 |                 |                 |                 |                  |                  |                 |                 |
| OFFSITE IMPROVEMENTS                                          | \$1,013,074.00                                                 | \$1,013,074.00  |                 |                 |                 |                 |                 |                 |                 |                  |                  |                 |                 |
| COMMON AREA PER PHASE                                         | CA-SF 23221224.00<br>57.6 \$169,350.00 \$8,457,865.00<br>12.75 | -               | \$ 480,647.00   | \$ 1,475,050.50 | \$ 1,350,804.50 | \$ 581,525.00   | \$ 1,612,364.50 | \$ 1,151,319.50 | \$ 540,655.50   | \$ 1,251,564.50  |                  |                 |                 |
| SIGNAGE & FENCING                                             | \$600,000.00                                                   | -               | \$400,000.00    |                 |                 |                 |                 |                 |                 |                  |                  |                 |                 |
| SOFT COSTS:                                                   |                                                                |                 |                 |                 |                 |                 |                 |                 |                 |                  |                  |                 |                 |
| -LEGAL                                                        |                                                                | \$ 32,500.00    | \$ 7,500.00     | \$ 7,500.00     | \$ 7,500.00     | \$ 7,500.00     | \$ 7,500.00     | \$ 7,500.00     | \$ 7,500.00     | \$ 7,500.00      |                  |                 |                 |
| -DESIGN & ENGINEERING                                         |                                                                | \$ 42,500.00    | \$ 20,000.00    | \$ 20,000.00    | \$ 20,000.00    | \$ 20,000.00    | \$ 20,000.00    | \$ 20,000.00    | \$ 20,000.00    | \$ 20,000.00     |                  |                 |                 |
| ADMINISTRATION                                                |                                                                | \$0.00          | \$0.00          | \$0.00          | \$0.00          | \$0.00          | \$0.00          | \$0.00          | \$0.00          | \$0.00           | \$0.00           | \$0.00          | \$0.00          |
| Construction of Entry Stations (2)                            |                                                                | - \$            | - \$            | - \$            | - \$            | - \$            | - \$            | - \$            | - \$            | - \$             | -                | -               | -               |
| Total                                                         |                                                                | \$1,013,074.00  | \$935,647.00    | \$1,502,550.50  | \$1,375,404.50  | \$669,026.00    | \$1,639,764.50  | \$1,179,819.50  | \$668,155.50    | \$1,663,064.50   | \$0.00           | \$0.00          | \$0.00          |
| CASH FLOW PER YEAR                                            |                                                                | -\$1,013,074.00 | -\$935,647.00   | -\$1,502,550.50 | -\$1,344,909.50 | -\$611,236.00   | -\$1,483,454.50 | -\$1,965,994.50 | -\$691,769.50   | -\$1,252,874.50  | \$439,120.00     | \$495,080.00    | \$495,080.00    |
| CUMULATIVE CASH                                               |                                                                | -\$1,013,074.00 | -\$1,948,721.00 | -\$3,451,271.50 | -\$4,796,181.00 | -\$5,407,417.00 | -\$6,790,871.50 | -\$8,756,866.00 | -\$9,381,624.50 | -\$10,633,649.00 | -\$10,194,529.00 | -\$9,699,449.00 | -\$9,198,369.00 |

## **EXHIBIT “F”**

### **Potential Services**

1. Turf maintenance, which includes mowing, edging, trimming, and application of herbicides as required.
2. Horticultural maintenance.
3. Irrigation maintenance and management of seasonal watering schedules.
4. Seasonal planting in applicable areas.
5. Tree care, which includes tree fertilization, pruning, and insect disease control.
6. Water and electricity.
7. Ground lighting maintenance.
8. Supplementary security service.
9. Other services incidental to the maintenance of landscaping.
10. Special fencing, maintenance, and repair in and along entry ways, parks, and open spaces.
11. Maintenance of the Capital Improvements.

## **EXHIBIT "G"**

### **Information Regarding Owners and Property**

#### **1. Owners' Addresses:**

North Western Development Company, LLC  
7639 Hillside Suite 300  
Amarillo Texas 79119

RRDC Amarillo, LP  
7639 Hillside Suite 300  
Amarillo Texas 79119

#### **2. Description of Real Property**

- a. The property owned by North Western Development Company, LLC is described in EXHIBIT "A".
- b. The property owned by RRDC Amarillo, LP is described in EXHIBIT "B".

#### **3. Tax Account Numbers**

- a. The tax account number for the property owned by North Western Development Company, LLC is 199888.
- b. The tax account number for the property owned by RRCD Amarillo, LP is 318129.

#### **4. Taxable Appraised Value**

- a. The current taxable appraised value of the property owned by North Western Development Company, LLC and RRDC Amarillo, LP is \$717,510.00. Said property values are still combined by the Potter Randall Appraisal District and a copy of such Property Summery Report is attached hereto as Exhibit "G-1".



PID 199888 |

## EXHIBIT "G-1"

Property Summary Report | 2026  
Online Services | Potter-Randall Appraisal District

## GENERAL INFO

## ACCOUNT

Property ID: 199888  
 Geographic ID: R-370-0120-2010.0  
 Type: R  
 Zoning:  
 Agent:  
 Legal Description: SECT 12 B S & F BLK 0009, IRRG TR  
 BEG NW COR OF SECT, 221.8900  
 ACRES  
 Property Use: 3000

## OWNER

Name: NORTH WESTERN DEVELOPMENT  
 COMPANY LLC  
 Secondary Name:  
 Mailing Address: 7639 Hillside Rd Ste 300 Amarillo TX  
 79119-8386  
 Owner ID: 447579  
 % Ownership: 100.000000  
 Exemptions:

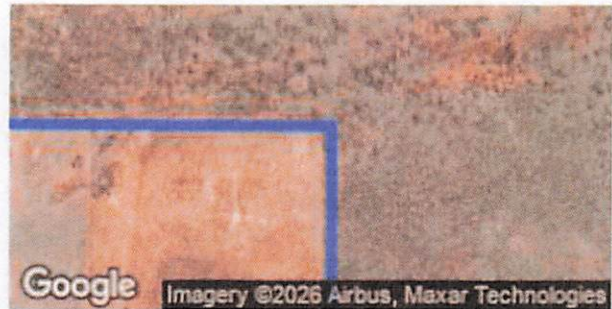
## LOCATION

Address:

Market Area:  
 Market Area CD: 50010.00  
 Map ID: K09

## PROTEST

Protest Status:  
 Informal Date:  
 Formal Date:

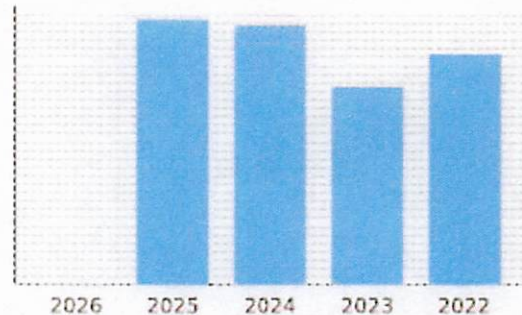


## VALUES

## CURRENT VALUES

Land Homesite: N/A  
 Land Non-Homesite: N/A  
 Special Use Land Market: N/A  
 Total Land: N/A  
 Improvement Homesite: N/A  
 Improvement Non-Homesite: N/A  
 Total Improvement: N/A  
 Market: N/A  
 Special Use Exclusion (-): N/A  
 Appraised: N/A  
 Value Limitation Adjustment (-): N/A  
 Net Appraised: N/A

## VALUE HISTORY



## VALUE HISTORY

| Year | Land Market | Improvement | Special Use Exclusion | Appraised | Value Limitation Adj (-) | Net Appraised |
|------|-------------|-------------|-----------------------|-----------|--------------------------|---------------|
| 2026 | N/A         | N/A         | N/A                   | N/A       | N/A                      | N/A           |
| 2025 | \$717,510   | \$68,511    | \$707,521             | \$78,500  | \$0                      | \$78,500      |
| 2024 | \$717,510   | \$68,108    | \$708,523             | \$77,095  | \$8,487                  | \$68,608      |
| 2023 | \$717,510   | \$49,684    | \$708,762             | \$58,432  | \$0                      | \$58,432      |
| 2022 | \$19,250    | \$48,936    | \$0                   | \$68,186  | \$0                      | \$68,186      |

## TAXING UNITS

| Unit | Description                    | Tax Rate | Net Appraised | Taxable Value |
|------|--------------------------------|----------|---------------|---------------|
| P    | POTTER COUNTY                  | N/A      | N/A           | N/A           |
| J    | PANHANDLE GROUNDWATER          | N/A      | N/A           | N/A           |
| BP   | AMARILLO ISD POTTER COUNTY     | N/A      | N/A           | N/A           |
| CP   | AMARILLO JC POTTER COUNTY      | N/A      | N/A           | N/A           |
| FP   | CITY OF AMARILLO POTTER COUNTY | N/A      | N/A           | N/A           |

DO NOT PAY FROM THIS ESTIMATE. This is only an estimate provided for informational purposes and may not include any special assessments that may also be collected. Please contact the tax office for actual amounts.

## IMPROVEMENT

### LAND

| Land | Description   | Acres    | SQFT      | Cost per SQFT | Market Value | Special Use Value |
|------|---------------|----------|-----------|---------------|--------------|-------------------|
| 3050 | Rural Acres G | 176.0200 | 7,667,431 | \$0.07        | N/A          | N/A               |
| 3050 | Rural Acres G | 45.8700  | 1,998,097 | \$0.07        | N/A          | N/A               |

### DEED HISTORY

| Deed Date | Type | Description   | Grantor/Seller          | Grantee/Buyer             | Book ID | Volume | Page | Instrument      |
|-----------|------|---------------|-------------------------|---------------------------|---------|--------|------|-----------------|
| 10/10/22  | WD   | WARRANTY DEED | WYATT DOUGLAS B MD      | NORTH WESTERN DEVELOPMENT |         |        |      | 2022OPR001 4086 |
| 10/2/95   | WD   | WARRANTY DEED | CRAIG J PAUL FOUNDATION | WYATT DOUGLAS B MD        | 2531    | 0      | 177  | 0               |

**EXHIBIT "H"**

**Rock Ridge Master Declaration**

## **ROCK RIDGE MASTER DECLARATION**

**(Dated \_\_\_\_\_, 2026)**

This Master Declaration for the Rock Ridge Subdivision is made by RRDC Amarillo, LP, a Texas limited partnership ("Declarant").

### **RECITALS**

A. Declarant is in the process of developing the real property described in Exhibit "A" attached hereto and incorporated herein.

B. Declarant desires to create a procedure and an entity to perform the functions provided in this Master Declaration.

C. **IMPORTANT NOTICE:** EACH OWNER OF A LOT WITHIN THE ROCK RIDGE SUBDIVISION IS AUTOMATICALLY A MEMBER OF THE ROCK RIDGE MASTER ASSOCIATION, INC., WHICH IS GOVERNED BY THE BYLAWS OF ROCK RIDGE MASTER ASSOCIATION, INC. AS A MEMBER OF THE ROCK RIDGE MASTER ASSOCIATION AND AS AN OWNER OF PROPERTY WITHIN THE SUBDIVISION, EACH OWNER IS OBLIGATED TO PAY ASSESSMENTS LEVIED BY THE ROCK RIDGE MASTER ASSOCIATION, INC. AS SET FORTH IN ARTICLE 3 HEREIN.

D. **IMPORTANT NOTICE:** IN ADDITION, ALL PROPERTY WITHIN THE ROCK RIDGE SUBDIVISION IS LOCATED IN A PUBLIC IMPROVEMENT DISTRICT AUTHORIZED BY THE CITY OF AMARILLO IN RESOLUTION NO. \_\_\_\_\_. **THE PUBLIC IMPROVEMENT DISTRICT IS SEPARATE AND APART FROM THE ROCK RIDGE MASTER ASSOCIATION.** THE PUBLIC IMPROVEMENT DISTRICT WAS CREATED AND IS AUTHORIZED BY THE CITY OF AMARILLO TO CONSTRUCT, INSTALL, AND MAINTAIN ENHANCED PUBLIC IMPROVEMENTS WITHIN THE SUBDIVISION, WHICH ARE IN ADDITION TO THE PUBLIC IMPROVEMENTS AND SERVICES THAT NORMALLY WOULD BE PROVIDED BY THE CITY. THE COSTS OF THE ENHANCED PUBLIC IMPROVEMENTS WILL BE PAID FROM PID ASSESSMENTS LEVIED BY THE CITY AGAINST LOTS LOCATED IN THE PUBLIC IMPROVEMENT DISTRICT. **THE PID ASSESSMENTS ARE SEPARATE FROM AND IN ADDITION TO THE ASSESSMENTS THAT ARE PAYABLE TO THE ROCK RIDGE MASTER ASSOCIATION, INC. UNTIL CHANGED BY THE CITY OF AMARILLO, THE PID ASSESSMENT FOR THE PUBLIC IMPROVEMENT DISTRICT WILL BE BASED UPON THE NUMBER OF SQUARE FEET IN A LOT. AN OWNER OF A LOT MAY NOT AVOID PAYMENT OF THE PID ASSESSMENTS FOR THE PUBLIC IMPROVEMENT DISTRICT.**

E. **LIEN DISCLOSURE:** EACH LOT IS SUBJECT TO THE ASSESSMENT LIEN DESCRIBED IN ARTICLE 3.

F. **NOTICE OF STATUTE:** EACH OWNER OF A LOT IS ADVISED THAT SECTION 202.004 OF THE TEXAS PROPERTY CODE AUTHORIZES COURTS TO ASSESS CIVIL DAMAGES

FOR THE VIOLATION OF RESTRICTIVE COVENANTS IN AN AMOUNT NOT TO EXCEED \$200.00 FOR EACH DAY OF THE VIOLATION.

**G. IMPORTANT NOTICE:** THE RECORDING OF THIS DOCUMENT IN THE OFFICIAL PUBLIC RECORDS OF POTTER COUNTY, TEXAS, SERVES AS CONSTRUCTIVE NOTICE TO ALL PERSONS THAT THE SUBDIVISION IS SUBJECT TO THE TERMS OF THE ASSOCIATION DOCUMENTS, INCLUDING, BUT NOT LIMITED TO, THIS ROCK RIDGE MASTER DECLARATION, THE BYLAWS OF ROCK RIDGE MASTER ASSOCIATION, INC., AND ANY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AFFECTING THE PROPERTY. ALL PERSONS ARE CONSIDERED TO HAVE NOTICE OF THE CONTENTS CONTAINED IN SUCH DOCUMENTS REGARDLESS OF WHETHER SUCH PERSONS HAVE EXAMINED SUCH DOCUMENTS. **IF YOU DO NOT UNDERSTAND THE EFFECT OF THE CONTENTS OF SUCH DOCUMENTS, CONSULT AN ATTORNEY BEFORE PURCHASING ANY PROPERTY INCLUDED IN THE SUBDIVISION.**

**H.** North Western Development Company, LLC, a Texas limited liability company ("**NWDC**") is the owner of all of the Property, with the exception of a portion of the Property that NWDC has conveyed to Declarant. Collectively, NWDC, and Declarant all of the Property.

**I.** Declarant intends, but is not obligated, to plat the portion of the Property presently owned by Declarant as Rock Ridge Unit No. 1, an addition to the City of Amarillo, out of Section 12, Block 9, B.S.&F. Survey, Potter County, Texas.

**J.** NWDC intends, but is not obligated, to convey the remainder of its interest in the Property to Declarant in phases, and Declarant intends, but is not obligated, to plat and develop the Property in phases.

**K.** All portions of the Property that are platted shall be subject to the covenants, conditions, liens, charges, and restrictions contained in this Master Declaration.

### **DECLARATION**

**A.** Now, therefore, the above Recitals are adopted and the covenants, conditions, liens, charges, and restrictions contained in this Master Declaration are adopted, established, and imposed upon the Subdivision. The Subdivision will be held, owned, leased, transferred, sold, conveyed, used, and occupied subject to such covenants, conditions, liens, charges, and restrictions. All Owners and other occupants of any Lot agree that the Subdivision is subject to the covenants, conditions, liens, charges, and restrictions contained in this Master Declaration.

**B.** The covenants, conditions, liens, charges, and restrictions contained in this Master Declaration (i) are necessary and desirable to establish a uniform plan for the development and use of the Subdivision for the benefit of all Owners, and (ii) run with the land and bind all Owners, occupants, and any other person holding an interest in a Lot.

C. Each Owner and occupant of a Lot agrees to comply with the Association Documents and agrees that failure to comply may subject such Owner and/or occupant to a fine, an action for amounts due to the Association, damages, or injunctive relief.

D. Notwithstanding any contrary provision in the Association Documents, the Declarant reserves the right, during the Development Period, to facilitate the development, construction, and marketing of the Subdivision, and to direct the size, shape, and composition of the Subdivision. These rights are in addition to all other rights afforded to Declarant by the Association Documents and take precedence over any conflicting provision in the Association Documents.

E. The Association is established by the filing of a certificate of formation and is governed by the Association Documents. The Association has the powers of a nonprofit corporation and a property owners association for the Subdivision under the Texas Business Organizations Code, the Texas Property Code, and the Association Documents.

## **Article 1. DEFINITIONS**

The use of any of the following defined terms in their capitalized form (whether in the singular or plural form) will have the meaning designated below, while the use of any of the following defined terms in their uncapitalized form will indicate the words have their normal meaning:

1.1 **"Affiliate"** means (i) any Person owned or controlled by Developer or by any shareholder, partner, member, or owner of Developer, and (ii) any Person owned or controlled by the Land Owner or by any shareholder, partner, member, or owner of the Land Owner.

1.2 **"Annual Membership Dues"** has the meaning set forth in Section 3.2.

1.3 **"Assessments"** has the meaning set forth in Section 3.1.

1.4 **"Association"** means the Rock Ridge Master Association, Inc., a Texas nonprofit corporation.

1.5 **"Association Documents"** means this Master Declaration, the Restrictions, the Certificate of Formation of the Association, the Bylaws, any resolutions adopted by the Board or Association, and any Rules adopted by the Board.

1.6 **"Board"** means the Board of Directors of the Association.

1.7 **"Bylaws"** means the Bylaws of Rock Ridge Master Association, Inc.

1.8 **"City"** means the City of Amarillo, Texas.



1.9 **“Common Areas”** means the areas designated as a “Common Area” on Plats of the Property.

1.10 **“Declarant”** means RRDC Amarillo, LP, a Texas limited partnership, and its successors and/or assigns to whom any of those rights and powers that are expressly reserved to Declarant in the Association Documents are conveyed or assigned in writing, whether in whole or in part, but excluding any Person merely purchasing one or more Lots from Declarant.

1.11 **“Default Rate of Interest”** means the lesser of (i) 18.0% per annum or (ii) the maximum allowable contract rate of interest under applicable law.

1.12 **“Developer”** means any Person who files any of the Plats in the Official Public Records of Potter County, Texas, including Declarant.

1.13 **“Development Period”** means the period beginning on the date of this Declaration and ending on the date when both of the following occur: (1) Declarant has platted all of the Property that Declarant intends to plat for residential use, and (2) Declarant owns less than 5% of all Lots that Declarant has platted for residential use.

1.14 **“Director”** means a member of the Board of Directors.

1.15 **“Enhanced Public Improvements”** means the public improvements constructed, installed, and maintained by the PID in the Common Areas including, but not limited to, the following:

- (a) planting grass, trees, shrubbery, ground cover, and other vegetation;
- (b) turf maintenance, which includes fertilizing, mowing, edging, trimming, and application of herbicides, as required;
- (c) horticultural maintenance;
- (d) installation and maintenance of irrigation systems and management of seasonal watering;
- (e) seasonal planting in Common Areas;
- (f) tree care, which includes fertilization, pruning, and insect disease control;
- (g) water and electricity;
- (h) installation and maintenance of ground lighting;
- (i) construction, repair, and maintenance of enhanced drainage areas, fences, brick walls, park benches, park lighting, architectural, and landmark features;

- (j) other services incidental to the installation and maintenance of landscaping; and
- (k) installation, maintenance, and repair of special fencing and entrance features.

1.16 **"Land Owner"** means North Western Development Company, LLC, a Texas limited liability company.

1.17 **"Lot"** means each Lot (each **"a Lot"** and collectively **"Lots"**) shown on the Plats, as amended from time to time, including improvements located on a Lot, except for the Common Areas. The definition of "Lot" expressly excludes any unplatted portions of the Property.

1.18 **"Majority Vote of the Members"** means, at the time a vote is taken, a vote of more than one-half of the votes represented at a meeting (whether represented in person, by legitimate proxy in a form approved by the Board, or by an absentee or electronic ballot in a form approved by the Board) at which a Quorum of Members is present, taking into consideration the number of votes attributable to Class A Members and Class B Members as set forth in Section 2.2.

1.19 **"Master Declaration"** means this "Rock Ridge Master Declaration" and any amendments or modifications thereto filed in the Official Public Records of Potter County, Texas.

1.20 **"Member"** has the meaning set forth in Section 2.1.

1.21 **"Necessary Association Expenses"** means those costs and expenses which are necessary for the upkeep or management of the Subdivision or Association, which include, but are not limited to, the following:

- (a) costs and expenses incurred to maintain any services and improvements within the Common Areas that are in addition to the Enhanced Public Improvements; and
- (b) costs and expenses to hire, employ, retain, or contract with professional management companies, personnel, accountants, consultants, managers, and/or contractors to manage and operate the Association, but the Directors will not receive any compensation for serving in such capacity; and
- (c) the payment of general and administrative costs, including accounting fees and legal fees; and
- (d) the purchase of a policy or policies of insurance as provided in Section 4.6; and
- (e) costs and expenses incurred to manage, operate, and perform the duties and functions of the Board, the Architectural Control Committee, any other



committees, and the Association as set forth in the Association Documents;  
and

- (f) attorneys' fees for the management and operation of the Association or for the enforcement of the Association Documents; and
- (g) the payment of costs incurred in the exercise and performance of the rights and obligations of the Association by its Directors, officers, employees, and representatives; and
- (h) the establishment of a reasonable reserve fund as determined by the Board.

1.22 **"Non-Member Owner"** has the meaning set forth in Section 2.1.

1.23 **"Notice of Unpaid Assessments"** has the meaning set forth in Section 3.14.

1.24 **"Owner"** means each Person who is a record owner of a fee simple interest in any Lot, but excluding (i) any Non-Member Owner and (ii) any Person who holds only a lien or interest in the Lot as security for the performance of any obligation.

1.25 **"Person"** means any natural person, corporation, partnership, limited liability company, trust, or other legal entity.

1.26 **"PID"** means the Rock Ridge Public Improvement District authorized by the City in Resolution No. \_\_\_\_\_ adopted by the City Council on \_\_\_\_\_, 2026.

1.27 **"PID Assessments"** has the meaning set forth in Section 3.8.

1.28 **"Plats"** mean all Plats (each **"a Plat"** and collectively **"Plats"**) of real estate included in the PID recorded in the Official Public Records of Potter County, Texas.

1.29 **"Property"** means the real estate described in Exhibit "A" and all other real estate included in the PID.

1.30 **"Quorum of Members"** has the meaning set forth in the Bylaws.

1.31 **"Regular Assessments"** has the meaning set forth in Section 3.3.

1.32 **"Resale Certificate"** has the meaning set forth in Section 3.6.

1.33 **"Restrictions"** means all Declarations of Covenants, Conditions, and Restrictions placed on any portion of the Property at any time and any amendments or modifications thereto.

1.34 **"Rules"** has the meaning set forth in Section 4.3(l).

1.35 **"Special Group Assessments"** has the meaning set forth in Section 3.4.

1.36 **"Special Individual Assessments"** has the meaning set forth in Section 3.5.

1.37 **"Subdivision"** means all portions of the Property covered by a Plat and any other property made subject to this Declaration.

1.38 **"Streets"** means any paved surface located in a City right-of-way dedicated for motor vehicle use, generally located along the front of the homes. Alleys, on the other hand, are paved surfaces within City right-of-ways and are generally located along the rear of homes. For the purpose of the "Street" definition, alleys are NOT "Streets".

1.39 **"Transfer Assessment"** has the meaning set forth in Section 3.6.

1.40 **"Trustee"** has the meaning set forth in Section 3.16.

Other terms used in this Master Declaration are defined in various provisions hereof.

## **Article 2.**

### **MEMBERSHIP AND VOTING RIGHTS IN THE ASSOCIATION**

2.1 **Membership.** Each Owner, including Developer so long as Developer is a record owner of a fee simple interest in any Lot, automatically is a member of the Association (**"Member"**), except for the following, each of which is considered a **"Non-Member Owner"**:

- (a) the City is not a Member unless it owns a Lot other than the Common Areas, Streets, alleys, park site, or public easements;
- (b) a public school district is not a Member unless it owns a Lot other than one that is used for public school purposes; and
- (c) a utility provider is not a Member unless it owns a Lot other than utility easements.

Membership in the Association is appurtenant to and cannot be separated from ownership of a Lot. Any transfer of fee simple title to any Lot automatically transfers membership in the Association to the new Owner. The word "Owner" as used in this Master Declaration does not include any Non-Member Owner.

2.2 **Classes of Members.** The Association will have two classes of voting Members:

- (a) **Class A. "Class A Members"** will be all Owners except Declarant. Class A Members will be entitled to one vote for each Lot owned by the Class A Member. If a Member owns a Lot plus a portion of an adjacent Lot, the Member will only have one vote. If a Member owns more than one Lot and such Lots have been consolidated into a single building site with the prior written approval of Declarant, the consolidated building site shall be considered one Lot for voting purposes. If a Lot is owned by more than one Owner, each Owner is a Member; however, only one vote may be cast for each Lot. In the event more than one vote is cast per Lot, none of the votes

cast for such Lot shall be counted. Any Owner who is not a natural person must designate to the Board in writing an individual who has the authority to represent such Owner in Association matters and to cast all votes of such Owner. An Owner may delegate its right to vote to any tenant occupying the Lot owned by such Owner provided such delegation is made in writing to the Board.

- (b) **Class B.** The sole “**Class B Member**” will be Declarant. The Class B Member will be entitled to three votes for each Lot owned by Declarant plus eight votes for each acre of Property that has not been platted in which either Declarant or NWDC has a property interest; provided, however, the Class B Membership will cease and convert to a Class A Membership when the Development Period ends.

2.3 **No Cumulative Voting.** There will be no cumulative voting.

### **Article 3. ASSESSMENTS**

3.1 **Covenants for Assessments.** The Owner of a Lot, by acceptance of a deed or other conveyance document (*whether or not any agreement to pay assessments is included in such deed or document*), will be deemed to covenant and agree to pay to the Association, or to any Person designated by the Association, all of the following assessments (collectively, the “**Assessments**”):

- (a) Annual Membership Dues as provided in Section 3.2;
- (b) Regular Assessments as provided in Section 3.3;
- (c) Special Group Assessments as provided in Section 3.4;
- (d) Special Individual Assessments as provided in Section 3.5;
- (e) Transfer Assessments as provided in Section 3.6;
- (f) Any fines levied against an Owner as provided in Section 3.7; and
- (g) PID Assessments as provided in Section 3.8, in the event the PID is terminated or dissolved, or if the PID fails to collect PID Assessments, collects inadequate PID Assessments, and/or fails to perform its duties.

3.2 **Annual Membership Dues.** “**Annual Membership Dues**” may be used to pay any expenses set forth in an annual budget approved by the Board, including, but not limited to, Necessary Association Expenses and other expenses of the Association. Until changed by a Majority Vote of the Members, Annual Membership Dues will be \$120.00 per Lot per year. If a Member owns more than one Lot and such Lots have been consolidated into a single building site with the prior written approval of Declarant, the consolidated building site shall be considered one Lot for the purpose of determining such Member’s Annual Membership Dues. During the

Development Period, Declarant shall be exempt from Annual Membership Dues. When a Lot is purchased from Declarant, the Annual Membership Dues will be prorated and collected as of the date of the sale for the remainder of the Association's fiscal year. Thereafter, Annual Membership Dues will be due and payable as provided in Section 3.9.

**3.3 Regular Assessments.** To the extent necessary in the Board's opinion, "**Regular Assessments**" may be assessed solely for the purposes of paying Necessary Association Expenses. Regular Assessments will be determined, allocated, and expended for 12-month periods that coincide with the fiscal year of the Association. Regular Assessments for each fiscal year of the Association will be set by the Board 30 days before the expiration of the preceding fiscal year or as soon thereafter as reasonably possible. Regular Assessments will be allocated among the Owners in the same manner and proportion as the costs and expenses of the PID are assessed by the City against the Owners. Should a surplus from Regular Assessments, other than necessary reserves, exist at the end of any fiscal year, the Board must reduce the next year's Regular Assessments by an amount equal to such surplus. During the Development Period, Declarant shall be exempt from Regular Assessments. When a Lot is purchased from Declarant, Regular Assessments will be prorated and collected as of the date of the sale for the remainder of the Association's fiscal year. Thereafter, Regular Assessments will be due and payable as provided in Section 3.9.

**3.4 Special Group Assessments.** With the approval of a Majority Vote of the Members *(with the Class B Member, for such purpose, having only one vote for each Lot owned by the Class B Member)*, the Board may levy at any time by written notice to Owners "**Special Group Assessments**" to pay any unanticipated expenses that normally would have been paid by Annual Membership Dues or Regular Assessments. Special Group Assessments will be allocated among Owners in the same manner as Regular Assessments. During the Development Period, Declarant shall be exempt from Special Group Assessments.

**3.5 Special Individual Assessments.** Subject to the notice requirements set forth in the Bylaws, the Board may levy "**Special Individual Assessments**" against an Owner to pay the costs and expenses:

- (a) to maintain improvements and landscaping on such Owner's Lot if the Owner of the Lot fails to properly maintain the improvements and landscaping;
- (b) to repair and replace the Enhanced Public Improvements if they are damaged or destroyed, directly or indirectly, by the acts or omissions of an Owner or its agents, contractors, employees, occupants or visitors, as determined by the Board; and
- (c) of reasonable attorneys' fees and court costs incurred to enforce the Association Documents and for the collection of the Assessments.

**3.6 Transfer Assessments.** Each Owner—except Declarant—must pay or cause to be paid to the Association a "**Transfer Assessment**" and a fee for preparing a "**Resale Certificate**" each time title to a Lot is transferred. If title to a Lot is transferred because of a foreclosure, the

Transfer Assessment and the fee for the preparation of the Resale Certificate must be paid by either the lender foreclosing on a Lot or the buyer at the foreclosure sale. Upon receipt of the Transfer Assessment and the fee for the preparation of the Resale Certificate, the Association or its designee will issue a Resale Certificate. Until changed by the Board, the Transfer Assessment is \$75.00 and the Association's fee for preparing the Resale Certificate is \$.00. The buyer of a Lot must furnish the Association with the owner information required in Section 5.10.

**3.7 Fines.** Subject to the notice requirements set forth in the Bylaws, the Board may levy reasonable fines against an Owner for a violation of the Association Documents.

**3.8 PID Assessments.** The Owner of a Lot, by acceptance of a deed or other conveyance document (*whether or not any agreement to pay assessments is included in such deed or document*), will be deemed to covenant and agree to pay to the City, or its successors and/or assigns, all assessments pursuant to City of Amarillo Resolution No. \_\_\_\_\_ and Chapter 372 of the Texas Local Government Code as then in effect (the "**PID Assessments**"). In the event the PID is terminated or dissolved or if the PID fails to collect PID Assessments, collects inadequate PID Assessments, and/or fails to perform its duties pursuant to City of Amarillo Resolution No. \_\_\_\_\_ and Chapter 372 of the Texas Local Government Code as then in effect, the Association will have the authority and duty to continue the services of the PID, to perform the duties of the City as set forth in City of Amarillo Resolution No. \_\_\_\_\_ and Chapter 372 of the Texas Local Government Code, and to meet the obligations of indebtedness to Declarant for its hard costs, soft costs, costs of maintenance, and accrued interest, whether such costs are incurred by Declarant while the PID is in effect or following the termination or dissolution of the PID. In such event, the Board shall levy PID Assessments against the Owners and allocate them among the Owners on the same basis as the City last allocated them, or if the City has not previously made such allocation, the allocation shall be established by the Board in an equitable manner. In the event that such PID Assessments are levied by the Board, they shall be deemed "Assessments" subject to the Assessment Lien described in Section 3.12 below.

**3.9 Due Date of Assessments.** Annual Membership Dues and Regular Assessments are payable within 30 days after an invoice is mailed to an Owner. The due date of Special Group Assessments, Special Individual Assessments, and fines will be fixed in the written notice levying such Assessment, but such due date will not be earlier than 15 days after the date of such notice. A Transfer Assessment is due before the deed conveying the Lot is filed in the Official Public Records of Potter County, Texas. PID Assessments are due on or before January 31 of each year. Each Owner, if requested by the holder of a deed of trust lien on the Lot owned by such Owner, must pay the Assessments and PID Assessments to such lienholder as a part of the escrow amounts included in monthly mortgage payments. The lienholder will be obligated to pay the Assessments and PID Assessments to the extent it has funds in escrow for such purpose.

**3.10 Alternative Payment Schedule.** Upon request by a delinquent Owner, the Board shall provide such delinquent Owner with an alternative payment schedule by which an Owner may make partial payments to the Association for delinquent Assessments or any other amount owed to the Association without accruing additional monetary penalties. For purposes of these guidelines, monetary penalties do not include reasonable costs associated with administering the payment plan or interest. Owners will be provided an alternative payment plan to repay the balance due in at least three equal monthly installments of principal, with interest accruing at the rate

charged all delinquent owners, and reasonable costs associated with administering the payment plan. The Board shall not be required to (1) provide a payment plan for any amount that extends more than 18 months from the date of the Owner's request for a payment plan; (2) enter into a payment plan with an Owner who failed to honor the terms of a previous payment plan during the two years following the Owner's default under the previous payment plan; (3) make a payment plan available to an Owner after the period for cure described by Texas Property Code Section 209.0064(b)(3) expires; and/or (4) allow an Owner to enter into a payment plan more than once in any 12-month period.

**3.11 Personal Obligation for Payment of Assessments.** The Assessments are personal obligations of the Owner of each Lot. No Owner is exempt from liability for Assessments; provided, however, the Declarant is exempt from Assessments during the Development Period. If an Owner does not pay an Assessment in full when due, such Owner must pay a late fee of \$50.00 (or such other amount as set by the Board) plus interest on the unpaid Assessment from the due date until paid at the Default Rate of Interest together with all costs and expenses of collection incurred by the Association, including, but not limited to, reasonable attorneys' fees. A service charge in an amount established by the Board may be charged for each check for an Assessment that is returned unpaid. The Board may reject any partial payment of Assessments and demand full payment, or the Board may accept partial payment without waiving any rights to the remaining balance. In the event of any transfer of any ownership interest in a Lot, it will be the obligation of the transferring Owner to disclose the existence of all sums due and owing the Association to the transferee, the title company designated to handle such transaction, the financing entity, and any other party involved in the transaction. Such disclosure must be given before the date on which the transaction is to be consummated. At the same time, a copy of the disclosure must also be sent to the Association or its designee at the address reflected in the latest management certificate filed of record for the Association. Notwithstanding any agreement to the contrary, a transferring Owner remains personally liable for all sums that are due and owing to the Association at the time of a transfer and the transferee is also liable for such sums. In other words, the transferring Owner and the transferee Owner are jointly and severally liable to the Association for such sums. Further, the Assessment Lien provided for below will be unaffected by the transfer of any ownership interest in a Lot.

**3.12 Assessment Lien.** All future Assessments and all unpaid Assessments, together with interest from the due date until paid at the Default Rate of Interest and together with the costs and expenses of collection incurred by the Association, including, but not limited to, reasonable attorneys' fees and court costs, are secured by a continuing contractual lien (the "Assessment Lien") against the affected Lot. The Assessment Lien encumbers each Lot and is binding on the Owner thereof and the Owner's heirs, successors, devisees, personal representatives, and assigns. The Assessment Lien attaches to each Lot as of the date of this Master Declaration and on Lots included in future Plats as of the date future Plats are recorded in the Official Public Records of Potter County, Texas, and is superior to all liens other than:

- (a) the lien securing real estate taxes; and
- (b) the lien securing assessments to pay costs and expenses of the PID.

**3.13 Disclosure.** ALL LOTS ARE CONVEYED AND ACCEPTED BY THE OWNER THEREOF SUBJECT TO THE ASSESSMENT LIEN. THE ASSESSMENT LIEN ATTACHES TO ALL LOTS AND IS SUPERIOR TO ANY HOMESTEAD RIGHTS THAT MAY BE ASSERTED BY THE PURCHASERS OF LOTS.

**3.14 Unpaid Assessments.** To evidence unpaid Assessments, the Association may prepare and record in the Official Public Records of Potter County, Texas, a written notice of unpaid Assessments ("Notice of Unpaid Assessments") setting forth:

- (a) the amount of the unpaid Assessments;
- (b) the amount of interest owed thereon computed at the Default Rate of Interest from the due date;
- (c) the amount of late fees owed to the Association;
- (d) the amount of costs and expenses of collection incurred by the Association, including, but not limited to, reasonable attorneys' fees;
- (e) the name of the Owner of the affected Lot; and
- (f) a description of the affected Lot.

If such a notice is recorded, it must also be sent to the Owner of the affected Lot. If a Notice of Unpaid Assessments is filed and the Owner of the affected Lot pays the delinquent Assessments according to the terms hereof, the Notice of Unpaid Assessments will have no further effect. The Association must record—at the affected Owner's expense—a release of any recorded Notice of Unpaid Assessments when the Assessments, interest, late fees, recording fee for the release, and all collection costs, including reasonable attorneys' fees, have been paid in full.

**3.15 Certificate of Assessment.** Upon request by an Owner, the Association must furnish, at the Owner's expense, a certificate setting forth any unpaid Assessments owed by an Owner.

**3.16 Enforcement.** The Assessment Lien may be enforced by judicial foreclosure or by expedited foreclosure proceedings, pursuant to the provisions of Texas Property Code Section 209.0092 and Texas Rules of Civil Procedure Rules 735 and 736 (and any successor statutes), and each Owner hereby expressly grants the Association a power of sale in connection therewith. Expedited foreclosure is not required if the Owner of the Lot to be foreclosed agrees in writing to waive expedited foreclosure, and in such event the Assessment Lien may be enforced by non-judicial foreclosure through a public sale according to Section 51.002, Texas Property Code, as then amended, without the necessity of the Association first obtaining a court order under Texas Property Code Section 209.0092 and Texas Rules of Civil Procedure Rules 735 and 736. In addition, the Association may institute suit against the Owner of the affected Lot to obtain a judgment for all sums due and owing to the Association. The Association may purchase any Lot at foreclosure and may acquire, hold, lease, mortgage, convey, or otherwise deal with such Lot.

For value received and to secure payment of the Assessments, Developer conveys the Lots to Todd W. Boykin, Trustee, whose address is Underwood Law Firm, PC, Attn: Todd W. Boykin, 500 S. Taylor, Suite 1200, Amarillo, Texas 79101, and to his successors ("Trustee"), in trust, and Developer warrants and agrees to defend title to the Lots by, through, and under Developer, but not otherwise.

**3.17 Notice and Opportunity to Cure for Certain Other Lienholders.** The Association may not foreclose its Assessment Lien unless it has first: (1) provided written notice by certified mail, return receipt requested, of the total amount of the delinquency to any other holder of a lien that is inferior or subordinate to the Association's lien and is evidenced by a deed of trust that is recorded in the Official Public Records of Potter County, Texas; and (2) provided the recipient of the notice an opportunity to cure within sixty-one (61) days from the receipt of the notice.

**3.18 Enforcement Rights.** The Association has the following rights to enforce payment of Assessments after obtaining a court order under Texas Property Code Section 209.0092 and Texas Rules of Civil Procedure Rules 735 and 736 (unless the Owner of the Lot to be foreclosed agrees in writing to waive expedited foreclosure, in which case the court order shall not be necessary):

- (a) The Association may appoint in writing a substitute or successor trustee, succeeding to all rights and responsibilities of Trustee.
- (b) If an Owner defaults in payment of an Assessment and the default continues after the Association gives the Owner notice of the default and the time within which it must be cured, as may be required by law or by written agreement, then the Association may:
  - (1) request Trustee to foreclose the lien, in which case, the Association or the Association's agent will give notice of the foreclosure sale as provided by the Texas Property Code, as then amended; and
  - (2) purchase the Lot at any foreclosure sale by offering the highest bid and then have the bid credited on the Assessments.

**3.19 Trustee's Duties.** If requested by the Association to foreclose a lien, Trustee will:

- (a) either personally or by agent give notice of the foreclosure sale as required by the Texas Property Code, as then amended;
- (b) sell and convey the Lot to the highest bidder for cash with a general warranty binding the Owner, subject to prior liens and to other exceptions to conveyance and warranty; and
- (c) from the proceeds of the sale, pay, in this order:



- (1) expenses of foreclosure, including a reasonable commission to Trustee;
- (2) to the Association, the full amount of the Assessments, interest, late fees, attorneys' fees, and other charges due and unpaid;
- (3) any amounts required by law to be paid before payment to Owner; and
- (4) to the Owner, any balance.

### **3.20 General Foreclosure Provisions.**

- (a) If a Lot is sold by the Trustee under this Master Declaration, the Owner must immediately surrender possession to the purchaser. If the Owner fails to do so, the Owner will become a tenant at sufferance of the purchaser, subject to an action for forcible detainer.
- (b) Recitals in any Trustee's deed conveying the Lot will be presumed to be true.
- (c) Proceedings under this Master Declaration, filing suit for foreclosure, or pursuing any other remedy will not constitute an election of remedies.

**3.21 Notice After Foreclosure Sale.** After the Association conducts a foreclosure sale of an Owner's Lot, the Association, must send to the Owner and to each lienholder of record, not later than the thirtieth (30th) day after the date of the foreclosure sale, a written notice stating the date and time the sale occurred and informing the Lot Owner and each lienholder of record of the right of the Lot Owner and lienholder to redeem the property under Texas Property Code Section 209.011. The notice must be sent by certified mail, return receipt requested, to (1) the Lot Owner's last known mailing address, as reflected in the records of the Association; (2) the address of each holder of a lien on the Lot that is subject to foreclosure evidenced by the most recent deed of trust filed of record in the real property records of the county in which the property is located; and (3) the address of each transferee or assignee of a deed of trust described by the preceding subdivision (2) who has provided notice to the Association of such assignment or transfer. Notice provided by a transferee or assignee to the Association shall be in writing, shall contain the mailing address of the transferee or assignee, and shall be mailed by certified mail, return receipt requested, or United States mail with signature confirmation to the Association according to the mailing address of the Association pursuant to the most recent management certificate filed of record. If a recorded instrument does not include an address for the lienholder, the Association does not have a duty to notify the lienholder as provided by this section. For purposes of this section, the Lot Owner is deemed to have given approval for the Association to notify the lienholder. Not later than the thirtieth (30th) day after the date the Association sends the notice, the Association must file an affidavit in the Official Public Records of Potter County, Texas, stating the date on which the notice was sent and containing a legal description of the Lot. Any person is entitled to rely conclusively on the information contained in the recorded affidavit. The notice requirements of

this section also apply to the sale of an Owner's Lot by a sheriff or constable conducted as provided by a judgment obtained by the Association.

**3.22 Right of Redemption After Foreclosure Sale.** The Owner of a Lot in the Subdivision or a lienholder of record may redeem the property from any purchaser at a sale foreclosing the Association's Assessment Lien not later than the one hundred eightieth (180th) day after the date the Association mails written notice of the sale to the Owner and the lienholder under Texas Property Code Sections 209.010 and 209.011. A lienholder of record may not redeem the Lot as provided herein before ninety (90) days after the date the Association mails written notice of the sale to the Lot Owner and the lienholder, and only if the Lot Owner has not previously redeemed. A person who purchases a Lot at a sale foreclosing the Association's Assessment Lien may not transfer ownership of the Lot to a person other than a redeeming Lot Owner during the redemption period. The provisions set forth in Texas Property Code Section 209.011 shall govern the right of redemption.

#### **Article 4. ASSOCIATION BOARD OF DIRECTORS**

**4.1 Creation of Board.** The Association will be governed by the Board elected by a Majority Vote of the Members. The size and composition of the Board, its method of election, and its duties and authorities will be as provided herein and in the Association Documents. The Board will exist and function solely for the benefit of the Property, the Association, and the Members.

**4.2 Use of Assessment Funds.** The Board will be responsible for collecting and disbursing Assessments subject to the provisions of Article 3.

**4.3 Additional Authorities and Duties of the Board.** The Board has the following additional authorities and duties, including the right to spend funds from Assessments to pay the costs thereof:

- (a) to adopt an annual budget;
- (b) to enter into agreements or contracts on behalf of the Association;
- (c) to borrow funds, secured by an assignment or pledge of Assessments if required, necessary for the management and operation of the Association;
- (d) to maintain one or more bank accounts in the name of the Association;
- (e) to sue or to defend in any court on behalf of the Association;
- (f) to make, or cause to be made, any required tax returns, reports, or other filings on behalf of the Association;
- (g) to adjust the amount of, collect, and use insurance proceeds for the purposes for which they were intended and, if the insurance proceeds are insufficient,

to provide full reimbursement through the imposition of Special Group Assessments or Special Individual Assessments, whichever is applicable;

- (h) to change the amount of the Transfer Assessment;
- (i) to change the amount of Regular Assessments;
- (j) to enforce the Association Documents;
- (k) to levy reasonable fines against Owners for violations of the Association Documents;
- (l) to adopt and enforce reasonable rules ("**Rules**") governing the Subdivision so long as such Rules do not conflict with any other provision of the Association Documents and/or any applicable federal, state or local law, ordinance, regulation, or rule;
- (m) to maintain books and records with respect to the business of the Association and with respect to the levy, collection, receipt, administration, expenditure, and disposition of Assessments and other funds of the Association according to sound accounting practices, and to permit any Owner to inspect and copy the same upon reasonable notice during normal business hours at an office of the Association or Declarant; and
- (n) to perform such other duties and functions as are necessary to carry out the rights, duties, and obligations of the Association.

**4.4 Affiliated Contracts.** The Association may contract with any Owner, including without limitation Developer or an Affiliate, for performance of services which the Association is obligated or authorized to perform. All such contracts must be at competitive rates then prevailing for such services and upon other terms and conditions and for the consideration as the Board considers advisable and in the best interest of the Association provided the level of service received is consistent with that available from unrelated third parties.

**4.5 Liability Limitations.** No Owner or Director, officer, employee, or representative of the Association will be personally liable for the debts, obligations, or liabilities of the Association, regardless of how the debts, obligations, or liabilities are evidenced. The Directors, officers, employees, and representatives of the Association will not be liable for any act or omission (*even if such act or omission constitutes negligence*) unless the act or omission constitutes willful misconduct or bad faith and, to the extent not covered by insurance, the Association must indemnify such Directors, officers, employees, and representatives from and against all cost, expense, loss, or liability, including but not limited to reasonable attorneys' fees suffered or incurred by such persons as a direct or indirect result of their having served the Association in their respective capacities. The cost of the indemnity set forth above may be allocated among the Owners as Special Group Assessments or Special Individual Assessments, whichever is applicable. The right to indemnification set forth above will not be exclusive of any

other rights to which a Director, officer, employee, or representative may be entitled at law or in equity.

**4.6 Insurance.** The Association may obtain and maintain:

- (a) liability insurance covering Directors, officers, employees, and representatives of the Association, the Common Areas, and/or the Enhanced Public Improvements in such coverages, amounts, and with such endorsements as the Board considers to be necessary and reasonable;
- (b) errors and omissions insurance for Directors, officers, employees, and representatives of the Association;
- (c) fidelity bonds for Directors, officers, employees, and representatives of the Association; and
- (d) casualty insurance on the Common Areas and/or the Enhanced Public Improvements.

All insurance policies must be issued by financially sound companies licensed to do business in Texas. The Association must use net insurance proceeds for the purpose the insurance was obtained, and any proceeds still remaining must be deposited by the Association in its reserve fund. Should insurance proceeds be insufficient to fully satisfy any loss or damage, the Association may levy Special Group Assessments or Special Individual Assessments, whichever is applicable, to cover such deficiency.

**Article 5.  
GENERAL PROVISIONS**

**5.1 Binding Effect and Duration.** The provisions hereof run with title to all Lots, bind all Owners and occupants of all Lots, and inure to the benefit of and are enforceable by Developer, any Affiliate, the Association, and any Owner, and their respective heirs, executors, legal representatives, successors, and assigns, and will be effective for a period of 60 years after the date this Master Declaration is recorded in the Official Public Records of Potter County, Texas. This Master Declaration will thereafter extend automatically for successive periods of 10 years unless changed by an amendment or termination as provided in Section 5.3.

**5.2 Interpretation.** The provisions hereof must be liberally interpreted and, if necessary, be extended or enlarged by implication to effectuate the purpose and intent of this Master Declaration. The Board has the right to resolve all questions arising under or in connection with the Association Documents and the right to construe and interpret their provisions. Any determination, construction, or interpretation made by the Board, in the absence of an adjudication by a court of competent jurisdiction that such action was an abuse of discretion, will be binding on the Owners. The provisions hereof must be given full force and effect notwithstanding the existence of any zoning ordinance, building codes, or other applicable regulations which are less restrictive. The effective date of this Master Declaration will be the date it is recorded in the Official Public Records of Potter County, Texas. The captions of each Article and Section hereof

are inserted only for convenience and are not intended to be used to define, limit, extend, or otherwise modify the Article or Section to which they refer. This Master Declaration is construed under and according to the laws of the State of Texas.

**5.3 Amendment or Termination.** Subject to Section 5.5, this Master Declaration may be amended or terminated, in whole or in part, by a written agreement signed by the Owners (as shown by the Official Public Records of Potter County, Texas) of legal title to at least sixty percent (60.0%) of all Lots in the Subdivision. Such amendment or termination must be approved by said Owners within sixty (60) days of the date the first Owner executes such amendment or termination; otherwise, such amendment or termination shall fail. Further, subject to Section 5.5, those Members entitled to cast not less than sixty percent (60.0%) of all of the votes of the Association may also vote in writing to amend or terminate this Master Declaration, in person, or by proxy or absentee ballot if either or both of such voting methods are authorized by the Board, at a meeting of the Members duly called for such purpose. Any amendment or termination shall become effective when an instrument is filed for record in the Potter County, Texas, Official Public Records, accompanied by a certificate, signed by the President or Secretary of the Board of Directors, stating that the required number of Members approved said amendment or termination by written agreement or cast a written vote, in person or by proxy or absentee ballot, in favor of said amendment or termination.

**5.4 Minor Changes or Amendments or Amendments to Comply with Law.** The Board (by a majority vote of the Directors in an open meeting for which prior notice was given to Members) and the Declarant shall each have the authority (without the joinder of the other, except to the extent required by Section 5.5, and without the joinder of any other party, except to the extent required by Section 5.5) to make (i) minor changes or amendments to this Master Declaration to correct or clarify errors, omissions, mistakes, or ambiguities contained herein; (ii) make changes required by any governmental agency; and/or (iii) bring this Master Declaration into compliance with any changes in Texas law that are required to be followed.

**5.5 Written Approval of Amendment by Declarant, Land Owner, and Public School District.** In addition to the requirements for an amendment or termination under Section 5.3 or Section 5.4:

- (a) during the Development Period, no amendment or termination will be effective without the written approval of Declarant; and
- (b) until Plats of all of the Property have been recorded in the Official Public Records of Potter County, Texas, no amendment or termination will be effective without the written approval of the Land Owner; and
- (c) no amendment changing the definition of "Owner" or "Non-Member Owner" or which creates an obligation applicable to any public school district, and specifically of Canyon Independent School District, shall be effective without the express written consent of such public school district.

No amendment or termination will be effective until a written instrument setting forth the terms thereof has been executed by the parties whose approval is required by this Section and has been recorded in the Official Public Records of Potter County, Texas.

**5.6 Enforcement.** Developer, any Affiliate, the Association, and any Owner have the right, but not the obligation, to enforce the provisions hereof. Enforcement may be made by proceedings at law or in equity. The rights, powers, and remedies provided herein are cumulative, and the exercise by any party of any particular right, power, or remedy will not be deemed an election of remedies and will not preclude such party from resorting to other rights, powers, or remedies. With respect to any litigation hereunder or under the Association Documents, the prevailing party will be entitled to recover reasonable attorneys' fees and court costs from the non-prevailing party.

**5.7 Abatement and Enjoinment of Violations by Owners.** The breach of any provision in the Association Documents will give the Board and its agents the right, in addition to any other rights set forth in the Association Documents, to do the following:

- (a) enter the Lot in which, or as to which, the violation or breach exists and to summarily abate and remove, at the expense of the defaulting Owner, any person, structure, thing, or condition that may exist contrary to the intent and meaning of the Association Documents, and the Board and its agents will not be deemed guilty in any manner of trespass; and to expel, remove, and put out, using such force as may be necessary in so doing without being liable to prosecution or any damages therefor; and
- (b) enjoin, abate, or remedy by appropriate legal proceedings the continuance of any breach.

**5.8 No Waiver or Obligation to Enforce.** No delay or failure by an aggrieved party to invoke any right, power, or remedy available to it for a breach of the Association Documents or the Restrictions will be considered a waiver by that party of such right, power, or remedy upon the recurrence or continuance of the breach or the occurrence of a different breach. Neither Developer nor an Affiliate nor the Association nor their respective officers, directors, employees, or representatives will be obligated to take any action to enforce the Association Documents or the Restrictions. Any statute of limitations for the Association or Developer to take action to enforce the Association Documents or the Restrictions shall not begin to run until the Association or Developer has actual notice of the matter to be enforced.

**5.9 Severability.** If any condition, covenant, or provision herein contained is invalid—which invalidity will not be presumed until it is determined by the final non-appealable judgment or final non-appealable order of a court of competent jurisdiction—such invalidity will not affect any other condition, covenant, or provision, each of which will remain in full force and effect.

**5.10 Owner Information.** Except for those Owners who purchase Lots from Declarant, any Person, on becoming an Owner of a Lot, must furnish to the Association or its designee, at the address reflected in the latest management certificate filed of record for the Association, a true and correct copy of the original of the recorded instrument vesting that Person with an interest or

ownership in the Lot. A Person will not be deemed to be a Member entitled to vote at any annual or special meeting of Members unless this requirement is first met and unless the Transfer Assessment and any other fees or costs associated with the transfer are first paid to the Association. Each Owner must furnish to the Association written notice of a mailing address and an email address for receiving notices pursuant to the Association Documents. Each Owner must notify the Association in writing of the name and address of all Persons occupying any Lot in which the Owner has an interest. It is the responsibility of the Owner and any occupant of a Lot to keep the required information current and to advise the Association of any changes. Absent any other written notice, notices to an Owner may be sent to the street address of the Lot owned by such Owner.

**5.11 Additional Property.** The Land Owner or Declarant may in the future, without the joinder of any other Person, subject additional tracts of land to this Master Declaration by recording in the Official Public Records of Potter County, Texas, supplements to this Master Declaration containing the descriptions of the additional tracts of land.

**5.12 Notices.** Unless otherwise provided in the Association Documents, any notice required in the Association Documents to be given will be deemed to have been given when hand delivered with written evidence of receipt or when deposited in the United States Mail, postage prepaid, certified or registered mail, return receipt requested, addressed:

- (a) for notice to an Owner, to the address of the Owner as shown on the records of the Association at the time of the mailing;
- (b) for notice to Declarant, to 7639 Hillside, Suite 300, Amarillo, TX 79119, or to such other address specified by Declarant in a document recorded for such purpose in the Official Public Records of Potter County, Texas; and
- (c) for notice to the Association, to the address reflected in the latest management certificate filed of record for the Association.

**5.13 Mortgagees.** The holder of a mortgage or deed of trust lien affecting a Lot will, upon written request to the Association and upon payment of a reasonable processing fee, be notified in writing by the Association of any default under the Association Documents by the Owner of the encumbered Lot, and the mortgage or deed of trust lien holder has the right to cure the default within the times herein provided for cure by the Owner.

**5.14 Actions of Declarant, Developer, Board, and Association.** Wherever the phrases "Declarant may", "the Board may", or "the Association may" appear in the Association Documents, such phrases mean, respectively: "Declarant will have the right and authority, in its sole discretion", "the Board will have the right and authority, in its sole discretion", and "the Association will have the right and authority, in its sole discretion". Wherever the Association Documents provide for a determination, decision, consideration, opinion, belief, judgment, declaration, or other similar action to be given or rendered by Declarant, the Board, or the Association, such determinations, decisions, considerations, opinions, beliefs, judgments, declarations, or other actions will be given or rendered in the sole discretion of Declarant, the

Board, or the Association, as the case may be, unless the Association Documents specifically provide to the contrary.

**5.15 Gender.** When the context requires, the singular number includes the plural, the plural the singular, and the use of any gender includes all genders.

**5.16 Conflicts.** Notwithstanding anything contained herein to the contrary, should all or part of this Rock Ridge Master Declaration be in conflict with the Texas Business Organizations Code, Texas Property Code, or any other Texas law, such Act or law will control. Should any part of this Rock Ridge Master Declaration be invalid or inoperative for any reason, the remaining parts, so far as is possible and is reasonable, will be valid and operative.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**RRDC Amarillo, LP,  
a Texas limited partnership**

**By: Rock Ridge Amarillo Dev Co, LLC,  
General Partner**

By: \_\_\_\_\_  
\_\_\_\_\_(Printed Name)  
Its: \_\_\_\_\_(Title)

STATE OF TEXAS           §  
                                      §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, 2026, by \_\_\_\_\_ of **Rock Ridge Amarillo Dev Co, LLC, General Partner for RRDC Amarillo, LP, a Texas limited partnership**, on behalf of said limited partnership.

\_\_\_\_\_  
Notary Public



**Exhibit "A"**





## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community  
Communication  
Fiscal Responsibility

**Department:** Environmental Health

**Contact Person:** Anthony Spanel, Director of Environmental Health

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**Agenda Caption: Consideration of Ordinance No. 8253.** This item is the first reading to consider an ordinance for the regulation of On-Site Sewage Facilities within the limits of Amarillo. On-Site Sewage Facilities have been regulated within the Amarillo Area Public Health District since 1976, with Randall and Potter Counties being the Authorized Agents with TCEQ and the City of Amarillo being the Designated Representative for each respective county. By adopting an ordinance within the City of Amarillo, Amarillo will become the Authorized Agent for the limits of Amarillo.

**Agenda Item Summary:** Adoption of this ordinance would make the City of Amarillo an Authorized Agent for the Texas Commission on Environmental Quality (TCEQ) for the permitting and regulation of On-Site Sewage Facilities within the limits of Amarillo. On-Site Sewage Facilities have been regulated within the Amarillo Area Public Health District since 1976, with Potter and Randall Counties being the Authorized Agents with TCEQ and the City of Amarillo being the Designated Representative for each respective county. By adopting this ordinance and becoming our own Authorized Agent, the City of Amarillo would benefit in several ways:

- Amarillo would align our current On-Site Sewage Facility program with industry best practices;
- It would allow Amarillo to continue permitting and regulating On-Site Sewage Facilities with or without the Public Health District;
- It would further align the review and approval process between Environmental Health and the Director of Utilities Office when requesting the use of an On-Site Sewage Facility inside the limits of Amarillo;
- It would allow Environmental Health to have separate Audits for each respective Authorized Agent with the goal of having four (4) total Authorized Agents within the Amarillo Area Public Health District (Amarillo, Canyon, Potter County, Randall County);
- It would allow any state required enforcement to be routed through Amarillo Municipal Court.

**Requested Action:** Approval of the ordinance.

**Funding Summary:** Not applicable.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:**

- Presentation to the Texas Onsite Wastewater Association on 2/25/2025.
- Presented to the City of Canyon Management on adopting an Ordinance for the City of Canyon in January 2025.
- Conducted a public survey in 2024.

- Presentation to the Realtor Association in 2024 to discuss updating the "ORDERS".

**Staff Recommendation:** Staff recommends the adoption of the ordinance.



## AMARILLO AREA PUBLIC HEALTH DISTRICT

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

### Exhibit B

TCEQ - OSSF Program  
MC-235  
PO BOX 13087  
Austin, TX 78711-3087

RE: City of Amarillo On-Site Sewage Facilities – Local Rule Amendment

TCEQ – OSSF Program,

The City of Amarillo is seeking approval for more stringent requirements within our On-Site Sewage Facility ordinance. The justification for each is listed below.

#### SECTION 8-5-31 – More Stringent Requirements

- a) Permitting of all On-Site Sewage Facilities regardless of acreage, permit term and Authorization to Construct term.

Justification: The City of Amarillo requires permitting for the construction, alteration, extension, repair and operation of all on-site sewage facilities, regardless of acreage, to protect groundwater, surface water, and overall public health.

- b) Authorization to Construct (ATC) shortened term.

Justification: When the City of Amarillo sees a failure of an OSSF, it often takes us several months to get the homeowner to hire a contractor to pull a permit to install a new OSSF. We have seen months of enforcement work stall when the contractor obtains an Authorization to Construct as they believe the permit remains valid for a year when the true need is to have the sanitary nuisance abated as quickly as possible. Restricting the ATC to 90 days allows us to abate sanitary nuisances associated with OSSF failures in a more reasonable amount of time having a positive impact on the environment.

- c) Potable water distribution line - variance requests to 285.91(10).

Justification: Chapter 285, On-Site Sewage Facilities, Table X (10) requires private water lines to maintain a minimum setback of ten (10) feet from sewer pipes with watertight joints. Additionally, Texas Administrative Code (TAC) §290.44 provides further requirements when private water lines encroach upon this ten (10)-foot setback or cross sewer transmission lines. These requirements include encasing the wastewater line with a casing at least two nominal pipe diameters larger than the distribution line and constructed of piping with a minimum strength rating of SDR-35 or greater.

Retaining this same level of protection, the proposed ordinance would allow either potable water lines or wastewater lines to be encased using the same criteria through a variance.

d) Annual testing requirements for systems connected to "Food Establishments".

Justification: On-Site Sewage Facilities serving food establishments typically generate higher-strength wastewater, necessitating ongoing monitoring and operational adjustments. These systems are commonly designed to reduce biochemical oxygen demand (BOD) to an acceptable level of less than 140 mg/L; however, sampling frequently demonstrates concentrations that exceed the system's design parameters. Requiring annual testing and reporting will assist the city in more effectively managing wastewater strength at these facilities, thereby providing greater protection for groundwater, surface water, and overall public health.

e) Visual and audible alarm for systems connected to Food Establishments.

Justification: The City of Amarillo finds it prudent to require an internal visual and audible alarm within a food establishment, in addition to any externally located visual and audible alarm when such an alarm is required. The inclusion of an internal alarm allows for the timely identification and correction of system issues while the facility is in operation. Additionally, the continued growth of food establishments served by on-site sewage facilities supports the need for this requirement, as it will enhance our ability to protect groundwater, surface water, and overall public health.

I hope the above justifications are sufficient and approval to proceed can be granted. Please let me know if you have any questions or concerns.

Sincerely,

Anthony Spanel, M.B.A., R.S.  
Environmental Health Director  
Amarillo Area Public Health District

Brooke T. Paup, *Chairwoman*  
Catarina R. Gonzales, *Commissioner*  
Tonya R. Miller, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 30, 2026

The Honorable Cole Stanley  
Amarillo City Hall  
623 S Johnson St  
Suite 3500  
Amarillo, Texas 79101

Re: On-Site Sewage Facility Order for City of Amarillo  
Authorized Agent ID: Proposed AR #620484

Dear Mayor Stanely:

TCEQ staff have reviewed the proposed City of Amarillo On-Site Sewage Facility Ordinance. Our review determined that the enclosed draft Ordinance meets minimum State requirements. Please proceed with the next steps of the adoption process as outlined in Title 30 Texas Administrative Code Chapter 285, Sections 285.10(b)(5)(A) - (C) and 285.10(b)(6)(A) - (D), and as follows:

1. Publish notice of a public meeting to discuss adoption of the proposed Ordinance at least 72 hours, but not more than 30 days, before the meeting. The notice must appear in a regularly published newspaper of general circulation in the area of jurisdiction and include the time, date, and location of the public meeting.
2. After the public meeting is held, submit a copy of the following:
  - A copy of the public notice as it appeared in the newspaper;
  - A publisher's affidavit from the newspaper in which the public notice was published;
  - A certified copy of the meeting minutes when the Ordinance was adopted; and
  - A certified copy of the Ordinance that was passed by the Amarillo City Council.

If further information or assistance is needed, please contact Elena Walch at [elena.walch@tceq.texas.gov](mailto:elena.walch@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Joseph L. Hopkins".

Joseph L. Hopkins, P.G.  
Technical Programs Team Leader  
Texas Commission on Environmental Quality

JLH/EW

**COUNTY OF POTTER** §

**STATE OF TEXAS** §

**Commented [AS1]:** Should this say City of Amarillo? Amarillo is split into two counties (Potter and Randall).

**Commented [AS2R1]:** Should be Potter County per Courtney White.

### **AFFIDAVIT**

Before me, the undersigned authority, personally appeared Stephanie Coggins who, being by me duly sworn, deposed as follows:

My name is Stephanie Coggins. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.

I am the custodian of records of the City Secretary's Office for the City of Amarillo, Texas. Attached hereto are \_\_\_\_ pages of records known as Ordinance No. \_\_\_\_\_. The records are kept by me as City Secretary in the regular course of business with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The record attached hereto is the original or exact duplicate of the official record.

\_\_\_\_\_  
Stephanie Coggins

BEFORE ME, the undersigned authority, a Notary Public in and for said County, Texas, on this day personally appeared Stephanie Coggins, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

(SEAL)

\_\_\_\_\_  
Notary Public, State of Texas  
My commission expires:

## ORDINANCE NO. 8253

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-5, TO ADD ARTICLE VII TO ALLOW THE CITY TO REGULATE ON-SITE SEWAGE FACILITIES WITHIN THE CITY LIMITS, TO ADOPT CHAPTER 366 OF THE TEXAS HEALTH & SAFETY CODE AND THE ASSOCIATED RULES PROMULGATED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, TO ADOPT MORE STRINGENT RULES, TO PROVIDE FOR ENFORCEMENT, TO ALLOW THE CITY TO COLLECT FEES, AND TO PROVIDE FOR AN APPEAL; AND PROVIDING FOR SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, PENALTY, PUBLICATION, AND EFFECTIVE DATE.

---

WHEREAS, the Texas Commission on Environmental Quality (“TCEQ”) has established Rules for on-site sewage facilities (“OSSFs”), codified in 30 Texas Administrative Code (“TAC”) Chapter 285, to provide the citizens of this State with adequate public health protection and a minimum of environmental pollution; and

WHEREAS, the Texas Legislature enacted legislation, codified as Texas Health and Safety Code (“THSC”), Chapter 366, which authorizes a local government to regulate the use of OSSFs in its jurisdiction to eliminate and prevent health hazards from the use of OSSFs; and

WHEREAS, the City of Amarillo, Texas understands that there are technical criteria, legal requirements, and administrative procedures and duties associated with regulating OSSFs, and that the City may have responsibilities under the following provisions:

- THSC Chapters 366 (On-Site Sewage Disposal Systems) and 367 (On-Site Wastewater Treatment Research);
- Texas Water Code Chapters 7 (Enforcement), 26 (Water Quality), and 37 (Occupational Licensing and Registration); 30 TAC Chapters 30 (Occupational Licensing and Registrations), 70 (Enforcement), and 285 (On-Site Sewage Facilities); and
- Section 1 of this Ordinance, codified at section 8-5-31 of the Amarillo Municipal Code (More Stringent Requirements).

WHEREAS, due notice was given of a public meeting to determine whether the City Council of the City of Amarillo, Texas should enact an Ordinance regulating the installation and use of OSSFs in the City of Amarillo, Texas; and

WHEREAS, the City Council of the City of Amarillo, Texas, finds that the use of OSSFs in the city limits is causing or may cause pollution, and is injuring or may injure the public health; and

WHEREAS, the City Council of the City of Amarillo, Texas, has considered the matter and deems it appropriate to enact an Ordinance adopting Rules regulating OSSFs in order to abate or prevent pollution or injury to public health in Amarillo, Texas.

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

**SECTION 1.** The Amarillo Municipal Code, Chapter 8-5, is amended to add Article VII, entitled “On-Site Sewage Facilities”, as follows:

**ARTICLE VII – ON-SITE SEWAGE FACILITIES**

**Sec. 8-5-28. – Incorporation by reference.**



The following statutes and rules, including all future amendments to the statutes and rules, are incorporated by reference specifically, but not limited to:

- (a) THSC Chapters 366 (On-Site Sewage Disposal Systems) and 367 (On-Site Wastewater Treatment Research);
- (b) Texas Water Code Chapters 7 (Enforcement), 26 (Water Quality), and 37 (Occupational Licensing and Registration); and
- (c) 30 TAC Chapters 30 (Occupational Licensing and Registrations), 70 (Enforcement), and 285 (On-Site Sewage Facilities).

**Sec. 8-5-29. – Area of jurisdiction.**

This Ordinance No. 8253 shall apply to all areas lying within the corporate limits of the City of Amarillo, Texas, except for areas regulated under an existing Order, Ordinance, or Resolution.

**Sec. 8-5-30. – Compliance with Ordinance.**

All on-site sewage facilities within the jurisdictional area of the City of Amarillo must comply with this Ordinance No. 8253.

**Sec. 8-5-31. – More Stringent Requirements.**

30 Texas Administrative Code § 285.10 allows local governmental entities to propose more stringent standards than minimally required by 30 TAC Chapter 285. The City of Amarillo, pursuant to its home-rule authority and wishing to adopt more stringent rules for this article, has determined that more stringent requirements are necessary to protect human health and the environment. The Justification for the more stringent requirements is in Exhibit B of this Ordinance No. 8253. The following more stringent requirements are adopted by the City of Amarillo, Texas in this Ordinance No. 8253:

- (a) All construction, alteration, extension, repair, or operation of an on-site sewage facilities shall be permitted and inspected regardless of acreage.
- (b) When an Authorization to Construct (ATC) is associated with the abatement of a sanitary nuisance, the ATC will be valid for 90 calendar days from date of issuance.
- (c) The following criteria are required for a variance requesting a private water line separation distance less than that specified in 285.91(10):
  - (1) Either the wastewater line or the water line shall be encased in piping with a nominal diameter at least two sizes larger than the distribution line and have a minimum strength of SDR 35 or greater. Each end of the casing shall

be sealed with watertight, non-shrink grout or an approved manufactured watertight seal. The casing shall extend until a minimum horizontal separation distance of 10 feet is achieved. Measurement of the separation distance between the wastewater and potable water distribution lines shall begin at the building foundation.

- (d) All Food Establishments as defined by section 8-5-1 of the Amarillo Municipal Code shall conduct and submit the results of a BOD<sub>5</sub> and a TSS grab sample test once annually and meet or exceed the criteria listed in 30 TAC § 285.32(e-f). All test results and maintenance reports shall be sent to the city and owner within 14 calendar days after the date the test is performed. Additional testing and reporting may be required on a case-by-case basis.
- (e) Visual and audible alarms on on-site sewage facilities connected to a Food Establishment shall be located or installed inside of the establishment in an area conspicuous to view by employees or management in addition to the externally located alarm on the pump tank.

**Sec. 8-5-32. – Collection of fees.**

All persons, companies, or other entities applying for permits, inspections, and re-inspections shall pay the permit and inspection fees as provided in section 8-5-15 of the Amarillo Municipal Code. All fees collected for permits and inspections shall be made payable to the City of Amarillo, Environmental Health Department, Amarillo, TX. A fee of \$10 will also be collected for each on-site sewage facility permit to be paid to the credit of the TCEQ Water Resources Management Account as required by the THSC Chapter 367.

**Sec. 8-5-33. – Appeals.**

Persons aggrieved by an action or decision of the designated representative or the city as the Authorized Agent may appeal such action or decision in accordance with Sec. 8-5-24 of the Amarillo Municipal Code.

**Sec. 8-5-34. – Enforcement.**

- (a) The City of Amarillo, Texas understands that, at a minimum, it must follow the requirements in 30 Texas Administrative Code § 285.71 (Authorized Agent Enforcement of On-Site Sewage Facilities.) This includes timely investigating complaints, notifying complainants of findings, and taking appropriate action

related to any documented violations. Records related to these activities shall be retained for review by TCEQ.

- (b) The City shall take appropriate and timely action on all documented violations, which may include any available penalties and remedies, pursuant to all applicable provisions related to on-site sewage facilities, including those found in Chapters 341 and 366 of the Texas Health and Safety Code, Chapters 7 and 26 of the Texas Water Code, and 30 Texas Administrative Code Chapter 285.

**Sec. 8-5-35. – Relinquishment of ordinance.**

- (a) If the Authorized Agent of the City of Amarillo, Texas decides to relinquish its authority to regulate on-site sewage facilities in its area of jurisdiction, the City (previously the Authorized Agent) and TCEQ shall follow the procedures in 30 TAC § 285.10 (d) (1) through (4).
- (b) After relinquishing its on-site sewage facility authority, the city understands that it may be subject to charge-back fees in accordance with 30 TAC § 285.10 (d) (5) and § 285.14.

**Secs. 8-5-2836—8-5-270. - Reserved.**

**SECTION 2.** Severability. It is hereby declared to be the intention of the City Council of the City of Amarillo, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared void by a valid judgment or decree of any court of competent jurisdiction the judgment or decree shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance.

**SECTION 3.** Repealer. Subject to the provision in Section 4 (Continuation of Prior Law), 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 of Prior Law. That nothing in this ordinance (or any code adopted herein) shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes 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. A violation of this ordinance is a health and safety offense punishable as a health and safety violation, in accordance with Section 1-1-5 of the Amarillo Municipal Code.

**SECTION 6.** Publication. This ordinance shall be published as required by law.

**INTRODUCED AND PASSED** by the City Council of the City of Amarillo, Texas, on  
First Reading this the \_\_\_\_ day of \_\_\_\_\_, 2026; and PASSED and APPROVED on  
Second and Final Reading the \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST: \_\_\_\_\_  
Cole Stanley, Mayor

\_\_\_\_\_  
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Bryan S. McWilliams, City Attorney



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Fiscal Responsibility  
Infrastructure  
Public Safety

**Department:** Civic Center

**Contact Person:** Christopher Post, Interim General Manager

**Agenda Caption:** **Consider Approval - Civic Center Capital Project Budget Transfer.** This item considers approval for the transfer of budget funds from Capital Project No. PRJ-127 and PRJ-128 to provide necessary financial support to fund emergency needs for the South Exhibit Hall overhead loading dock door replacement, and the replacement of two grease traps in the north end expansion.

**Agenda Item Summary:** 1. The equipment approved under PRJ-127, *Staging Replacement & Additions*, has been ordered and is scheduled for delivery on May 26, 2026. Due to cost savings achieved through the Texas BuyBoard contract discount, the project currently retains an unspent balance of \$145,497. We are requesting that these remaining funds be reallocated to address an emergency infrastructure need involving the grease traps in the north expansion prep kitchens.

In March 2026, staff began experiencing significant backflow issues in the prep kitchens adjacent to the North Exhibit Hall and the Heritage Ballroom. Following an inspection by the Facilities Department, it was determined that the failures were caused by multiple factors: both grease trap pans have deteriorated to the point of near-complete erosion, and several sections of the associated drain lines show signs of collapse. As a result, the systems in both kitchens are no longer effectively capturing grease, and the drain lines become clogged with even minimal use.

These prep kitchens are critical operational components for numerous events, including the WRCA Rodeo and other high-impact functions. To prevent further service disruptions and facility damage, this request seeks approval to transfer the remaining PRJ-127 funds to a new capital project dedicated to replacing the grease traps and fully reconstructing the drain lines in both kitchen areas for the current fiscal year.

2. PRJ 128, which funded the replacement of the Civic Center's north-end fire alarm system, has been completed and currently shows a remaining balance of \$44,128.69.

In March of the current fiscal year, the Civic Center experienced a significant mechanical failure of the west-side overhead loading dock door serving the South Exhibit Hall. This door is the only exterior loading point for that hall and is essential for the proper use and operation of this leasable space. Due to the extent of the failure, full replacement is required.

The Facilities Department recommends replacing the existing roll-up door with a vertical bi-fold system. This style offers improved durability and sustainability, provides a better environmental seal, and helps reduce strain on the hall's air-handling units. The estimated cost of the replacement is approximately \$40,000, which is not available within the current year's operating budget. Staff is requesting that the remaining funds from PRJ 128 be reallocated to a new project to support the replacement of this new door system.

**Requested Action:** Approval of CIP Transfers.

**Funding Summary:** Funds will be transferred from surplus funds available in PRJ - 127 and PRJ - 128.

**Purchasing Summary:** Not Applicable.

**Community Engagement Summary:** Item was presented to the Amarillo Potter County Event District, and they voted unanimously to approve.

**Staff Recommendation:** These CIP transfer requests have been reviewed by the City of Amarillo CIP Committee, and the City Manager.

## City of Amarillo, Texas

### CIP Oversight Committee Request Form

*Submit completed form and supporting documents by email to donny.hooper@amarillo.gov*

#### Submission Information

Date submitted: **March 21, 2026**

Department: **Civic Center**

Department director: **Christopher Post, CVP, CVE**

#### Request Type

Check all that apply:

- ☒ Budget transfer request
- ☐ Project ready for close-out or closure
- ☐ Project Capitalization
- ☐ Inactive project review
- ☐ Exception to CIP Administrative Policy

Council action previously taken (if any): **Not applicable.**

#### **Detailed Request Description**

Briefly Describe the request why it is being brought forward to the Committee.

The equipment approved under PRJ-127, *Staging Replacement & Additions*, has been ordered and is scheduled for delivery on May 26, 2026. Due to cost savings achieved through the Texas BuyBoard contract discount, the project currently retains an unspent balance of \$145,497. We are requesting that these remaining funds be reallocated to address an emergency infrastructure need involving the grease traps in the north expansion prep kitchens.

In March 2026, staff began experiencing significant backflow issues in the prep kitchens adjacent to the North Exhibit Hall and the Heritage Ballroom. Following an inspection by the Facilities Department, it was determined that the failures were caused by multiple factors: both grease trap pans have deteriorated to the point of near-complete erosion, and several sections of the associated drain lines show signs of collapse. As a result, the systems in both kitchens are no longer effectively capturing grease, and the drain lines become clogged with even minimal use.

These prep kitchens are critical operational components for numerous events, including the WRCA Rodeo and other high-impact functions. To prevent further service disruptions and facility damage, this request

seeks approval to transfer the remaining PRJ-127 funds to a new capital project dedicated to replacing the grease traps and fully reconstructing the drain lines in both kitchen areas for the current fiscal year.

\*Fill out the section(s) below that pertain to the request type:

### **Transfer Request**

Complete this section if the request is for a transfer between CIP projects.

**From project number and name: PRJ – 127 Civic Center Stage Replacement and Additions**

Original budget: **\$350,000.00**

Date CIP was created: **October - 2024**

Original Date of Council Approval: **October - 2024**

Current budget: **\$350,000.00**

Expenditure to date: **\$204,503.00**

Available balance: **\$145,497.00**

Balance after transfer: **\$0.00**

Project status: **Open**

Justification for the project's ability to be able to transfer money out: **The Civic Center's professional audio systems in the Auditorium and Globe-News Center are antiquated. The current funds will only allow for a modest upgrade to these systems. The additional funds will create the potential for a much higher ROI and offer better internal services to our clients.**

**To project number and name: NEW: North Expansion Grease Trap and Drain Line Replacement**

Transfer amount: **\$145,497.00**

Original budget: **N/A**

Date CIP was created: **May - 2026**

Original Date of Council Approval: **N/A**

Current budget: **Estimates for the work are expected to be \$100,000, but possibly more once the drain line is exposed. We request the full amount of the current fund be transfer to ensure the needed capital is available for this need.**

Expenditures to date: **\$0.00**

Available balance: **N/A**

Project status: **NEW**



Reason for transfer: **To improve the overall in-house professional audio capabilities for our two theatres and drive better revenue potential.**

Effect on scope and schedule for both projects: **Not applicable.**

Does the transfer exceed \$50,000?: **Yes**

Legal / grant / bond restrictions reviewed?: **No**

### **Project Close-Out Request**

Complete this section if the request is for project close-out or closure.

Project complete? Yes / No:

If complete, date placed in service:

Original budget:

Date CIP was created:

Original Date of Council Approval:

Last payment date:

Final expenditures:

Remaining balance:

Disposition requested for remaining funds:

Additional funding needed to close final costs? Yes / No:

Amount of shortfall, if any:

Inactive for one year or more? Yes / No:

### **Capitalization of CIP Project**

Complete this section if the request involves capitalization or an in-service update.

Asset / project placed in service? Yes / No:

In-service date:

City acceptance date, if developer-dedicated asset:

Amount to be capitalized:

Outstanding payments remaining? Yes / No: \_\_\_\_\_ Warranty

or punch-list items remaining? Yes / No: \_\_\_\_\_ Coordination

completed with Finance? Describe any needed follow-up:

## Required: Department Certification

The undersigned certifies that this request is complete and that all supporting documentation required for Committee review is attached or will be provided in advance of the meeting.

Prepared by: **Christopher Post, CVP, CVE**

Date: **May 21, 2026**

Department director approval: Christopher Post, CVP, CVE

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*5-21-26*

## For CIP Oversight Committee Use Only

Meeting date: 05-27-2026

Agenda section: NA

Recommendation: Approve / Approve with conditions / Defer / Deny: Approve

### Committee notes:

The Committee approves and recommends to the City Manager that \$140,000 be submitted as the transfer amount in order to maintain funding to complete existing project. The committee recommends City Manager approval and recommends that the item be placed on City Council Agenda for consideration on non consent.

**APPROVED**

*By Donny Hooper at 10:41 am, Jun 02, 2026*

## City of Amarillo, Texas

### CIP Oversight Committee Request Form

*Submit completed form and supporting documents by email to donny.hooper@amarillo.gov*

#### Submission Information

Date submitted: **March 21, 2026**

Department: **Civic Center**

Department director: **Christopher Post, CVP, CVE**

#### Request Type

Check all that apply:

- ☒ Budget transfer request
- ☐ Project ready for close-out or closure
- ☐ Project Capitalization
- ☐ Inactive project review
- ☐ Exception to CIP Administrative Policy

Council action previously taken (if any): **Not applicable.**

#### **Detailed Request Description**

Briefly Describe the request why it is being brought forward to the Committee.

**PRJ 128, which funded the replacement of the Civic Center's north-end fire alarm system, has been completed and currently shows a remaining balance of \$44,128.69.**

**In March of the current fiscal year, the Civic Center experienced a significant mechanical failure of the west-side overhead loading dock door serving the South Exhibit Hall. This door is the only exterior loading point for that hall and is essential for the proper use and operation of this leasable space. Due to the extent of the failure, full replacement is required.**

**The Facilities Department recommends replacing the existing roll-up door with a vertical bi-fold system. This style offers improved durability and sustainability, provides a better environmental seal, and helps reduce strain on the hall's air-handling units.**

**The estimated cost of the replacement is approximately \$40,000, which is not available within the current year operating budget. Staff is requesting that the remaining funds from PRJ 128 be reallocated to a new project to support the replacement of this new door system.**

**\*Fill out the section(s) below that pertain to the request type:**

### **Transfer Request**

Complete this section if the request is for a transfer between CIP projects.

**From project number and name: PRJ-0000128 Civic Center Fire Alarm Replacement**

Original budget: **\$108,000**

Date CIP was created: **October - 2025**

Original Date of Council Approval: **January - 2026**

Current budget: **\$108,000.00**

Expenditures to date: **\$63,871.31**

Available balance: **\$44,128.69**

Balance after transfer: **\$0.00**

Project status: **Open**

Justification for the project's ability to be able to transfer money out: **The Civic Center's South Exhibit Hall overhead door is currently not operating properly and will fail if we continue using it in its current condition. It cannot be repaired and must be replaced to ensure the proper operation of this leasable space.**

**To project number and name: Request for new project – Civic Center South Exhibit Hall Dock Door Replacement**

Transfer amount: **\$44,128.69**

Original budget: **\$40,000**

Date CIP was created: **N/A**

Original Date of Council Approval: **N/A**

Current budget: **Estimated at approximately \$40,000.00**

Expenditures to date: **\$0.00**

Available balance: **N/A**

Project status: **New**

Reason for transfer: **Request to create a new project to purchase and replace the current malfunctioning overhead door of the South Exhibit Hall.**

Effect on scope and schedule for both projects: **Not applicable.**

Does the transfer exceed \$50,000?: **No**

Legal / grant / bond restrictions reviewed?: **No**

### **Project Close-Out Request**

Complete this section if the request is for project close-out or closure.

Project complete? Yes / No:

If complete, date placed in service:

Original budget:

Date CIP was created:

Original Date of Council Approval:

Last payment date:

Final expenditures:

Remaining balance:

Disposition requested for remaining funds:

Additional funding needed to close final costs? Yes / No:

Amount of shortfall, if any:

Inactive for one year or more? Yes / No:

### **Capitalization of CIP Project**

Complete this section if the request involves capitalization or an in-service update.

Asset / project placed in service? Yes / No:

In-service date:

City acceptance date, if developer-dedicated asset:

Amount to be capitalized:

Outstanding payments remaining? Yes / No: \_\_\_\_\_ Warranty

or punch-list items remaining? Yes / No: \_\_\_\_\_ Coordination

completed with Finance? Describe any needed follow-up:

### Required: Department Certification

The undersigned certifies that this request is complete and that all supporting documentation required for Committee review is attached or will be provided in advance of the meeting.

Prepared by: **Christopher Post, CVP, CVE**

Date: **May 21, 2026**

Department director approval: Christopher Post, CVP, CVE

Signature: \_\_\_\_\_

Date: 5-21-26

### For CIP Oversight Committee Use Only

Meeting date: 05-27-2026

Agenda section: NA

Recommendation: Approve / Approve with conditions / Defer / Deny: Approve

#### Committee notes:

The Committee recommends approval to the City Manger. The Committee also recommends that this Item go before the Venue District for Approval. Further the item is recommended to go before City Council as a non consent item.

The Venue Districts next meeting is June 22nd.

City Council approval consideration would be for the July 14th City Council Meeting.

Signed:

Date: 06-02-2026

## Post, Christopher

---

**From:** Path, Grayson  
**Sent:** Wednesday, June 3, 2026 2:46 PM  
**To:** Hooper, Donny  
**Cc:** Gagnon, Rich; Post, Christopher; Freeman, Andrew; Coggins, Stephanie; Owens, Katrina; Ogunremi, Lola; Danforth, Jerry; Chairez, Sandra  
**Subject:** RE: CIP Committee Recommendations

Donny,

I approve both CIP transfer requests. Please proceed to the appropriate next step.

Thank you,

### Grayson Path

City Manager  
City of Amarillo  
[grayson.path@amarillo.gov](mailto:grayson.path@amarillo.gov)  
806-378-3011



**Notice:** This email may contain confidential information for the intended recipient only. Unauthorized use, disclosure, or distribution is prohibited. If received in error, please notify sender and delete.

**From:** Hooper, Donny <Donny.Hooper@amarillo.gov>  
**Sent:** Tuesday, June 2, 2026 10:49 AM  
**To:** Path, Grayson <Grayson.Path@amarillo.gov>  
**Cc:** Gagnon, Rich <Rich.Gagnon@amarillo.gov>; Post, Christopher <Christopher.Post@amarillo.gov>; Freeman, Andrew <Andrew.Freeman@amarillo.gov>; Coggins, Stephanie <Stephanie.Coggins@amarillo.gov>; Owens, Katrina <Katrina.Owens@amarillo.gov>; Ogunremi, Lola <Lola.Ogunremi@amarillo.gov>; Danforth, Jerry <Jerry.Danforth@amarillo.gov>; Chairez, Sandra <Sandra.Chairez@amarillo.gov>  
**Subject:** CIP Committee Recommendations

Grayson,

During the May meeting of the CIP Oversight Committee, we considered two transfer requests from Civic Center. I have attached the requests for your consideration. The last page of the documents has the committee recommendations.

Please let me know if you need further information.

Thank you,

**Donny Hooper**

Assistant City Manager

[donny.hooper@amarillo.gov](mailto:donny.hooper@amarillo.gov)

806-378-3012



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## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community  
Communication  
Fiscal Responsibility  
Infrastructure  
Public Safety  
Technology and Innovation

**Department:** Civic Center

**Contact Person:** Christopher Post, Interim General Manager

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**Agenda Caption:** **Consider Approval - Civic Center Capital Project Budget Transfer.** This item considers approval for the transfer of budget funds from Capital Project PRJ-440755 (Boiler & Expansion Tank Replacement) to provide necessary financial support for PRJ-130 (Civic Center I.T. Access Points and Fiber Upgrades), and PRJ-440299 (Civic Center New Basketball Floor).

**Agenda Item Summary:**

1. PRJ - 440755 Boiler & Expansion Tank Replacement has been successfully completed. Due to cost savings and the use of more efficient installation options, the project has a remaining balance of \$552,233.52. We are requesting that a portion of these funds be reallocated to address the inefficient budget proposed for PRJ 130 – Civic Center I.T. Access Points and Fiber Upgrades.

The Civic Center has submitted an additional transfer request to the committee for a portion of this project's funds to compensate for a shortfall of \$16,688.71 in PRJ - 440299 – Civic Center New Basketball Floor. If this transfer request is approved, PRJ – 440755 will still have a remaining balance of \$535,544.81.

PRJ 130 – Civic Center I.T. Access Points and Fiber Upgrades was originally budgeted at \$200,000 in FY 23–24. Due to market changes in the supply chain and inflation affecting technology components, the project estimate increased to \$664,892.87 as of April 27, 2026. After addressing the basketball floor shortfall, we request that \$525,000.00 from PRJ - 440755 be transferred to PRJ 130 to help fund this updated project cost and any to cover any additional market increases that have occurred since the last estimate.

2. PRJ - 440755 Civic Center Boiler & Expansion Tank Replacement has been successfully completed. Due to cost savings and the use of more efficient installation options, the project has a remaining balance of \$552,233.52. We are requesting funds be reallocated to address a shortfall in PRJ - 440299 – Civic Center New Basketball Floor.

PRJ – 440299 New Civic Center Basketball Floor currently has a negative balance of \$16,688.71. This shortfall resulted from increased material and freight costs occurring between the time the project was funded and the time of purchase. We request that \$16,688.71 be transferred from the remaining balance of PRJ - 440755 to eliminate the deficit and allow the project to be closed.

**Requested Action:** Approval of CIP Transfers

**Funding Summary:** Funding will be transferred from the surplus fund available in PRJ-440755.

**Purchasing Summary:** Not Applicable

**Community Engagement Summary:** These funds will go to balance the purchase of the new basket ball floor and fund the critical internet technology upgrades at the Civic Center to allow ongoing services provided to our clients and guests.

**Staff Recommendation:** These CIP transfer requests have been reviewed and approved by the City of Amarillo CIP Committee and the City Manager.

## City of Amarillo, Texas

### CIP Oversight Committee Request Form

*Submit completed form and supporting documents by email to donny.hooper@amarillo.gov*

#### Submission Information

Date submitted: **June 15, 2026**

Department: **Civic Center**

Department director: **Christopher Post, CVP, CVE**

#### Request Type

Check all that apply:

- ☒ Budget transfer request
- ☐ Project ready for close-out or closure
- ☐ Project Capitalization
- ☐ Inactive project review
- ☐ Exception to CIP Administrative Policy

Council action previously taken (if any): **Not applicable.**

#### **Detailed Request Description**

Briefly Describe the request why it is being brought forward to the Committee.

**PRJ - 440755 Civic Center Boiler & Expansion Tank Replacement has been successfully completed. Due to cost savings and the use of more efficient installation options, the project has a remaining balance of \$552,233.52. We are requesting funds be reallocated to address a shortfall in PRJ - 440299 – Civic Center New Basketball Floor.**

**PRJ – 440299 New Civic Center Basketball Floor currently has a negative balance of \$16,688.71. This shortfall resulted from increased material and freight costs occurring between the time the project was funded and the time of purchase. We request that \$16,688.71 be transferred from the remaining balance of PRJ - 440755 to eliminate the deficit and allow the project to be closed.**

\*Fill out the section(s) below that pertain to the request type:

### **Transfer Request**

Complete this section if the request is for a transfer between CIP projects.

**From project number and name: CIP # 440755 – Civic Center Boiler & Expansion Tank Replacement**

Original budget: **995,000.00**

Date CIP was created: **October - 2025**

Original Date of Council Approval: **October - 2025**

Current budget: **\$976,663.96**

Expenditures to date: **\$424,430.44**

Available balance: **\$552,233.52**

Balance after transfer: **\$535,544.81**

Project status: **Open**

Justification for the project's ability to be able to transfer money out: **The cost of materials and labor came in under budget while still meeting the full scope of the job. Additionally, an alternate placement of the boiler expansion tank for the system created significant cost savings for the project, reducing the amount of time originally anticipated to complete the project.**

**To project number and name: PRJ – 440299 New Civic Center Basketball Floor**

Transfer amount: **\$16,688.71**

Original budget: **\$150,057.29**

Date CIP was created: **October - 2021**

Original Date of Council Approval: **October - 2025**

Current budget: **\$166,746.00**

Expenditures to date: **\$166,746.00**

Available balance: **(\$16,688.71)**

Project status: **Open**

Reason for transfer: **To fund the shortfall of PRJ 130 due to material cost increases and freight expenditures that occurred between the time this project was estimated and the equipment was purchased.**

Effect on scope and schedule for both projects: **Not applicable.**

Does the transfer exceed \$50,000?: **No**

Legal / grant / bond restrictions reviewed?: **No**

### **Project Close-Out Request**

Complete this section if the request is for project close-out or closure.

Project complete? Yes / No:

If complete, date placed in service:

Original budget:

Date CIP was created:

Original Date of Council Approval:

Last payment date:

Final expenditures:

Remaining balance:

Disposition requested for remaining funds:

Additional funding needed to close final costs? Yes / No:

Amount of shortfall, if any:

Inactive for one year or more? Yes / No:

### **Capitalization of CIP Project**

Complete this section if the request involves capitalization or an in-service update.

Asset / project placed in service? Yes / No:

In-service date:

City acceptance date, if developer-dedicated asset:

Amount to be capitalized:

Outstanding payments remaining? Yes / No: \_\_\_\_\_ Warranty  
or punch-list items remaining? Yes / No: \_\_\_\_\_ Coordination  
completed with Finance? Describe any needed follow-up:

## Required: Department Certification

The undersigned certifies that this request is complete and that all supporting documentation required for Committee review is attached or will be provided in advance of the meeting.

Prepared by: **Christopher Post, CVE**

Date: **June 15, 2026**

Department director approval: **Christopher Post, CVP, CVE**

Signature: \_\_\_\_\_

Date: 6/15/26

## For CIP Oversight Committee Use Only

Meeting date: 6/16/2026

Agenda section: NA

Recommendation: Approve / Approve with conditions / Defer / Deny: Approved

Committee notes:

These projects will be presented to the Venue District Board in August and will go to Council in September.

## City of Amarillo, Texas

### CIP Oversight Committee Request Form

*Submit completed form and supporting documents by email to donny.hooper@amarillo.gov*

#### Submission Information

Date submitted: **June 15, 2026**

Department: **Civic Center**

Department director: **Christopher Post, CVP, CVE**

#### Request Type

Check all that apply:

- ☒ Budget transfer request
- ☐ Project ready for close-out or closure
- ☐ Project Capitalization
- ☐ Inactive project review
- ☐ Exception to CIP Administrative Policy

Council action previously taken (if any): **Not applicable.**

#### **Detailed Request Description**

Briefly Describe the request why it is being brought forward to the Committee.

**PRJ - 440755 Boiler & Expansion Tank Replacement has been successfully completed. Due to cost savings and the use of more efficient installation options, the project has a remaining balance of \$552,233.52 We are requesting that a portion of these funds be reallocated to address the inefficient budget proposed for PRJ 130 – Civic Center I.T. Access Points and Fiber Upgrades.**

**The Civic Center has submitted an additional transfer request to the committee for a portion of this projects funds to compensate for a shortfall of \$16,688.71 in PRJ - 440299 – Civic Center New Basketball Floor. If this transfer request is approved, PRJ – 440755 will still have a remaining balance of \$535,544.81.**

**PRJ 130 – Civic Center I.T. Access Points and Fiber Upgrades was originally budgeted at \$200,000 in FY 23–24. Due to market changes in the supply chain and inflation affecting technology components, the project estimate increased to \$664,892.87 as of April 27, 2026. After addressing the basketball floor shortfall, we request that \$525,000.00 from PRJ - 440755 be transferred to PRJ 130 to help fund this updated project cost and any to cover any additional market increases that have occurred since the last estimate.**

\*Fill out the section(s) below that pertain to the request type:

## **Transfer Request**

Complete this section if the request is for a transfer between CIP projects.

**From project number and name: CIP # 440755 – Civic Center Boiler & Expansion Tank Replacement**

Original budget: **995,000.00**

Date CIP was created: **October - 2025**

Original Date of Council Approval: **October - 2025**

Current budget: **\$976,663.96**

Expenditures to date: **\$424,430.44**

Available balance: **\$535,544.81** (after the requested approval of an additional transfer to cover the shortfall in PRJ-440755 Civic Center Basketball Floor)

Balance after transfer: **\$10,544.81**

Project status: **Open**

Justification for the project's ability to be able to transfer money out: **The cost of materials and labor came in under budget while still meeting the full scope of the job. Additionally, an alternate placement of the boiler expansion tank for the system created significant cost savings for the project, reducing the amount of time originally anticipated to complete the project.**

**To project number and name: PRJ 130 – Civic Center I.T. Access Points and Fiber Upgrades**

Transfer amount: **\$525,000.00**

Original budget: **\$200,000.00**

Date CIP was created: **May - 2024**

Original Date of Council Approval: **October - 2025**

Current budget: **\$664,892.87** (current estimates are subject to additional increases due to continuing fluctuations in the market)

Expenditures to date: **\$0.00** (Project has not been started)

Available balance: **\$200,000.00**

Project status: **Open**

Reason for transfer: **The Civic Center's current networking infrastructure is significantly outdated and no longer meets modern performance or PCI compliance standards. The original fiber backbone and network switches, now 23 years old, are insufficient for today's data transmission requirements. Additionally, the wireless access points and switches added in 2016 have reached end-of-life and can no longer receive firmware or security updates. As these systems continue to age, the risk of system failure**



**increases substantially, which could result in a complete loss of wireless connectivity for staff, event operations, vendors, and guests. Such an outage would negatively impact revenue generation, operational efficiency, and the overall customer experience. Since the project was originally proposed and estimated, the cost of the technology and software services needed have increased dramatically due to the increases in component costs and supply chain availability.**

Effect on scope and schedule for both projects: **Not applicable.**

Does the transfer exceed \$50,000?: **Yes**

Legal / grant / bond restrictions reviewed?: **No**

### **Project Close-Out Request**

Complete this section if the request is for project close-out or closure.

Project complete? Yes / No:

If complete, date placed in service:

Original budget:

Date CIP was created:

Original Date of Council Approval:

Last payment date:

Final expenditures:

Remaining balance:

Disposition requested for remaining funds:

Additional funding needed to close final costs? Yes / No:

Amount of shortfall, if any:

Inactive for one year or more? Yes / No:

### **Capitalization of CIP Project**

Complete this section if the request involves capitalization or an in-service update.

Asset / project placed in service? Yes / No:

In-service date:

City acceptance date, if developer-dedicated asset:

Amount to be capitalized:

Outstanding payments remaining? Yes / No: \_\_\_\_\_ Warranty  
or punch-list items remaining? Yes / No: \_\_\_\_\_ Coordination  
completed with Finance? Describe any needed follow-up:

**Required: Department Certification**

The undersigned certifies that this request is complete and that all supporting documentation required for Committee review is attached or will be provided in advance of the meeting.

Prepared by: **Christopher Post, CVP, CVE**

Date: **June 15, 2026**

Department director approval: **Christopher Post CVP, CVE**

Signature: \_\_\_\_\_

Date: 6/15/26

**For CIP Oversight Committee Use Only**

Meeting date: 6/16/2026

Agenda section: NA

Recommendation: Approve / Approve with conditions / Defer / Deny: Approved

Committee notes:

These projects will be presented to the Venue District Board in August and will go to Council in September.



## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community

**Department:** City Manager's Office

**Contact Person:** Doug Nelson, Amarillo Economic Development Corporation

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**Agenda Caption:** Consider Approval - Amendment No. 1 to the Location Incentive Agreement by and between Amarillo Economic Development Corporation and Sharpened Iron Studios, LLC.

**Agenda Item Summary:** Amarillo EDC and Sharpened Iron Studios, LLC (SIS) seek to amend the Location Incentive Agreement dated June 23, 2020. This amendment would convert the existing SIS obligation to a promissory note and extend the deadlines and performance periods in the agreement. SIS requested this amendment to allow additional time to perform under the agreement.

**Highlights of the amendment include:**

- Performance periods extended from starting in 2024 to 2028.
- SIS will provide and engage in semi-annual progress meetings with Amarillo EDC staff.
- Removal of any additional incentive opportunities by SIS.
- Creation of a promissory note with a five-year term and interest rate of 8%.

AEDC is asking the City Council to approve Amendment No. 1 to the Location Incentive Agreement.

**Requested Action:** Approval of Amendment No. 1 to the Location Incentive Agreement as presented.

**Funding Summary:** Not applicable.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** AEDC staff is recommending approval of Amendment No. 1 to the Location Incentive Agreement. AEDC board approved 4-0 on 6-9-2026.

## AMENDMENT NO. 1 TO LOCATION INCENTIVES AGREEMENT

THIS AMENDMENT NO. 1 TO LOCATION INCENTIVES AGREEMENT (*Amendment*) is entered into on [REDACTED], 2026 (*Effective Date*), by and between AMARILLO ECONOMIC DEVELOPMENT CORPORATION (*Amarillo EDC*), a Texas non-profit corporation organized under and governed by Chapters 501 and 504 of the Texas Local Government Code, and Sharpened Iron Studios, LLC (*SIS*), a Texas limited liability company duly organized and existing under the laws of the state of Texas. SIS, Guarantors (as hereinafter defined), and Amarillo EDC shall collectively be referred to herein as the “*Parties*” and individually as the “*Party*”.

**WHEREAS**, Amarillo EDC and SIS have previously entered into that certain Location Incentives Agreement (*Agreement*) dated June 23, 2020, which the obligations under the Agreement are guaranteed by that certain Guaranty for the Benefit of Amarillo EDC executed by Sean B. Doherty, Sr., Judith A. Doherty, and Joseph D. Graham (collectively, the *Guarantors*);

**WHEREAS**, SIS commenced construction and/or renovation of the Facility<sup>1</sup> under the Agreement and Amarillo EDC reimbursed SIS the amount of \$500,000 for SIS’s out-of-pocket expenses therefor, all under the terms of Section 2 of the Agreement and being the Job Creation Incentive referred to therein;

**WHEREAS**, among other deficiencies and defaults under the Agreement, SIS’s reporting for the first Performance Year (2024) reflects that it maintained less than the required five (5) FTEs and \$275,000 in Payroll, in addition to such reporting being provided after the deadline therefor;

**WHEREAS**, such failures constitute a default under Section 15(i) of the Agreement and are also conclusive evidence of the cessation of Amarillo Operations as such term is used and defined in the Agreement;

**WHEREAS**, on January 13, 2026, Amarillo EDC caused its attorneys to send SIS notice of default, a demand for payment of the Job Creation Incentive, and further declaring that SIS’s opportunity for the Local Spending Incentive had been forever forfeited (*Notice*);

**WHEREAS**, in response to the Notice, SIS has requested that the Agreement be modified pursuant to the terms of this Amendment to allow SIS additional time to perform under the Agreement; and

**WHEREAS**, the Board of Amarillo EDC has found that it is in the best interests of it, and in furtherance of its purpose to promote and expand economic activity in the Amarillo, Texas area, to agree to amend the Agreement under the terms set forth in this Amendment.

**NOW THEREFORE**, in consideration of the recitals, which are made a contractual part hereof, and for other good and valuable consideration, the receipt and sufficiency of which are evidenced by the execution hereof, the Parties agree as follows:

1. **Stipulations.** The Parties stipulate and agree to all of the following:
  - a. Amarillo EDC has timely complied with all of its obligations under the Agreement, including disbursing the maximum Job Creation Incentive to SIS under Section 2 of the Agreement (\$500,000).
  - b. SIS has failed to perform its obligations under the Agreement, constituting a default under Section 15(i) of the Agreement.

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<sup>1</sup> Capitalized terms used but not defined herein have the meaning set forth in the Agreement.

- c. SIS has forever forfeited the opportunity to qualify for or receive the Local Spending Incentive or any other future payments from Amarillo EDC under the Agreement.
- d. The Guaranty remains in full force and effect, including with respect to the Agreement as amended by this Amendment.
- e. The Note (defined below) is given to evidence SIS's repayment obligation to Amarillo EDC due to SIS's failure to perform under the original Agreement; provided, however, SIS may qualify for Credits (defined below) towards its payment obligations under the Note, as described herein.
- f. This Amendment is entered into at the request of SIS.
- g. Except as provided in this Amendment, the Notice is rescinded.

2. **Amendments to Agreement.** The Agreement is amended as follows:

- a. **Definitions.** The defined terms in the table below completely replace and restate the same defined terms in the Agreement:

| Defined Term        | Definition                                                                                                       |
|---------------------|------------------------------------------------------------------------------------------------------------------|
| Amarillo Operations | SIS's, its Affiliates', and Production Companies' business activities provided primarily at or from the Facility |
| Date Zero           | January 1, 2028                                                                                                  |
| Date One            | January 1, 2029                                                                                                  |
| Date Two            | January 1, 2030                                                                                                  |
| Date Three          | January 1, 2031                                                                                                  |
| Date Four           | January 1, 2032                                                                                                  |
| Date Five           | January 1, 2033                                                                                                  |
| Employee            | Employees of SIS, its Affiliates, or Production Companies engaged in Amarillo Operations.                        |
| Facility            | A sound stage occupied (or to be occupied) by SIS in Amarillo, Texas                                             |

- b. **Potential Repayment of Job Creation Incentive.** Section 3 of the Agreement is replaced and restated in full as follows:

.....

3. **Potential Repayment of Job Creation Incentive.**

a. To evidence SIS's potential repayment obligation of the Job Creation Incentive, contemporaneously with the execution and delivery of this Amendment, SIS and the Guarantors shall execute and deliver that certain Promissory Note in the form attached hereto as Exhibit A (*Note*).

b. For each Performance Year, SIS may qualify for a credit towards its payment obligations under the Note, calculated as described in this Section 3(b) (each a *Credit*). Each Credit shall be in an amount of \$125,228.23 (subject to reduction, as described below), being the amount of each annual payment due under the Note (*Credit Amount*), if the FTE Target and Payroll Target are both fully met as determined by the Payroll and FTE Report (defined below) for such Performance Year. If either the FTE Target or Payroll Target are not both fully met for a Performance Year, the Credit for such Performance Year shall be a reduced amount calculated as the Credit Amount multiplied by the average of the following two fractions: (i) the number of FTEs maintained in such Performance Year divided by the FTE Target; and (ii) the amount of Payroll maintained in

such Performance Year divided by the Payroll Target, provided that neither of such fractions may be greater than 1. The Credit for each Performance Year, to the extent qualified for, shall be applied towards SIS's payment obligations under the Note on the first Note payment due date following the end of such Performance Year.

c. Notwithstanding anything else herein to the contrary, in the event either less than five (5) FTEs or \$275,000 in Payroll is reported for any Performance Year, SIS shall not be entitled to any Credit for such Performance Year.

.....

c. Job Creation Incentive Reporting. Section 4 of the Agreement is restated in full as follows:

.....

a. On or before February 28 immediately following each Performance Year, SIS will and will cause each Affiliate and each Production Company with Employees engaged in Amarillo Operations to, without demand or other request therefor, complete and provide to Amarillo EDC a written certificate signed by an authorized corporate officer of SIS or the applicable Affiliate or Production Company on the form attached hereto as Exhibit B, for the immediately preceding Performance Year, together with all four employer's quarterly reports submitted to the Texas Workforce Commission (*TWC*), along with a list of all Texas employees, the number of hours worked, the facility location where they worked, FTEs that each Employee represents for such year (in no event may any one person count as more than one (1) FTE for any year), Payroll received by each Employee during such year, and a total aggregate number of FTEs maintained and Payroll paid in Amarillo Operations during such year (each a ***Payroll and FTE Report***). The Payroll and FTE Report, all TWC reports, and any backup documents or information provided therewith shall: (i) be clearly marked to indicate any Employees who were not primarily engaged in Amarillo Operations during the applicable Performance Year; and (ii) not contain social security numbers or personal contact information of any Employee. All reporting under this Agreement must be sent by email to [reporting@amarilloedc.com](mailto:reporting@amarilloedc.com) and to such other addresses as Amarillo EDC may from time-to-time designate in writing to the persons designated to receive notice under this Agreement.

b. SIS and all Affiliates and Production Companies shall also allow Amarillo EDC and its agents to reasonably examine SIS's and such Affiliate's records necessary to verify FTEs and Payroll in Amarillo Operations should Amarillo EDC so request. Amarillo EDC understands that such information will be for Amarillo EDC's use solely to confirm the accuracy of reports required hereunder and to enforce Amarillo EDC's rights under this Agreement. Subject to the Public Information Laws (defined below), Amarillo EDC agrees that such review and examination will be subject to reasonable confidentiality safeguards (including, without limitation, the execution and delivery by Amarillo EDC and/or its agents, as appropriate, of a reasonable and mutually agreeable confidentiality agreement) and that a SIS representative will have the right to accompany Amarillo EDC or its agents during such review. Amarillo EDC or its agents, as appropriate, will be allowed to make and retain copies or transcriptions of any SIS records. Any inspection will be done with at least three days' advance notice to SIS, will occur during normal working hours, and will continue from day-to-day until complete. Prior to any examination under this Section 4(b), SIS may, and Amarillo EDC may require SIS to, redact social security numbers from all such records.

c. SIS and each Affiliate and Production Company will provide reports on a timely basis to Amarillo EDC, as provided above, and failure to do so may, in the discretion of Amarillo EDC, constitute a condition of default under this Agreement. In the event SIS or an Affiliate or Production Company discovers any Payroll and FTE Report is inaccurate in any way, SIS will immediately notify Amarillo EDC of such inaccuracy and immediately provide a substitute Payroll and FTE Report, highlighting each item of information which was inaccurate. If such replacement report establishes that SIS received a payment under this Agreement that it was not entitled to receive, in addition to any other rights or remedies of Amarillo EDC hereunder, SIS will immediately repay such amount to Amarillo EDC with interest at eight percent (8%) per year since the date of such improper payment.

d. To qualify as an Affiliate of SIS or Production Company under this Agreement, each such Affiliate must execute and deliver to Amarillo EDC a written agreement including such terms as Amarillo EDC reasonably deems appropriate, including without limitation an agreement by such person or entity to be bound by the terms of this Section 4 and to have an authorized corporate officer certify all reports required hereunder as true and correct to Amarillo EDC. The qualification of any third-party as an Affiliate or Production Company under this Agreement will in no way alter the incentive procedures under this Agreement (that is, Credits will only ever benefit SIS).

e. The Payroll and FTE Reports, as confirmed or modified by an audit by Amarillo EDC allowed under this Agreement, will be used to determine SIS's qualification for any Credits hereunder.

f. In addition to all other reporting and other requirements in this Agreement, SIS and each of the Guarantors shall attend semi-annual meetings with Amarillo EDC at Amarillo EDC's offices (or such other place in Amarillo as Amarillo EDC may instruct) upon no less than five (5) days' advance notice to SIS to: (i) provide SIS financials (balance sheet and income statement, certified as accurate by the supreme corporate authority for SIS) for the most recently completed four (4) calendar quarters; and (ii) discuss SIS's financial condition, performance, and prospects, Employee levels, prospects for qualification for Credits, and other relevant topics as Amarillo EDC may desire in its sole discretion (each a **Meeting**). The first Meeting shall occur in September 2026 with financials current as of no earlier than June 30, 2026, the second Meeting shall occur in March 2027 with financials current as of no earlier than December 31, 2026, and subsequent semi-annual Meetings thereafter in such months and with such financials until the Note is fully paid and satisfied. At each Meeting, SIS shall be honest, forthcoming, and fairly relay its business and financial condition and prospects.

.....

d. Local Spending Incentive. Sections 5 and 6 are stricken from the Agreement in their entirety.

e. Acceleration of Ramp-up Period. Section 7 is stricken from the Agreement in its entirety.

f. Additional Reporting Provisions and Right to Audit. The first two sentences of Section 8(d) of the Agreement are restated in full as follows: "d. SIS will (and will cause each Production Company to) provide: (i) all reporting under this Agreement on a timely basis to Amarillo EDC, as provided above; and (ii) such other backup documents and information as Amarillo EDC may reasonably request. Failure to do so will constitute a

default under this Agreement and, notwithstanding anything else herein to the contrary, a report of zero (0) FTEs and zero (0) Payroll for the applicable Performance Year.”

g. Default.

- i. Section 15(b) of the Agreement is restated in full as follows: “b. The failure of SIS to timely perform any covenant or agreement of SIS contained herein regarding payment of any amounts that may become due to Amarillo EDC hereunder, including without limitation under the Note.”
- ii. Section 15(i) of the Agreement is restated in full as follows: “i. The cessation of Amarillo Operations. In addition to any other indication that Amarillo Operations have ceased, Amarillo Operations shall be deemed to have ceased if: (i) SIS fails to timely provide the reports required under this Agreement for more than one (1) Performance Year; (ii) less than five (5) FTEs or \$275,000 in Payroll is reported for any Performance Year; or (iii) SIS fails to satisfy its obligations under Section 4(f) to the reasonable satisfaction of Amarillo EDC and Amarillo EDC provides notice thereof to SIS.”

- h. Remedies. Section 16(a) of the Agreement is restated in full as follows: “a. **Of Amarillo EDC.** The occurrence of an uncured default by SIS under the terms and conditions of this Agreement shall be cause for **Amarillo EDC** to, in its sole and absolute discretion, (i) terminate Amarillo EDC’s obligations under this Agreement, (ii) require repayment of all amounts received by SIS under this Agreement, (iii) accelerate the Note, or (iv) any one or more of the foregoing, provided that Amarillo EDC shall not be entitled to double recovery.
- i. Notices. Amarillo EDC’s notice address in Section 22 is replaced and restated in full as follows:

Amarillo EDC  
Attn: Andreas Eckstein, PhD, President and CEO  
600 S. Tyler St., Suite 1600  
Amarillo, Texas. 79101

- j. Remedies Cumulative; No Waiver. New Section 30 is added to the Agreement, reading as follows:

30. **Remedies Cumulative; No Waiver.** The remedies contained in this Agreement are cumulative and non-exclusive. Amarillo EDC may choose to enforce certain remedies, but not others, at any time and in any order. The exercise of a remedy shall not constitute an election of remedies. The waiver of a default, Amarillo EDC’s acceptance of partial or late performance by SIS, or any other concession or accommodation on the part of Amarillo EDC will not constitute a waiver of Amarillo EDC’s remedies with respect to any future default, and SIS must otherwise comply with the express terms of this Agreement, including the date and time for payment of any installments coming due under the Note.

- k. References to AC. All references to AC are hereby stricken from the Agreement, including without limitation its qualification as an Affiliate and its reporting obligations under Section 5 of the Agreement.



3. **SIS's Representations, Warranties and Covenants.** Each of SIS and the Guarantors reiterates all of his, her, or its representations, warranties and covenants made under the Agreement as if made anew on the Effective Date of this Amendment. SIS also agrees to execute any documents requested by Amarillo EDC, at Amarillo EDC's sole discretion, to effectuate this Amendment.
4. **Guarantors.** The undersigned Guarantors join in the execution of this Amendment as evidence of their consent to the entry of this Amendment by all Parties herein and the terms and conditions herein, including their continuing obligations to unconditionally and jointly and severally guarantee the obligations and indebtedness of SIS pursuant to the Agreement and Note.
5. **Other Terms of Agreement.** Except to the extent herein, all of the terms and conditions of the Agreement shall remain in full force and effect, including without limitation the Guaranty.

*{Signature Pages Follow}*

Executed to be effective as of the Effective Date of this Amendment.

**Amarillo EDC:**

**Amarillo Economic Development Corporation**

By: \_\_\_\_\_  
Andreas Eckstein, PhD, President and CEO

*{SIS and Guarantor Signature Page Follows}*

**SIS:**

**Sharpened Iron Studios, LLC**

By: \_\_\_\_\_  
Sean B. Doherty, Sr., Manager

By: \_\_\_\_\_  
Judith A. Doherty, Manager

By: \_\_\_\_\_  
Joseph D. Graham, Manager

**GUARANTORS:**

\_\_\_\_\_  
Sean B. Doherty, Sr.

\_\_\_\_\_  
Judith A. Doherty

\_\_\_\_\_  
Joseph D. Graham

## **EXHIBIT A**

Attached.

## PROMISSORY NOTE

**Effective Date:** [REDACTED], 2026

**Borrower:** Sharpened Iron Studios, LLC, a Texas limited liability company

**Borrower's Addresses:** 3203 S. Ong  
Amarillo, Texas 79109

**Lender:** Amarillo Economic Development Corporation, a Texas nonprofit corporation

**Place for Payment:** 600 S. Tyler St., Suite 1600  
Amarillo, Texas 79101

**Principal:** \$500,000.00

**Interest Rate on Unpaid Principal:** 8.00% per year; provided, however, interest shall not begin to accrue on this Note until March 30, 2028, unless earlier accelerated under the LIA (defined below)

**Interest Rate on Matured, Unpaid Amounts:** 15.00% per year

**Terms of Payment.** The Principal *plus* accrued interest shall be due and payable in five (5) annual installments of \$125,228.23, beginning March 30, 2029, and continuing on the same day of each year thereafter through March 30, 2033 (***Maturity Date***), at which time the unpaid Principal balance and accrued, unpaid interest will be due and payable in full. Accrued interest will be calculated on the unpaid Principal as of the date each installment is paid. Payments will be credited first to the accrued interest and then to reduction of Principal.

**LIA.** By that certain Location Incentives Agreement dated June 23, 2020, by and between Borrower and Lender, as amended by that certain Amendment No. 1 to Location Incentives Agreement of even date herewith (together, the ***LIA***), the parties have agreed to other terms and conditions of the agreement evidenced by this Note. The terms of the LIA are incorporated herein reference, and made a part hereof for all purposes, as though they were set forth in full in this Note, including with respect to certain default and acceleration provisions and Borrower's opportunity for Credits (as such term is defined in the LIA).

**Loan Document.** This Note and the LIA.

**Promise To Pay.** BORROWER PROMISES TO PAY TO THE ORDER OF LENDER OR LENDER'S ASSIGNS, AT THE PLACE FOR PAYMENT AND ACCORDING TO THE TERMS OF PAYMENT, THE PRINCIPAL *PLUS* ACCRUED INTEREST.

**Good Funds.** All payments shall be paid in lawful money of the United States of America in funds immediately available on the applicable due date.

**Prepayment.** Borrower may prepay this Note in any amount at any time before the Maturity Date without penalty. All payments or credits shall be applied first to accrued, unpaid interest, if any, then to Principal.

**Late Payment.** If any payment pursuant to this Note is more than 10 days past due, Lender will assess Borrower a late fee penalty of five percent (5%) of the amount of the payment past due, in order for Lender to defray the charge of handling any such delinquent payment. The late penalty shall be paid promptly. The acceptance of a

late payment by Lender will not be a waiver of Lender's right to enforce strict compliance by Borrower in the future.

**Default and Waiver.** If Borrower defaults in the payment of this Note or in the performance of any obligation in any Loan Document, then Lender may declare the unpaid Principal balance and accrued interest on this Note immediately due. Borrower and each surety, endorser, and guarantor waive all demands for payment, presentations for payment, notices of intention to accelerate the Maturity Date, notices of acceleration of the Maturity Date, protests, and notices of protest, to the extent permitted by law.

**Fees and Costs.** If this Note, or any Loan Document, is given to an attorney for collection or enforcement, or if suit is brought for collection or enforcement, or if it is collected and enforced through probate, bankruptcy, or other judicial proceeding, then Borrower shall pay Lender all costs of collection and enforcement, including reasonable attorneys' fees and court costs, in addition to other amounts due.

**Usury Savings.** The parties intend to comply with any applicable usury laws. Therefore, interest on the debt evidenced by this Note shall not exceed the maximum amount of nonusurious interest that may be contracted for, taken, reserved, charged, or received pursuant to law, any interest in excess of that maximum amount shall be credited on the Principal of the debt or, if that has been paid, refunded. On any acceleration or required or permitted prepayment, any such excess shall be canceled automatically as of the acceleration or prepayment or, if already paid, credited on the Principal of the debt or, if the Principal of the debt has been paid, refunded. This provision overrides other provisions in this and all other instruments and correspondence concerning the debt.

**Single Advance.** This is a single advance Note.

**Number.** When the context requires, singular nouns and pronouns include the plural.

**Successors.** This Note shall bind Borrower, and to the extent applicable, Borrower's successors and assigns, and it shall inure to the benefit of Lender and Lender's successors and assigns, including any subsequent owner or holder of this Note.

**Due at Maturity.** THIS NOTE IS DUE AND PAYABLE IN FULL AT THE MATURITY DATE. LENDER IS UNDER NO OBLIGATION TO EXTEND THE MATURITY DATE OR OTHERWISE RENEW, EXTEND, OR REFINANCE ANY AMOUNT DUE AT THE MATURITY DATE OR AT ANY OTHER TIME AS PROVIDED IN THIS NOTE.

**Time.** Time is of the essence.

**Governing Law.** This Note is governed by the laws of the State of Texas without regard to any conflict of law principles. All of Borrower's obligations are due and to be performed and paid in Potter County, Texas.

**NOTICE OF FINAL AGREEMENT. THE LOAN DOCUMENTS AND ANY DOCUMENTS EXECUTED IN CONNECTION THERETO REPRESENT THE FINAL AGREEMENT BETWEEN THE PARTIES THERETO AND MAY NOT BE CONTRADICTED BY EVIDENCE OF PRIOR, CONTEMPORANEOUS OR SUBSEQUENT ORAL AGREEMENTS OF THE PARTIES. THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES. IN THE EVENT OF ANY CONFLICT BETWEEN THIS NOTE AND ANY OTHER AGREEMENTS REQUIRED BY THE LOAN DOCUMENTS, THE LOAN AGREEMENT WILL PREVAIL.**

This Note is executed by Borrower to be effective as of the Effective Date.

**Sharpened Iron Studios, LLC**

By: \_\_\_\_\_  
Sean B. Doherty, Sr., Manager

By: \_\_\_\_\_  
Judith A. Doherty, Manager

By: \_\_\_\_\_  
Joseph D. Graham, Manager

The undersigned guarantors jointly and severally guaranty the prompt payment and performance of this Note and the Agreement and acknowledge that this guaranty is an unconditional and continuing guaranty of payment and performance, not merely of collection, and that it is in addition to the undersigned's obligations under that certain Guaranty for the Benefit of Amarillo EDC executed by Sean B. Doherty, Sr., Judith A. Doherty, and Joseph D. Graham in connection with the Agreement, the terms of which are incorporated herein.

**GUARANTORS**

\_\_\_\_\_  
Sean B. Doherty, Sr.

\_\_\_\_\_  
Judith A. Doherty

\_\_\_\_\_  
Joseph D. Graham

**EXHIBIT B**  
**FORM OF PAYROLL AND FTE REPORT**

[SIS LETTERHEAD]

I, \_\_\_\_\_[PRINTED NAME]\_\_\_\_\_, as \_\_\_\_\_[TITLE]\_\_\_\_\_ of Sharpened Iron Studios, LLC, a Texas limited liability company (**SIS**), provide this report in connection with that certain Location Incentives Agreement (**Agreement**) between SIS and the Amarillo Economic Development Corporation (**Amarillo EDC**) dated effective as of June 23, 2020. Capitalized terms used but not defined herein shall have the meaning as set forth in the Agreement.

I hereby certify and confirm to the Amarillo EDC on behalf of SIS that the following are true and correct for the Performance Year (as defined in the Agreement) indicated below:

1. All funds received by SIS from Amarillo EDC under the Agreement have been used solely for the land, buildings, equipment, facilities, expenditures, targeted infrastructure, or improvements to construct, equip, and improve the Facility and SIS's operations thereon.
2. The aggregate number of FTEs maintained for the indicated Performance Year totaled:  
\_\_\_\_\_.
3. Payroll in Amarillo Operations for the indicated Performance Year totaled:  
\$\_\_\_\_\_.
4. Attached hereto are true and correct copies of the back-up documents and information confirming the FTE and Payroll figures reported above, assembled in satisfaction of the reporting requirements of the Agreement.
5. The FTEs and Payroll reported herein relate solely to Employees engaged in Amarillo Operations (as defined in the Agreement). To avoid any confusion, the undersigned certifies that no FTEs or Payroll reported herein relate to persons not engaged in Amarillo Operations.

**PERFORMANCE YEAR:**     **January 1, 20**\_\_\_\_ **through December 31, 20**\_\_\_\_\_

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_





## Agenda Transmittal Memo

**Date:** July 28, 2026

**Council Priority:** Business Friendly Community

**Department:** City Manager's Office

**Contact Person:** Doug Nelson, Amarillo Economic Development Corporation

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**Agenda Caption:** Consider Approval - Amendment No. 1 to the Location Incentive Agreement Between Amarillo Economic Development Corporation and AAA Cooper Transportation, Inc.

**Agenda Item Summary:** Amarillo EDC and AAA Cooper Transportation, Inc. seek to amend the Location Incentive Agreement dated January 14, 2025. This amendment would extend the deadlines and performance periods in the agreement. The AAA Cooper Transportation requested this amendment to move the dates to meet their corporate timeline for construction of the facility.

**Highlights of the amendment include:**

- Performance periods extended from starting in 2025 to 2030.
- Extend the deadline to create jobs from 2030 to 2035.
- AAA Cooper Transportation will provide semi-annual progress updates

AEDC is asking the City Council to approve Amendment No. 1 to the Location Incentive Agreement.

**Requested Action:** Approval of Amendment No. 1 to the Location Incentive Agreement as presented.

**Funding Summary:** Not applicable.

**Purchasing Summary:** Not applicable.

**Community Engagement Summary:** Not applicable.

**Staff Recommendation:** AEDC staff is recommending approval of Amendment No. 1 to the Location Incentive Agreement. AEDC board approved 4-0 on 7-9-2026.

## **AMENDMENT NO. 1 TO LOCATION INCENTIVES AGREEMENT**

This Amendment No. 1 to Location Incentives Agreement (*Amendment*) is entered into effective as of \_\_\_\_\_, 2026, by and between Amarillo Economic Development Corporation, a Texas nonprofit corporation (*Amarillo EDC*) and AAA Cooper Transportation, Inc., an Alabama corporation (*ACT*). Amarillo EDC and ACT may be referred to collectively as the *Parties*. Capitalized terms used but not defined herein have the meaning as set forth in the Agreement (defined below).

**WHEREAS**, Amarillo EDC and ACT have heretofore entered into that certain Location Incentives Agreement dated January 14, 2025 (as amended or supplemented, the *Agreement*);

**WHEREAS**, the Parties mutually desire to amend the Agreement to extend ACT's deadline to create Expansion Increments and add periodic reporting requirements.

**THEREFORE**, in consideration of these presents and for other good and adequate consideration the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

### **1. Amendments to the Agreement.**

(a) The definitions of Date One through Date Fifteen in the Agreement are restated as follows:

|               |                   |
|---------------|-------------------|
| Date One      | December 31, 2030 |
| Date Two      | December 31, 2031 |
| Date Three    | December 31, 2032 |
| Date Four     | December 31, 2033 |
| Date Five     | December 31, 2034 |
| Date Six      | December 31, 2035 |
| Date Seven    | December 31, 2036 |
| Date Eight    | December 31, 2037 |
| Date Nine     | December 31, 2038 |
| Date Ten      | December 31, 2039 |
| Date Eleven   | December 31, 2040 |
| Date Twelve   | December 31, 2041 |
| Date Thirteen | December 31, 2042 |
| Date Fourteen | December 31, 2043 |
| Date Fifteen  | December 31, 2044 |

(b) New Sections 15 and 16 are added to the Agreement, reading in full as follows:

15. **ACT's Covenants.** In addition to all other reporting requirements in this Agreement, ACT shall provide periodic written updates to Amarillo EDC as to the status of and progress with its or its Affiliates' business expansion projects in the State of Texas, including the one subject of this Agreement. Such reports shall be provided on or before January 20 and July 20 of each year until the Facility is substantially complete and Amarillo Operations commence thereon and shall include ACT's then-current assessment of when it expects to commence construction (or complete construction, as appropriate) of the Facility and such back-up documents and information as Amarillo EDC may reasonably require (which shall include, without limitation, information on obtaining building permits, substantially completing construction or renovation, obtaining financing, and receiving Certificates of Occupancy). Further, upon request of Amarillo EDC made from time to time (but no more often than once in any six month period), ACT shall make a representative available to discuss with Amarillo EDC such status and ACT's then-current assessment of when it expects to commence and complete construction of the Facility. ACT's

failure to comply with the terms of this section shall be an event of default as described in Section 7.

2. **Remaining Provisions Unaffected.** Except as herein specifically amended, the terms and provisions of the Agreement remain in full force and effect.

Executed to be and become effective as of the date first above written.

**Amarillo Economic Development Corporation**

By: \_\_\_\_\_  
Andreas Eckstein, PhD, President & CEO

*{ACT Signature Page Follows}*

**AAA Cooper Transportation, Inc.**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_