

**AGENDA**

**FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, APRIL 12, AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.**

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

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

**INVOCATION:** Gene Shelburne, Anna Street Church of Christ

**PROCLAMATIONS:** "CHILD ABUSE AWARENESS AND PREVENTION MONTH"  
"EARTH DAY"

**PUBLIC ADDRESS:**

(For items on the agenda for City Council consideration)

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

**AGENDA**

**1. City Council will discuss or receive reports on the following current matters or projects:**

- A. Review agenda items for regular meeting and attachments;
- B. Discuss Earth Day Update;
- C. Present and Discuss the Amarillo CDS ResIntel Housing Study 2022;
- D. Discuss Point-in-Time Update;
- E. Discuss Planning & Zoning Commission's postponement of the Zoning and Subdivision Ordinance Revision Project, impacts related to the expected Comprehensive Plan Update, and next steps; and
- F. Request future agenda items and reports from City Manager.

**2. CONSENT ITEMS:**

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

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

**A. CONSIDER APPROVAL - MINUTES**

(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on March 22, 2022.

**B. CONSIDERATION OF ORDINANCE NO. 7968**

(Contact: Emily Koller, Assistant Director of Planning)

This item is a second and final reading to consider an ordinance amending the Adopted Comprehensive Plan of the City of Amarillo, Texas by adding the Eastridge Neighborhood Plan as a component; providing for severability;

providing for repealer; and providing for publication and providing an effective date.

C. **CONSIDERATION OF ORDINANCE NO. 7969**  
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Lots 19 and 20, Block 3, Miller Heights Addition, an addition to the City of Amarillo, in Section 168, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Multiple-Family District 1 (MF- 1) to General Retail District (GR). (Vicinity: NW 9th Ave. and Hughes St.; Applicant: Marcus Hill)

D. **CONSIDERATION OF ORDINANCE NO. 7971**  
(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider the vacation of a 10-foot-wide Public Utility Easement lying in Lots 6 and 7, Block 8, North Highland Subdivision of the Tartar Addition, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas. (Vicinity: Garfield St. and Amarillo Blvd; Applicant/s: Spencer Weber for Cross Development)

E. **CONSIDER APPROVAL – SETTLEMENT AGREEMENT**  
(Contact: Bryan McWilliams, City Attorney)

This item considers the approval of a Settlement Agreement and Release with Brandt Engineers Group Limited, LTD.

F. **CONSIDERATION OF RESOLUTION NO. 04-12-22-1**  
(Contact: Laura Storrs, Assistant City Manager)

This resolution authorizes a suspension in the rate application by Atmos Energy Corporation, West Texas Division for 45 days. The rate application was to increase rates under the Gas Reliability Infrastructure Program.

G. **CONSIDERATION OF RESOLUTION NO. 04-12-22-2**  
(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution amending the Amarillo Potter Events Venue District 2021/2022 Budget. This budget amendment is recommended for approval by the Amarillo Potter Events Venue District Board of Directors.

H. **CONSIDERATION OF RESOLUTION NO. 04-12-22-3**  
(Contact: Sherman Bass, Civic Center Manager)

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes for the 2022 Working Ranch Cowboys Association's World Championship Ranch Rodeo.

I. **CONSIDERATION OF RESOLUTION NO. 04-12-22-4**  
(Contact: Laura Storrs, Assistant City Manager)

This resolution authorizes the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2022 United States Team Penning Association World Championship Event.

J. **CONSIDERATION OF RESOLUTION NO. 04-12-22-5**  
(Contact: Laura Storrs, Assistant City Manager)

This resolution authorizes the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in

cooperation with the Amarillo-Potter Event Venue District, for the 2022 Cowboy Mounted Shooting Association (CMSA) World and American Quarter Horse Association World of Mounted Shooting Horses Event.

K. **CONSIDER PURCHASE – EXCAVATOR WITH THUMB ATTACHMENT FOR LANDFILL**

(Contact: Donny Hooper, Director of Public Works)

Award to: Warren CAT - \$229,331.67 (Buy Board Contract #597-19)

This item considers the purchase of an excavator with thumb attachment for the solid waste disposal division for use at the City Landfill. This purchase will be an addition to the City's fleet.

L. **CONSIDER PURCHASE – TWO (2) NON-CDL TRUCKS WITH HOOK-LIFT BODY**

(Contact: Donny Hooper, Director of Public Works)

Award to: Cavender Grande Ford - \$261,740.00 (Buy Board Contract #601-19)

This item considers the purchase of two non-CDL trucks with hook-lift bodies for use by the solid waste collection to assist citizens with bulk debris collection and assist citizen groups with neighborhood cleanup and national cleanup days. This purchase will be an addition to the City's fleet.

M. **CONSIDER PURCHASE - CLASS 8 TRUCK WITH VOLUMETRIC CONCRETE MIXER FOR DRAINAGE UTILITY**

(Contact: Donny Hooper, Director of Public Works)

Award to: Doggett Freightliner of South Austin LLC - \$271,081.00 (TIPS Contract #200 206)

This item considers the purchase of a Class 8 Truck with a volumetric concrete mixer for use by the drainage utility division to assist in maintenance of drainage channels, curb and gutter, and miscellaneous concrete repairs. This purchase will be an addition to the City's fleet.

N. **CONSIDER PURCHASE – EQUIPMENT FOR NEW SIGNALIZED INTERSECTION AT SONCY AND HERITAGE HILLS**

(Contact: Donny Hooper, Director of Public Works)

Award as follows:

|                                                         |              |
|---------------------------------------------------------|--------------|
| Traffic Signal Poles to: Tiger Electric Supply Inc. -   | \$ 88,885.00 |
| Flasher School Zone to: Consolidated Traffic Controls - | \$ 6,448.00  |
| Traffic Signal Controllers to: Iteris, Inc. -           | \$ 12,950.00 |
| Traffic Signal Heads to: Paradigm Traffic Systems -     | \$ 4,352.00  |
| Total Award:                                            | \$112,635.00 |

This is a purchase for traffic signal equipment for the new installation of a traffic signal at Soncy and Heritage Hills. This purchase will be funded with Proposition 1 voter approved bond proceeds.

O. **CONSIDER AWARD – AC-5 ASPHALTIC CEMENT ANNUAL SUPPLY CONTRACT FOR SUMMER SEALCOATING OPERATIONS**

(Contact: Donny Hooper, Director of Public Works)

Award to: Ergon Asphalt & Emulsion Inc. - \$850,500.00

This item is to consider award of a contract for the purchase of up to 270,000 gallons of AC-5 Asphaltic Cement, used by the Street Division during the summer for sealcoating of paved streets.

P. **CONSIDER AWARD – SACKED CEMENT ANNUAL SUPPLY AGREEMENT**

(Contact: Trent Davis, Purchasing Agent)

Award to: Tascosa Building Products - \$59,520.04

This item considers award of an annual supply agreement for the purchase of sacked cement.

**Q. CONSIDER PURCHASE – WATER METER COVERS**

(Contact: Trent Davis, Purchasing Agent)

Award to: Premier Waterworks - \$65,320.00

This item considers the purchase of water meter covers that are compatible with automated metering infrastructure.

**R. CONSIDER AWARD – BALLISTIC VEST SUPPLY AGREEMENT**

(Contact: Trent Davis, Purchasing Agent)

Award to: Aspetto, Inc. - \$71,250.00

This item considers award of a supply agreement for the purchase of ballistic vests for Amarillo Police Department officers, civilians, and recruits and City of Amarillo Rick Husband International Airport Police officers.

**S. CONSIDER APPROVAL – SMART POLICING INITIATIVE GRANT RESEARCH AND GRANT MANAGEMENT CONTRACT**

(Contact: Martin Birkenfeld, Police Chief)

Award to: IDEA Analytics (Dr. Jessica Herbert) - \$150,000.00

This item considers approval of a three-year contract to perform the required SPI Grant research and grant management functions for the Smart Policing Initiative (SPI) Grant. This item will be funded by the SPI Grant.

**T. CONSIDER PURCHASE – TELEROB EVO PLUS ROBOT FOR THE AMARILLO POLICE DEPARTMENT BOMB TEAM**

(Contact: Martin Birkenfeld, Police Chief)

Award to: AeroVironment - \$452,128.20

This item considers the purchase of the Telerob Evo Plus Robot with attachments from AeroVironment for use by the Amarillo Police Department (APD) Bomb Team. This purchase will be funded through donations received by APD.

**U. CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT FOR RIVER ROAD WASTEWATER RECLAMATION FACILITY DIGESTER MIXING AND SECONDARY BOILER IMPROVEMENTS**

(Contact: Matthew Thomas, City Engineer)

Award to: CH2M Hill Engineers, Inc. - \$93,425.00

This item considers the award of a professional services agreement to increase the scope of work and bidding services for the digester mixing project for the River Road Wastewater Reclamation Facility.

**V. CONSIDER PURCHASE – VOICE-OVER-IP (VOIP) PHONES**

(Contact: Rich Gagnon, Managing Director of IT)

Award to: Nuwave - \$494,598.00 (Award on NCPA 01-97)

This item considers the purchase of VoIP phones for the information technology Voice Over IP project.

**W. CONSIDER AWARD – VIRTUAL DESKTOP INTERFACE (VDI) SERVERS SECURITY MONITORING**

(Contact: Rich Gagnon, Managing Director of IT)

Award to: Weaver Technologies - \$162,373.14 (Award on DIR-TSO-4299)

This item represents the purchase of VDI servers and security monitoring.

**X. CONSIDER PURCHASE – BROADBAND SECURITY EQUIPMENT**

(Contact: Rich Gagnon, Managing Director of IT)

Award to: Dell - \$1,023,868.72 (Award on DIR-TSO-3763)



This item considers the purchase of security equipment necessary to construct the core communications infrastructure for the Broadband project. This purchase will be funded by American Rescue Plan Act (ARPA) federal funding.

**Y. CONSIDER AWARD – DEMOLITION SERVICES CONTRACT FOR NEW CITY HALL PROJECT**

(Contact: Jerry Danforth, Facilities Director)

Award to: Lloyd D Nabors Demolition, LLC. - \$139,700.00

This item considers the award of a contract for demolition of the three warehouses at the old Amarillo Hardware Building in the proposed New City Hall location at 600 S. Grant in Amarillo, TX 79101.

**Z. CONSIDER APPROVAL – INTER-LOCAL AGREEMENT BETWEEN THE CITY OF MESQUITE, TEXAS AND THE CITY OF AMARILLO, TEXAS**

(Contact: Trent Davis, Director of Purchasing)

This item considers approval of an Inter-local Agreement between The City of Mesquite and the City of Amarillo, Texas to provide The City of Mesquite to piggyback on the City of Amarillo's bid 7025 Amarillo Fire Department Class "A" Uniform Annual Contract.

**AA. CONSIDER AWARD – CIVIC CENTER COMPLEX PORTABLE DANCE FLOOR REPLACEMENT**

(Contact: Bo Fowlkes, Civic Center Complex Assistant General Manager)

Award to: Mity Lite, Inc. - \$71,491.89

This item considers award of a contract for the replacement of a portable dance floor at the Civic Center Complex.

**BB. CONSIDER APPROVAL – GOLF CART LEASES**

(Contact: George Priolo, GM of Golf Operations)

Award to: Club Car | VGM Financial Services - \$1,029,873.96

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

**CC. CONSIDER AWARD – CONSTRUCTION CONTRACT FOR THE CTX RECAPITALIZATION PROJECT AT RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT**

(Contact: Michael Conner, Director of Aviation)

Award to: Diversified Conveyors International, LLC - \$1,322,201.00

This item considers the award of a contract for the CTX Recapitalization Project at the Airport, including the removal of existing Explosive Detection System (EDS) machines and installation of one new EDS machine furnished by the Transportation Security Administration (TSA). This item will be fully funded by the TSA.

**DD. CONSIDER AWARD – CIVIC CENTER CHILLER REPLACEMENT**

(Contact: Jerry Danforth, Facilities Director)

Award to: Johnson Controls - \$283,177.00

This item considers award for the removal and replacement of a York Chiller assembly at the Civic Center that has failed and no longer meets current EPA or Energy Codes.

**EE. CONSIDER APPROVAL – POTTER COUNTY SHERIFF SALES**

(Contact: Laura Storrs, Assistant City Manager)

This item is to consider authorizing Potter County, as the Trustee, to sell multiple Sheriff Sale properties that were sent out for bid. The County is requesting authorization of the Sheriff Sale properties from all taxing entities. The property sale process provides for the taxing entities, depending on the amount of bids/sale amount, to recoup all or a portion of delinquent taxes.

**FF. CONSIDER APPROVAL – POTTER COUNTY PROPERTY SALE**

(Contact: Laura Storrs, Assistant City Manager)

This item is to consider authorizing Potter County, as the Trustee, to sell the property located at 1711 S. Jackson. The County is requesting authorization of the property sale from all taxing entities. The property sale process provides for the taxing entities, depending on the amount of bids/sale amount, to recoup all or a portion of delinquent taxes.

**GG. CONSIDER APPROVAL – INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND AMARILLO INDEPENDENT SCHOOL DISTRICT**

(Contact: Andrew Freeman, Assistant City Manager)

This item considers an Interlocal Agreement between the City of Amarillo and Amarillo Independent School District (AISD) for AISD's financial participation in the Tri-State Fairgrounds Master Plan.

**HH. CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENT**

(Contact: Brady Kendrick, Planner II)

This item is the consideration of an Aviation Clear Zone Easement being 4,750 feet above mean sea level above the plat of Usherwood Acres Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 181, Block 2, A.B.&M. Survey, Randall County, Texas. (Vicinity: Georgia St. and Hollywood Rd.; Applicant: Steve Usherwood)

**II. CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENT**

(Contact: Brady Kendrick, Planner II)

This item is the consideration of an Aviation Clear Zone Easement being 4,450 feet above mean sea level above the plat of Burnett Acres Unit No. 2, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 174, Block 2, A.B.&M. Survey, Randall County, Texas. (Vicinity: 58th St. and Tradewinds St.; Applicant: Mark Scaggs)

**JJ. CONSIDER APPROVAL – EAST GATEWAY TAX INCREMENT REINVESTMENT ZONE #2 DEVELOPER AGREEMENT FOR ATC REALTY INVESTMENTS, LLC**

(Contact: Cody Balzen, Economic Development Specialist)

This item approves a Tax Increment Reinvestment Zone (TIRZ) #2 Developer Agreement for the ATC Realty Investments, LLC Premier Truck Group of Amarillo project to be located at 7580 East Interstate 40. The agreement is for a 50% annual property tax rebate for ten years. The rebate is contingent upon receiving a certificate of occupancy within eighteen months after building permit issuance.

**3. NON-CONSENT ITEM:**

**A. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 04-12-22-6**

(Contact: Jason Riddlespurger, Community Development Director)

Grantor: Texas Department of Housing and Community Affairs (TDHCA)

Award: \$1,274,112.00

This item is a public hearing and consideration of a resolution approving the 2022 ERA2 Housing Stability Services (HSS) Program award to provide housing stability services to those who have recently or are currently experiencing homelessness. This award will allow Community Development to expand the capacity of the Coming Home program which actively provides supportive services to 130 housed families along with many clients currently experiencing homelessness.

**B. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7973**

(Contact: Brady Kendrick, Planner II)

This is a public hearing and first reading to consider an ordinance rezoning Lot 12, Block 3, Johnson and McCluskey Addition, an addition to the City of Amarillo, in Section 139, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Residential District 1 with Specific Use Permit 200 for the placement of a carport in the front yard setback. (Vicinity: Marrs St. and SE 19th Ave.; Applicant/s: Charles Lynch for Grace Montoya)

**C. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7974**

(Contact: Brady Kendrick, Planner II)

This is a public hearing and first reading to consider an ordinance rezoning Lots 20A through 22A, a portion of Lot 22B, Lot 23A, and Lots 24 and 25, Block 2, South Side Acres Unit No. 20, an addition to the City of Amarillo, in Section 230, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District and Planned Development District 235C to Planned Development District 235E for expansion of existing development standards and land uses. (Vicinity: Office Park Dr. and Business Park Dr.; Applicant/s: Brent Lane for Paradise Builders Custom Homes LLC)

**D. CONSIDERATION OF RESOLUTION NO. 04-12-22-7**

(Contact: Brady Kendrick, Planner II)

This is the consideration of a resolution of the City Council for the City of Amarillo setting a date, time, and place for a Public Hearing on the proposed annexation of certain property by the City of Amarillo, Texas and authorizing the City Manager to execute the Agreed Service Plan. (Vicinity: Arden Road and Helium Road; Applicant/s: Canyon Independent School District and Helium Hope Development, LLC)

**E. CONSIDERATION OF RESOLUTION NO. 04-12-22-8**

(Contact: Jonathan Gresham, Director of Utilities)

This item considers a resolution of the Amarillo City Council amending the water conservation program for the City of Amarillo originally adopted in 2002 and last amended in 2017.

**4. EXECUTIVE SESSION:**

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

A. Sec. 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:

- a. Project # 21-07-02 (Manufacturing)
- b. Project # 21-10-03 (Manufacturing)
- c. Project # 21-11-02 (Transportation)
- d. Project # 21-12-01 (Manufacturing)
- e. Project # 22-02-03 (Manufacturing)

- f. Economic development incentive request in the vicinity of Loop 335/West Hollywood Rd. and I.H. 27/Canyon Dr.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 S. Buchanan Street) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations, or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3014 or the City TDD number at 378-4229.

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 in City Hall, 601 S. Buchanan, Amarillo, Texas, and the City website ([www.amarillo.gov](http://www.amarillo.gov)) on or before the 8th day of April 2022, at 4:00 p.m. in accordance with the Open Meetings Laws of the State of Texas, Chapter 551, Texas Government Code.

/s/ Stephanie Coggins  
Stephanie Coggins, City Secretary

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 22nd of March 2022 the Amarillo City Council met at 1:00 p.m. for a regular meeting held in Council Chamber, located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

|               |                                     |
|---------------|-------------------------------------|
| GINGER NELSON | MAYOR                               |
| FREDA POWELL  | MAYOR PRO TEM / COUNCILMEMBER NO. 2 |
| COLE STANLEY  | COUNCILMEMBER NO. 1                 |
| EDDY SAUER    | COUNCILMEMBER NO. 3                 |
| HOWARD SMITH  | COUNCILMEMBER NO. 4                 |

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

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

A quorum was established by Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley. Mayor Nelson called the meeting to order at 1:00 p.m., welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Carol Smith. Mayor Nelson led the Pledge of Allegiance. Councilmember Powell read a proclamation for "ALCOHOL AWARENESS MONTH" which was presented to David Elizalde, with Andrea's Project.

### **PUBLIC ADDRESS**

There were no citizens registered to comment during public address.

### **ITEM 1 – CITY COUNCIL WILL DISCUSS OR RECEIVE REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:**

- A. Review agenda items for regular meeting and attachments;
- B. Updates from Councilmembers serving on outside boards and commissions:
  - a. Beautification and Public Arts Advisory Board;
  - b. Parks and Recreation Board; and
- C. Request future agenda items and reports from City Manager.

### **ITEM 2 – CONSENT ACTION ITEMS:**

Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Councilmember Stanley requested Agenda Items No. 2-F, 2-G, 2-H and 2-I be removed for separate consideration. A motion was made to approve the consent agenda, except for Agenda Items No. 2-F, 2-G, 2-H, and 2-I, by Councilmember Powell, seconded by Councilmember Sauer.

- A. **CONSIDER APPROVAL - MINUTES:**  
(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on March 8, 2022.

- B. **CONSIDERATION OF ORDINANCE NO. 7965**

(Contact: Kyle Schniederjan, Capital Projects & Development Engineering Director)

This item is a second and final reading to consider an ordinance approving and adopting the Five-Year Community Investment Program (CIP) for FY 2021/2022 through 2025/2026.

**C. CONSIDERATION OF ORDINANCE NO. 7966**

(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning Lots 6 thru 8, Block 16, Morningside Subdivision, an addition to the City of Amarillo, in Section 156, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 (MF-1) to General Retail District (GR). (Vicinity: Amarillo Blvd. and Mirror St.; Applicants: Greg Mitchell for JAMAL Enterprises, LP)

**D. CONSIDERATION OF ORDINANCE NO. 7967**

(Contact: Brady Kendrick, Planner II)

This item is a second and final reading to consider an ordinance rezoning all of Lots 3 and 4 and the remaining portion of Lot 5, Block 16, Morningside Subdivision, an addition to the City of Amarillo, in Section 156, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Heavy Commercial District (HC) to General Retail District (GR). (Vicinity: Amarillo Blvd. and Mirror St.; Applicants: Greg Mitchell for JAMAL Enterprises, LP)

**E. CONSIDER PURCHASE – REMOTE-CONTROL SLOPE MOWER**

(Contact: Donny Hooper, Director of Public Works)

Award to: Kinloch Equipment & Supply, Inc. - \$65,332.00 (Buy Board #611-20)

This item considers the purchase of a remote-control slope mower for use by the drainage utility division.

**J. CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT FOR HOLLYWOOD ROAD WATER RECLAMATION FACILITY DIGESTER MIXING AND SECONDARY BOILER IMPROVEMENTS**

(Contact: Matthew Thomas, City Engineer)

Award to: KSA Engineers, Inc. - \$332,500.00

This item considers the award of a professional services agreement to increase the scope of work and bidding services for the digester mixing project for the Hollywood Road Water Reclamation Facility.

**K. CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT DESIGN AND CONSTRUCTION PHASE SERVICES FOR PROPOSITION 1 BOND PROJECT: 34TH AVENUE WIDENING FROM SONCY ROAD TO HELIUM ROAD**

(Contact: Matthew Thomas, City Engineer)

Award to: Halff and Associates. - \$1,174,940.00

This item considers the award of a professional engineering services agreement for the design and construction phase services related to the construction of 34th Avenue widening, including necessary utility adjustments and installations from Helium Road to Soncy Road. This agreement will be funded with Proposition 1 voter approved bond proceeds.

**L. CONSIDER AWARD – DOCUMENT MANAGEMENT AND RETENTION SOFTWARE ANNUAL SUPPORT AND MAINTENANCE**

(Contact: Rich Gagnon, Managing Director of Information Technology)

Award to: Open Text, Inc. - \$103,172.20

This item considers award of an annual renewal of vendor-provided support and maintenance for Open Text eDocs software which is utilized by all city departments for document management and retention.

**M. CONSIDER AWARD – PUBLIC SAFETY RECORDS MANAGEMENT SOFTWARE ANNUAL MAINTENANCE AGREEMENT**

(Contact: Martin Birkenfeld, Chief of Police)

Award to: Hexagon Safety and Infrastructure - \$121,292.16

This item considers award of an annual maintenance agreement for the Intergraph Records Management software used by Amarillo Police Department.

**N. CONSIDER AWARD – SUPPLY AGREEMENT FOR PURCHASE OF FIRE TRUCK PARTS**

(Contact: Brandon Mason, Deputy Fire Chief)

Award to: Lone Star Emergency Group – Not to exceed \$140,000.00

This item considers award of an annual supply agreement to purchase Ferrara original equipment manufacturer (OEM) parts to be used on multiple types of Ferrara apparatus repairs.

**O. CONSIDER AWARD –B-4 AGGREGATE ANNUAL SUPPLY CONTRACT FOR SUMMER SEALCOATING OPERATIONS**

(Contact: Donny Hooper, Director of Public Works)

Award to: J. Lee Milligan – Not to exceed \$681,075.00

This item considers the award of an annual contract for the purchase of up to 7,500 cubic yards of pre-coated B-4 Aggregate, used by the Street division during the summer for sealcoating of paved streets.

**P. CONSIDER AWARD – BRASS WATER FITTINGS SUPPLY AGREEMENT**

(Contact: Trent Davis, Purchasing Agent)

Award to: Core & Main LP - \$85,408.60

This item considers award of an annual agreement to supply brass water fittings to replenish warehouse stock for use by various departments.

**Q. CONSIDER APPROVAL – INTER-LOCAL AGREEMENT BETWEEN THE PANHANDLE REGIONAL ADVISORY COUNCIL AND THE CITY OF AMARILLO, TEXAS FOR THE AMBUS PROJECT**

(Contact: Sam Baucom, Deputy Fire Chief)

This item considers approval of an Inter-local Agreement between the Panhandle Regional Advisory Council and the City of Amarillo, Texas to provide an Ambulance Bus (AMBUS) on loan from the State of Texas for use by the Amarillo Fire Department.

**R. CONSIDERATION OF RESOLUTION NO. 03-22-22-1**

(Contact: Laura Storrs, Assistant City Manager)

This item considers approval of a resolution amending the budget of the Tax Increment Reinvestment Zone No. 1, City of Amarillo for the fiscal year October 1, 2021, to September 30, 2022.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

**ITEMS 2F, 2G, 2H and 2I:** Mayor Nelson introduced the items. Mr. Miller shared an overview of the items, and Jerry Danfoth, Director of Facilities, answered questions. A

motion was made to approve Item 2F on the consent agenda by Councilmember Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Smith; voting NO was Councilmember Stanley; absent were none; the motion passed by a 4-1 vote.

A motion was made to approve Item 2G on the consent agenda by Councilmember Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Smith; voting NO was Councilmember Stanley; absent were none; the motion passed by a 4-1 vote.

A motion was made to approve Item 2H on the consent agenda by Councilmember Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Smith; voting NO was Councilmember Stanley; absent were none; the motion passed by a 4-1 vote.

A motion was made to approve Item 2I on the consent agenda by Councilmember Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, and Smith; voting NO was Councilmember Stanley; absent were none; the motion passed by a 4-1 vote.

### **ITEM 3 – NON-CONSENT ITEMS:**

**ITEM 3A:** Mayor Nelson introduced an item for a public hearing and first reading of Ordinance No. 7968. Emily Koller, Assistant Director of Planning, presented the item. Mayor Nelson opened a public hearing. Speaking FOR the item was Stormie Aguirre speaking AGAINST the item were none; and speaking on the item were none. The public hearing was closed. A motion was made to adopt Ordinance No. 7968 amending the Adopted Comprehensive Plan of the City of Amarillo, Texas by adding the Eastridge Neighborhood Plan as a component by Councilmember Powell, seconded by Councilmember Smith.

#### **ORDINANCE NO. 7968**

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS  
AMENDING THE ADOPTED COMPREHENSIVE PLAN OF  
THE CITY OF AMARILLO, TEXAS BY ADDING THE  
EASTRIDGE NEIGHBORHOOD PLAN AS A COMPONENT;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR  
REPEALER; AND PROVIDING FOR PUBLICATION AND  
PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

**ITEM 3B:** Mayor Nelson introduced an item for a public hearing and first reading of Ordinance No. 7969. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no comments. The public hearing was closed. A motion was made to adopt Ordinance No. 7969 rezoning Lots 19 and 20, Block 3, Miller Heights Addition, an addition to the City of Amarillo, in Section 168, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Multiple-Family District 1 to General Retail District in the vicinity of NW 9th Avenue and Hughes Street by Councilmember Powell, seconded by Councilmember Sauer.

#### **ORDINANCE NO. 7969**

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS:  
PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL  
ZONING MAP OF THE CITY OF AMARILLO, TEXAS;  
PROVIDING FOR CHANGE OF USE DISTRICT



CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF NORTHWEST NINTH AVENUE AND HUGHES STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

**ITEM 3C:** Mayor Nelson introduced an item for a public hearing and first reading of Ordinance No. 7970. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. Speaking FOR the item was Drew Donosky; speaking AGAINST the item were none; and speaking on the item were none. The public hearing was closed. A motion was made to adopt Ordinance No. 7970 rezoning a 20.36 acre tract of unplatted land in Section 58, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Heavy Commercial District and Agricultural District to Heavy Commercial District in the vicinity of Interstate 40 and Airport Blvd. by Councilmember Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 7970

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF INTERSTATE FORTY AND AIRPORT BOULEVARD, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

**ITEM 3D:** Mayor Nelson introduced an item for a public hearing and first reading of Ordinance No. 7971. Brady Kendrick, Planner II, presented the item. Mayor Nelson opened a public hearing. There were no comments. The public hearing was closed. A motion was made to adopt Ordinance No. 7971 vacating a 10-foot-wide Public Utility Easement lying in Lots 6 and 7, Block 8, North Highland Subdivision of the Tartar Addition, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas in the vicinity of Garfield St. and Amarillo Blvd by Councilmember Powell, seconded by Councilmember Stanley.

ORDINANCE NO. 7971

AN ORDINANCE TO THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR A PUBLIC UTILITY EASEMENT IN THE VICINITY OF GARFIELD STREET AND AMARILLO BOULEVARD, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO THE PROPERTY OWNER; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith & Stanley; voting NO were none; absent were none; the motion passed by a 5-0 vote.

At 1:59 p.m. Mayor Nelson asked Mayor Pro Tem Powell to lead the meeting and excused herself.

**ITEM 3E:** Mayor Pro Tem Powell introduced an item to consider acceptance of a dedication. Brady Kendrick, Planner II, presented the item. A motion was made to accept the dedication of a 15-foot Public Utility Easement in Block 8, North Highlands Subdivision of the Tatar Addition, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas; authorizing the city manager to sign the necessary documents contingent upon approval of a second and final reading of Ordinance No. 7971 by Councilmember Sauer, seconded by Councilmember Smith.

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

**ITEM 3F:** Mayor Pro Tem Powell introduced an item to consider Ordinance No. 7972. Ms. Storrs and Steven Adams, with Specialized Public Finance, presented the item. A motion was made to adopt Ordinance No. 7972 authorizing the issuance and sale of "CITY OF AMARILLO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022" for (i) acquiring, constructing, improving and installing lighting for park and recreational facilities and (ii) professional services rendered in connection therewith by Councilmember Sauer, seconded by Councilmember Smith.

#### ORDINANCE NO. 7972

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF AMARILLO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES OF OBLIGATION BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND A LIMITED PLEDGE OF THE CITY'S WATERWORKS AND SEWER SYSTEM; SPECIFYING THE TERMS AND CONDITIONS OF SUCH CERTIFICATES OF OBLIGATION; RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES OF OBLIGATION, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Powell and Councilmembers Sauer and Smith; voting NO was Councilmember Stanley; absent was Mayor Nelson; the motion passed by a 3-1 vote.

**ITEM 3G:** Mayor Pro Tem Powell introduced an item to consider award of landscape maintenance agreements. Michael Kashuba, Director of Parks and Recreation, presented the item. A motion was made to award landscape maintenance agreements totaling \$2,207,074.60 as follows: Lot 1 for regional parks to Incircle Management, Inc. for \$1,219,053; Lot 2 for school parks to Incircle Management, Inc. for \$720,908.10; Lot 3 for community parks to Incircle Management, Inc. for \$170,250.30; and Lot 4 for undeveloped park areas to Reeder Landscape for \$96,863.20 by Councilmember Sauer, seconded by Councilmember Smith.

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

#### **ITEM 4 – EXECUTIVE SESSION:**

Mr. McWilliams advised at 2:18 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Sec. 551.071 – Consultation with an attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: (a) Broadband security and negotiations; 2) Sec. 551.074 – Discuss the appointment, employment, evaluation, reassignment, duties, and

qualifications of a public officer or employee: (a) Discussion of Municipal Judge Laura Hamilton’s performance evaluation; 3) Sec. 551.076 – Discussion regarding (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit; 4) Sec. 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: (a) a. Economic development incentive request for a project within the East Gateway TIRZ #2 Boundary; and 5) Sec. 551.089 – Discussion regarding (1) security assessments or deployments relating to information resources technology; (2) network security information as described by Section 2059.055(b); or (3) the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

Mr. McWilliams announced that Executive Session was adjourned at 4:30 p.m. and recessed the Regular Meeting.

ATTEST:

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

\_\_\_\_\_  
Ginger Nelson, Mayor

# Amarillo City Council

## Agenda Transmittal Memo



|                     |                |                         |                                                     |
|---------------------|----------------|-------------------------|-----------------------------------------------------|
| <b>Meeting Date</b> | April 12, 2022 | <b>Council Priority</b> | Economic Development and Redevelopment; Civic Pride |
| <b>Department</b>   | Planning       | <b>Contact Person</b>   | Emily Koller, Assistant Director of Planning        |

### Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7968

Second and final reading of an ordinance amending the adopted Comprehensive Plan of the City of Amarillo, Texas by adding the Eastridge Neighborhood Plan as a component; providing for severability; providing for repealer; and providing for publication and providing an effective date.

### Agenda Item Summary

The Eastridge Neighborhood Plan is the fourth neighborhood plan resulting from the Neighborhood Planning Initiative partnership between the City of Amarillo and Potter County. The plans are an important tool for revitalization - resulting in a new vision for an area, an organized neighborhood association and priority projects for implementation. The Amarillo Comprehensive Plan recommended "Special Area Plans" as an implementation strategy to address neighborhood and commercial revitalization. The City Council's Blueprint for Amarillo calls for applying innovation to the redevelopment of disadvantaged areas of our community through neighborhood planning.

The project kicked off in January 2021 with the formation of the Eastridge Neighborhood Plan Advisory Committee to provide guidance and oversight. At the time, Eastridge Elementary School reported students spoke 38 different languages.

The plan identifies five overarching goals – two of which, economic opportunity and housing, are designated as the transformative goals for the revitalization of Eastridge. The other three goals relate to crime, community-building and beautification. The plan includes a vision map illustrating proposed public improvements, areas for redevelopment, new park amenities, trail systems and more. Major strategies include: urban agriculture as an economic catalyst; new housing construction, a new community park (20+ acres) with soccer fields, a water amenity, and an urban farm; a target revitalization area between Eastridge Elementary and Amarillo Blvd.; and Route 66 gateway improvements. Some zoning recommendations are included addressing the amount of existing industrial zoning and preparing the neighborhood for future development to the east.

The plan has been presented and approved for adoption by the Planning and Zoning Commission in a 4-0 vote on March 7<sup>th</sup> as well as by the Potter County Commissioners' Court in a 5-0 vote on March 14<sup>th</sup>. Upon adoption by City Council, this neighborhood plan will become a component of the Amarillo Comprehensive Plan. It will provide a unified vision for the future of Eastridge and serve as a roadmap to guide future policy-related decisions as well as public and private reinvestment.

Final plan is available online here: [amarillo.gov/eastridgeplan](http://amarillo.gov/eastridgeplan)

### Requested Action

Adoption of the Eastridge Neighborhood Plan as a component of the Amarillo Comprehensive Plan.

### Funding Summary

Funding for this plan was provided by a partnership between the City of Amarillo and Potter County.

### Community Engagement Summary

A number of creative methods were utilized to reach as many residents as possible in the diverse neighborhood. The process included: two public meetings; eight advisory committee meetings; a resident survey; a business owner survey; property owner survey and meeting; and multiple direct mailings in different languages. The draft plan was posted on the City's website in February for review and public comment throughout the adoption process.

The Eastridge Plan Advisory Committee has transitioned to a neighborhood association and they meet the third Thursday of the month at 6 PM at Refugee Services, 1101 Fritch Highway.

### Staff Recommendation

Staff recommends approval of the plan as presented.

**ORDINANCE NO. 7968**

**AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS  
AMENDING THE ADOPTED COMPREHENSIVE PLAN OF  
THE CITY OF AMARILLO, TEXAS BY ADDING THE  
EASTRIDGE NEIGHBORHOOD PLAN AS A  
COMPONENT; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR REPEALER; AND PROVIDING FOR  
PUBLICATION AND PROVIDING AN EFFECTIVE DATE.**

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WHEREAS, the Texas Local Government, Chapter 213, permits the governing body of a municipality to adopt a comprehensive plan for the long-range development of a municipality; and

WHEREAS, the City Council adopted the “Amarillo Comprehensive Plan” on October 12, 2010, which established zoning districts and regulations for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the Eastridge Neighborhood Plan is appropriate for adoption as an amendment to the Amarillo Comprehensive Plan; and

WHEREAS, under the provisions of the Texas Local Government Code at Chapter 213, a city may amend a comprehensive plan by ordinance following a hearing at which the public is given the opportunity to give testimony and present written evidence, and the municipality's planning commission reviews such amendment; and

WHEREAS, the Amarillo Planning and Zoning Commission held a meeting on March 7, 2022, to discuss the proposed Amarillo Comprehensive Plan amendment, which would incorporate the Eastridge Neighborhood Plan as a new component, and the Commission voted to recommend approval of this amendment to the City Council; and

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

WHEREAS, the City Council further determined that the request to amend the Amarillo Comprehensive Plan herein is consistent with the goals, policies, and strategies between the plan and development regulations.

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

**SECTION 1. FINDINGS OF FACT.** 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. AMARILLO COMPREHENSIVE PLAN AMENDMENT.** The Amarillo Comprehensive Plan is hereby modified and amended to include the Eastridge Plan, attached hereto and incorporated herein, as a new component such Plan.

**SECTION 3. FUTURE APPLICATION.** The City Council directs the City Manager and/or his designee to process rezoning applications in a matter consistent with the adopted plan. Furthermore, the City Manager and/or his designee shall include identified implementation projects in consideration of the annual capital improvement plan funding schedule and work to identify other possible funding strategies.

**SECTION 4. 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. The Director of Planning and Development Services 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 5. REPEALER.** All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

**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 this the 22nd day of March 2022; and PASSED on Second and Final Reading this the 12th day of April 2022.

\_\_\_\_\_  
Ginger Nelson, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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



## Eastridge Neighborhood Plan Goals and Key Strategies

### Goal 1: Break the Cycle of No Upward Mobility by Creating New Economic Opportunity



- Support small businesses
- Use urban agriculture as an economic development catalyst
- Create opportunities for Eastridge residents to work at nearby major employers
- Create a childcare training program to meet childcare needs and provide business opportunities

### Goal 2: Put the Pride Back by Improving Housing Conditions



- Establish a target revitalization area between Amarillo Boulevard and Eastridge Elementary to coordinate and direct simultaneous public improvements, beautification projects, code enforcement, and public safety initiatives in order to see visible change
- Provide incentives and rehab programs for existing owner and renter-occupied housing
- Facilitate quality new home construction
- Educate residents about code requirements and the enforcement process
- Target code enforcement action in coordination with neighborhood association

### Goal 3: Create Safer Places and Spaces by Reducing Crime



- Support and enhance the Neighborhood Police Unit program
- Develop a community watch program
- Monitor and enforce traffic speeding
- Direct resources to after school programming to keep kids busy and out of trouble
- Increase the number of installed home security systems

### Goal 4: Build Community by Changing Perception



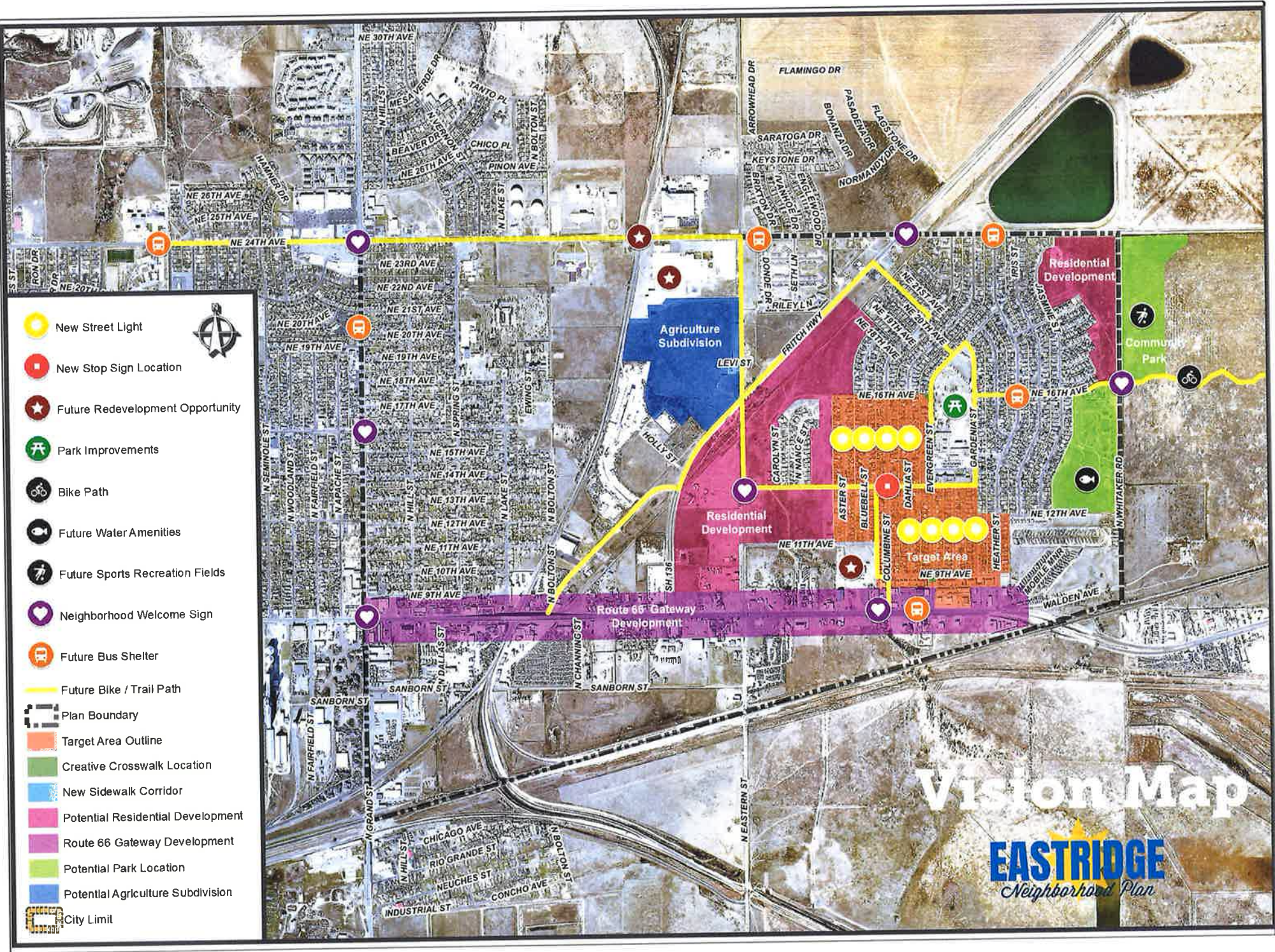
- Improve Eastridge Elementary Park with amenities that encourage gatherings
- Develop a new Community Park (20-30 acres) consistent with the new Parks Master Plan
- Promote Eastridge's multi-cultural identity through events, public art, and marketing
- Utilize an existing vacant or under-utilized building for a community/event center
- Establish a neighborhood organization that fairly represents all of Eastridge's residents
- Preserve, protect and celebrate original Route 66 historic elements

### Goal 5: Enhance Neighborhood Quality of Life with Public Improvements and Beautification



- Designate and improve a Safe Routes to Schools and Community Spaces trail system
- Install bus shelters, missing sidewalks, and additional streetlights
- Prioritize bulk trash and large debris removal from alleys, streets, and private property
- Build an overpass for automobile and pedestrian traffic on NE 24th Avenue over the railroad tracks
- Address areas where stormwater does not drain properly
- Improve NE 24<sup>th</sup> and Whitaker Road to accommodate future development







# Amarillo City Council

## Agenda Transmittal Memo



C

|              |                                                                  |                  |                                      |
|--------------|------------------------------------------------------------------|------------------|--------------------------------------|
| Meeting Date | April 12, 2022                                                   | Council Priority | Regular Agenda Item – Public Hearing |
| Department   | Planning and Development Services<br>Brady Kendrick – Planner II |                  |                                      |

Agenda Caption

CONSIDERATION OF ORIDNANCE NO. 7969

Second and final reading to consider an ordinance rezoning Lots 19 and 20, Block 3, Miller Heights Addition, an addition to the City of Amarillo, in Section 168, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Multiple-Family District 1 (MF-1) to General Retail District (GR).

VICINITY: NW 9th Ave. and Hughes St.

APPLICANT/S: Marcus Hill

Agenda Item Summary

**Area Characteristics**

Adjacent zoning consists of General Retail District (GR) to the west, Neighborhood Services to the north and Multiple Family District 1 in all other directions.

Adjacent land uses consist of the Black Chamber of Commerce to the north, vacant land to the west and south, and a single family detached home to the east.

**Proposal**

The applicant is requesting a change in zoning to develop this tract of land with an unspecified retail related land use.

**Analysis**

Analysis of zoning change requests begins with referring to the Comprehensive Plan’s Future Land Use and Character Map, which identifies recommended future land uses. Additionally, impacts on area zoning and development patterns as well as its conformity to the Neighborhood Unit Concept (NUC) of development is considered.

The Future Land Use Map identifies the applicant’s tract as being in the Suburban Commercial Category and calls for a wide range of commercial retail and service-related uses, at varying scales and intensities depending on the site. Given land uses allowed in General Retail zoning, Planning Commissioners believe that the request conforms to the recommended development types.

Regarding the Neighborhood Unit Concept of Development, this concept calls for more intensive uses such as retail, office, and multi-family development to be located at or near Section Line Arterial Intersections with intensity of use and/or zoning decreasing inward towards the center/middle of a section. Given the tract’s location along a highly travelled thoroughfare, is near the Amarillo Blvd/Hughes St intersection and in an area that is either bounded by or in close proximity to retail (west), neighborhood services (north), and commercial (south) zoning, Planning Commissioners believe that the requested zoning is in conformance with the NUC.

It is worth noting that the area to be rezoned was included in the Part 1 of the North Heights Rezoning Initiative and proposed for General Retail zoning. Land also to the south, northwest, and north were proposed for General Retail zoning and done so in an effort to aid the transition of Hughes St into a neighborhood business corridor over time. Commissioners are of the opinion that this request if approved, aligns with the North Heights rezoning initiative to create more opportunities for local business within the community.

Requested Action/Recommendation

Notices have been sent to property owners within 200 feet regarding this proposed rezoning. At the time of this writing, one area property owner commented in favor of the request.

Considering the just mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the rezoning request as presented.

ORDINANCE NO. 7969

**AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF NORTHWEST NINTH AVENUE AND HUGHES STREET, 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 "Amarillo Comprehensive Plan" on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

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

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

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

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

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

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

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

Rezoning of Lots 19 and 20, Block 3, Miller Heights Addition, an addition to the City of Amarillo, in Section 168, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Multiple-Family District 1 (MF-1) to General Retail District (GR).

**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 this the 22nd day of March, 2022 and PASSED on Second and Final Reading this the 12th day of April, 2022.

\_\_\_\_\_  
Ginger Nelson, Mayor

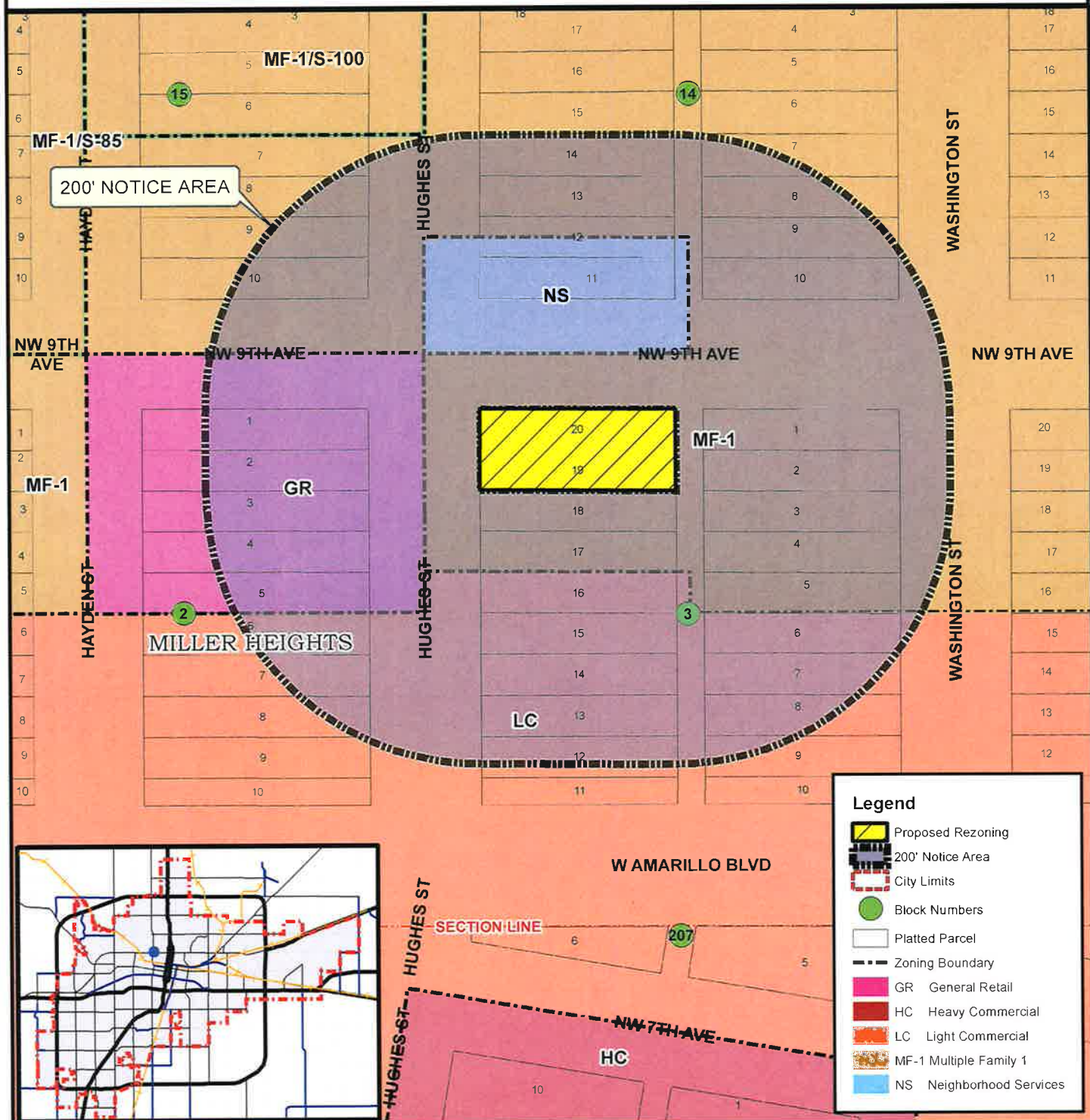
ATTEST:

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

APPROVED AS TO FORM:

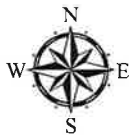
\_\_\_\_\_  
Bryan McWilliams, City Attorney

# REZONING FROM MF-1 TO GR



## CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 100 feet  
Date: 12/23/2021  
Case No: Z-21-26



Rezoning of Lots 19 and 20, Block 3, Miller Heights Addition, an addition to the City of Amarillo, in Section 168, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Multiple Family District (MF-1) to General Retail District (GR).

Owner: Marcus T Hill

Vicinity: NW 9th Ave. & Hughes St.

AP: N-10

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

# Amarillo City Council

## Agenda Transmittal Memo



D

|              |                                                                 |                  |                                      |
|--------------|-----------------------------------------------------------------|------------------|--------------------------------------|
| Meeting Date | April 12, 2022                                                  | Council Priority | Regular Agenda Item – Public Hearing |
| Department   | Planning and Development Services<br>Brady Kendrick- Planner II |                  |                                      |

### Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7971

Second and final reading and consideration of the Vacation of a 10-foot-wide Public Utility Easement lying in Lots 6 and 7, Block 8, North Highland Subdivision of the Tartar Addition, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas.

VICINITY: Garfield St. and Amarillo Blvd.

APPLICANT/S: Spencer Weber for Cross Development

### Agenda Item Summary

#### Proposal

This item is associated with an upcoming retail construction project. The vacation of the 10-foot easement is being requested in order to allow for the construction of a retail building at a location now encumbered by the existing 10-foot easement.

#### Analysis

Although there is no utility equipment in the existing easement to be abandoned, as just mentioned, a water main extension is likely to occur as additional development occurs. Understanding the need to extend water south from the alley in the future, the City Engineer stated that abandonment of the existing easement would be appropriate should the applicant dedicate an appropriate easement elsewhere on the block.

The applicant has agreed to dedicate a 15-foot wide Public Utility Easement that will not be encumbered by a building and would allow for a future water main extension southward when needed.

The vacation and/or dedication has been reviewed by all other customary City Departments and local utility companies and no additional requirements are needed nor have any departments have offered any opposition.

As with any vacation request, an applicant is required to either pay fair market value to acquire the area, dedicate an area of equal or greater value, pay only the higher cost of the fair market value or the relocation cost, or complete a combination of these requirements. In this particular case, the applicant is dedicating an area of greater value by way of dedicating a 2,328 square foot Public Utility Easement. Therefore, no fair market value payment will be required.

### Requested Action/Recommendation

Considering the just mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the Vacation request as presented; the City Manager was authorized by City Council on March 22, 2022 to execute the associated dedication documents after the second and final reading of the Vacation Ordinance.

**ORDINANCE NO. 7971**

**AN ORDINANCE TO THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR A PUBLIC UTILITY EASEMENT IN THE VICINITY OF GARFIELD STREET AND AMARILLO BOULEVARD, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO THE PROPERTY OWNER; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Amarillo has been petitioned to abandon a 10-foot-wide Public Utility Easement lying in Lots 6 and 7, Block 8, North Highland Subdivision of the Tartar Addition, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas; and

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

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that the Public Utility Easement described is no longer necessary and no longer serves a public purpose; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that same is no longer needed for public purposes; and

WHEREAS, the City Council further determined that this Public Utility Easement abandonment is not detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood.

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

**SECTION 1.** The herein-described Public Utility Easement to be vacated and abandoned for public purposes:

Vacation of a 10-foot-wide Public Utility Easement lying in Lots 6 and 7, Block 8, North Highland Subdivision of the Tartar Addition, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas, being further described in Exhibit A, incorporated herein:

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

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

**SECTION 4. Severability.** If any provision, section, subsection, clause or the application of sale to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this Ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of



Amarillo, Texas in adopting this Ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 22nd day of March, 2022 and PASSED on Second and Final Reading this the 12th day of April, 2022.

\_\_\_\_\_  
Ginger Nelson, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

TABLE A - TERMS

Items 1, 5, 8, and 11 are shown on survey.

- 2) Address: 909 East Amarillo Boulevard
- 3) This property lies within flood zone X as per FEMA Map Number 4635C0330C with the effective date of June 4, 2020.
- 4) Gross Land Area: 0.6556 Acres (28560.0 Sq. Ft.)
- 6a) Subject tract is zoned Light Commercial District (C)
- 7a) There are no buildings on subject tract.
- 7b) There are no buildings on subject tract.
- 9) There are no parking stalls on subject tract.
- 10) There are no utility lines on subject tract.
- 11a) Note to the client, insurer, and lender: With regard to Table A, Item 11, source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.2 to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from a surveyor may be ignored or result in an incomplete response. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.
- 14) The intersection of East Amarillo Boulevard and Garfield Street is approximately 40' East of the Southeast corner of subject tract.
- 16) There is no evidence of recent earthmoving work, building construction or building addition.
- 17) There is no evidence of proposed changes to street right-of-way lines or evidence of recent street or sidewalk construction or repairs.

General Notes

- 1) Record documents other than those shown may affect this tract.
- 2) Only those copies which bear an original ink impression and signature of any electronic copies thereof will be considered a "valid" copy. Delta Land Surveying, LLC will not be responsible for anything other than a valid copy of this survey.
- 3) Controlling Monuments are those that were paid for the purpose of this survey or agree with this survey.
- 4) Physical monuments of record dignity are those that are expressly called for in the records and can be identified with a reasonable amount of certainty. They are also controlling monuments unless otherwise noted.
- 5) Monuments indicated as found on this survey are not "physical monuments of record dignity" unless otherwise noted.
- 6) Found monuments are accepted by this survey as controlling evidence due to substantial agreement with record documents unless otherwise noted.
- 7) Heavy lines indicated plat limits.
- 8) Notes and statements shown on this survey in italics were provided and/or required by sources other than the signing surveyor. The signing surveyor makes no guarantee to the accuracy, legality, or validity of such statements.
- 9) The signing surveyor's certification only applies to those things which are part of the normal purview of a Registered Professional Land Surveyor in the State of Texas.

Survey Specific Notes

- 1) Bearings are based on the West line of Block 7, North Highlands Subdivision being previously recognized as N-S.
- 2) Distances are actual surface distances.
- 3) The property shown hereon is the same as described in Schedule A of Commitment for Title Insurance issued by Fidelity National Title of Texas, Inc. as agent for Fidelity National Title Insurance Company on June 3, 2021, under G1 No. 11-15155-190155200052018 with an effective date of May 6, 2021, and all easements, covenants, and restrictions referenced in said title commitment or apparent from a physical inspection of the plat, or otherwise known to the Surveyor at the time of the survey, are shown as they affect the property.
- 4) Benchmark: Chiseled "X" in box in top of curb on North of Amarillo Boulevard and West side of Garfield Street. Elevation: 3550.51 NAVD 83.
- 5) Benchmark elevation generated by RTK Observation using the Leica SmartNet Network.
- 6) The property has access to Amarillo Blvd. 1 (140') and Garfield Street, each a dedicated public right-of-way.
- 7) Gas will be serviced by Atmos Energy per letter dated April 22, 2021, by Shannon Mullins.
- 8) Water and sewer will be serviced by the City of Amarillo per email dated December 8, 2020, by Marina Moya.
- 9) Telephone will be serviced by AT&T per email dated May 26, 2021, by Winston Layman.
- 10) Electric will be serviced by XCEL Energy per email dated December 14, 2020, by the Builders Call Team.

VICINITY MAP (NOT TO SCALE)



LEGEND

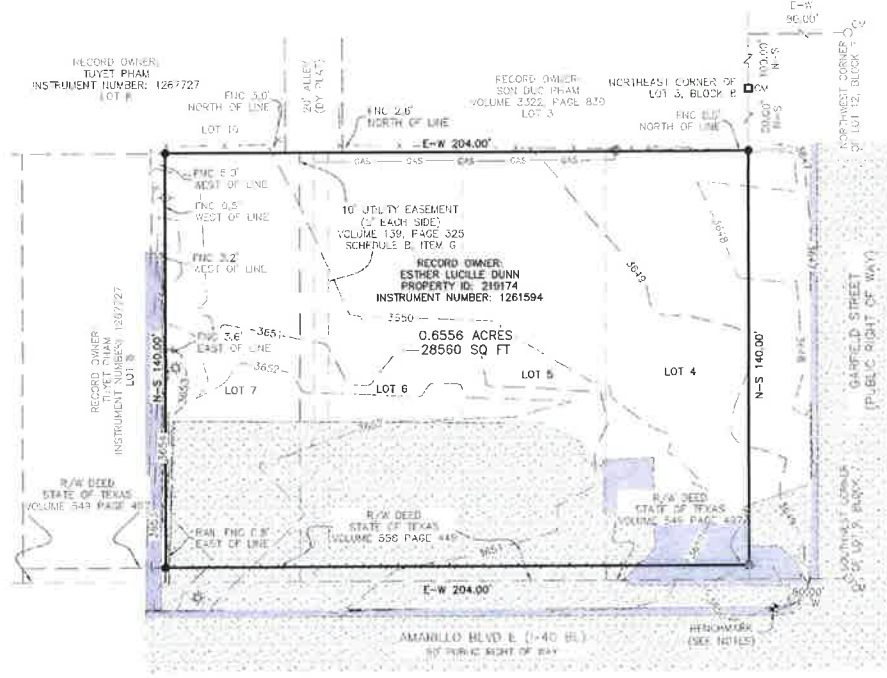
- BENCHMARK (SEE NOTES)  
 SET 1/2" IRON ROD WITH BLUE CAP  
 MARKED DELTA RPLS 6684  
 SET CHISELED "X" IN CONCRETE  
 FD, 1/2" IRON ROD WITH ORANGE CAP  
 MARKED DAVIS  
 FD, 1/2" IRON PIPE  
 INDICATES GAS METER  
 INDICATES POWER POLE  
 INDICATES LIGHT POLE  
 INDICATES FENCE  
 INDICATES RAIL FENCE  
 UNDERGROUND GAS LINE  
 ORIGINAL LOT LINE  
 CONCRETE  
 ASPHALT  
 RIGHT OF WAY  
 CONTROLLING MONUMENT  
 FENCE

Exhibit A

ALTA/NSPS LAND TITLE SURVEY

LOTS 4,5,6,7, BLOCK 8 OF THE NORTH HIGHLANDS SUBDIVISION OF THE TARTAR ADDITION, TO THE CITY OF AMARILLO, POTTER COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 139, PAGES 323-326 AND SUBJECT TO THE EASEMENTS THEREIN RECITED AT PAGE 325 OF THE DEED RECORDS OF POTTER COUNTY, TEXAS AND SAVE AND EXCEPT THAT PORTION OF THE PROPERTY CONVEYED BY RIGHT OF WAY DEEDS RECORDED IN VOLUME 558, PAGES 449-450 AND VOLUME 549, PAGES 497-499.

909 EAST AMARILLO BOULEVARD, AMARILLO



Schedule B

10) The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception)

- a. Rights of parties in possession, NOT SURVEY RELATED
- b. Rights of tenants in possession, as tenants only, under unrecorded lease agreements, NOT SURVEY RELATED
- c. Intentionally Devoid
- d. If any portion of the proposed land and/or the Owner's title policy coverage amount includes funds for immediately contemplated improvements, the following events will appear in Schedule B of any policy issued in accordance:

Owner's and Lease Policy(s) may not allow paying by means of unpaid bills or claims for work performed or materials furnished or conversion with improvements placed, or to be placed, upon the subject land. However, the Company does intend the insured against this, if any, reserved by the insured under this policy if such facts have been filed with the County Clerk of Potter County, Texas, prior to the date hereof, NOT SURVEY RELATED

Owner's Policy(s) Only: Liability: Amounts at the date hereof is limited to \$0.00. Liability that increases as estimated improvements are made, as that may be payable hereunder shall be limited to 50% of the amount actually expended by the insured in improvements at the time the loss occurs. Any expenditures made for improvements, subsequent to the date of this policy, will be deemed made as of the date of this policy. In no event shall the liability of the Company hereunder exceed the face amount of this policy. Nothing contained in this paragraph shall be construed as limiting any exception or any printed provision of the policy. NOT SURVEY RELATED

Lease Policy(s) Only: The lending measurement of the full proceeds of the loan secured by the lien instrument set forth under Schedule A hereof, this policy issues only to the extent of the amount actually deposited but in no event as such disbursement is made in good faith and without knowledge of any defect in, or obligation to, the due up to the face amount of the policy. Nothing contained in this paragraph shall be construed as limiting any exception under Schedule B, or any printed provision of this policy. NOT SURVEY RELATED

e. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed. NOT SURVEY RELATED

f. Gas line along the north boundary lines as shown on survey prepared by Adam N. Light, Registered Professional Land Surveyor, Number 6684, Job No. 20202, dated August 17, 2020.

g. An easement for public utilities, 5 feet on each side of lot lines between lots 6 and 7 as created by plat recorded in Volume 139, Page 325 of the Deed Records of Potter County, Texas. DOES PERTAIN TO SUBJECT TRACT. S-DOWN SURVEY

SURVEYOR'S CERTIFICATION

Surveyor's Certification: Vortex Community Bank, its successors and assigns, CD DG Amarillo 40, LLC, a Texas limited liability company, and Fidelity National Title Insurance Company, and their respective successors and assigns as follows:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 7(b), 8, 9, 10, 11a, 13, 14, 16, and 17 of Table A thereof. The field work was completed on June 22, 2020.

Date of Plat or Map: August 17, 2020  
 Revised June 16, 2021 (Title Commitment)  
 Revised June 23, 2021 (Title Commitment, Tract Dimensions, Typos.)  
 Revised June 24, 2021 (East line changed to N-S bearing)



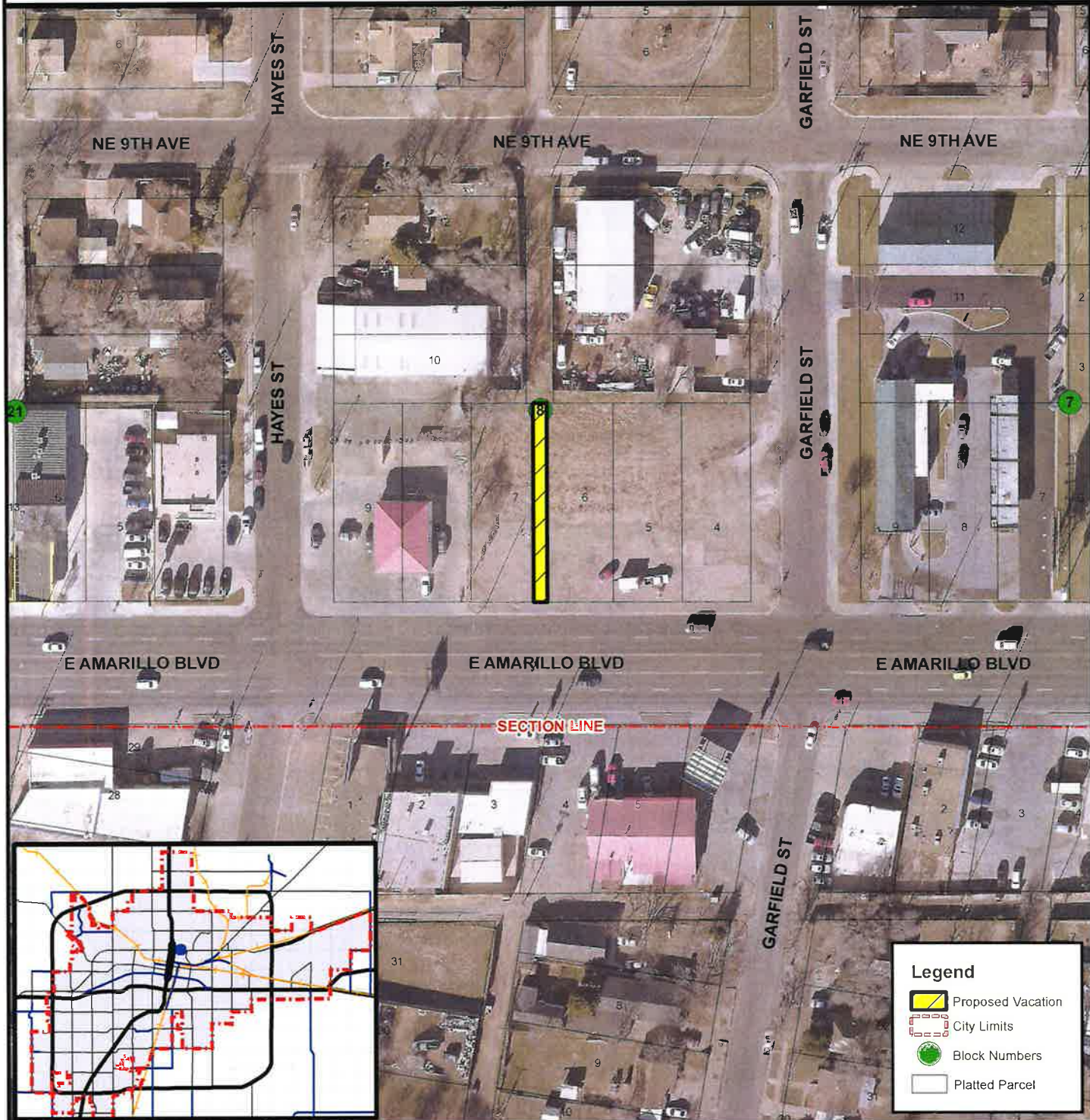
Adam N. Light  
 Registered Professional Land Surveyor, No. 6684  
 Delta Land Surveying, Job No. 20202



DELTA LAND SURVEYING, LLC  
 TBPLS # 10194486  
 3307 82ND STREET, STE. J  
 LUBBOCK, TX 79423  
 806-701-5707  
 WWW.DELTALBK.COM



CASE V-21-01  
NORTH HIGHLAND SUB  
EASEMENT VACATION



CITY OF AMARILLO  
PLANNING DEPARTMENT

Scale: 1 inch = 100 feet  
Date: 1/31/2022  
Case No: V-21-01



Vacation of a 10-foot-wide Public Utility Easement lying in Lots 6 and 7, Block 8, North Highland Subdivision of the Tartar Addition, an addition to the City of Amarillo, in Section 157, Block 2, A.B.&M. Survey, Potter County, Texas

Applicant: Spencer Weber for Cross Development  
Vicinity: Amarillo Blvd E & Garfield St.

AP: O-10

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

# Amarillo City Council

## Agenda Transmittal Memo



E

|                |                                 |                  |                       |
|----------------|---------------------------------|------------------|-----------------------|
| Meeting Date   | April 12, 2022                  | Council Priority | Fiscal Responsibility |
| Department     | City Attorney's Office          |                  |                       |
| Contact Person | Bryan McWilliams, City Attorney |                  |                       |

Agenda Caption

CONSIDER APPROVAL – SETTLEMENT AGREEMENT

This item considers the approval of a Settlement Agreement and Release with Brandt Engineers Group Limited, LTD.

Agenda Item Summary

This agenda item authorizes the City Manager to execute a settlement agreement related to the case styled as *City of Amarillo, Texas v. Brandt Engineers Group, Ltd., L.A. Fuller & Sons Construction, Ltd., and Mission Clay Products, LLC.; Cause No. 106315-E-CV* pending in the 108th Judicial District Court of Potter County, Texas. Per the agreement, Brandt agrees to pay or cause to be paid the total sum of \$625,000.00 to the City of Amarillo to settle disputed claims alleged in the aforementioned cause.

Requested Action

Approval for City Manager to execute Settlement Agreement and Release.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval as presented.

# Amarillo City Council

## Agenda Transmittal Memo



|              |                                      |                |                       |
|--------------|--------------------------------------|----------------|-----------------------|
| Meeting Date | April 12, 2022                       | Council Pillar | Fiscal Responsibility |
| Department   | City Manager’s Office                |                |                       |
| Contact      | Laura Storrs, Assistant City Manager |                |                       |

**Agenda Caption**

CONSIDERATION OF RESOLUTION NO. 04-12-22-1 – SUSPENDING THE EFFECTIVE DATE OF THE RATE APPLICATION BY ATMOS ENERGY CORPORATION, WEST TEXAS DIVISION (“ATMOS”) FOR FORTY-FIVE DAYS:  
(Contact: Laura Storrs, Assistant City Manager)

This resolution authorizes a suspension in the rate application by Atmos Energy Corporation, West Texas Division for 45 days. The rate application was to increase rates under the Gas Reliability Infrastructure Program.

**Agenda Item Summary**

This item suspends the requested effective date by Atmos Energy for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application.

**Requested Action**

Council consideration and approval of the resolution.

**Funding Summary**

N/A

**Community Engagement Summary**

N/A

**Staff Recommendation**

Staff recommendation is to approve the resolution suspending the rate application by Atmos Energy Corporation.

**RESOLUTION NO. 04-12-22-1**

**A RESOLUTION BY THE CITY OF AMARILLO, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF ATMOS ENERGY CORPORATION – WEST TEXAS DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, on or about February 25, 2022 Atmos Energy Corporation – West Texas Division (“Atmos Energy”) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (‘GRIP’), which if approved, results in an increase in the monthly customer charges as follows:

| <b>Rate Schedule</b>                               | <b>Current Customer Charge</b>  | <b>Proposed 2021 Interim Rate Adjustment</b> | <b>Adjusted Customer Charge</b> | <b>Increase Per Bill</b> |
|----------------------------------------------------|---------------------------------|----------------------------------------------|---------------------------------|--------------------------|
| <b>Residential Gas Service</b>                     | \$15.00 per customer per month  | \$2.83 per customer per month                | \$17.83 per customer per month  | \$2.83                   |
| <b>Commercial Gas Service</b>                      | \$50.00 per customer per month  | \$8.79 per customer per month                | \$58.79 per customer per month  | \$8.79                   |
| <b>Industrial &amp; Transportation Gas Service</b> | \$525.00 per customer per month | \$152.87 per customer per month              | \$677.87 per customer per month | \$152.87                 |
| <b>Public Authority Gas Service</b>                | \$50.00 per customer per month  | \$15.84 per customer per month               | \$65.84 per customer per month  | \$15.84                  |

**WHEREAS**, Atmos Energy’s application, if approved by the Railroad Commission, will result in a systemwide increase in Atmos Energy’s revenue of about \$13.15 million, of which the Cities of Amarillo, Channing, Dalhart, and Lubbock’s portion is about \$6.12 million.

**WHEREAS**, Atmos Energy proposed an effective date of April 26, 2022 for its proposed increase in rates; and

**WHEREAS**, the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

**WHEREAS**, the application to increase rates by Atmos Energy is complex; and

**WHEREAS**, it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in Atmos Energy’s rate application are correctly done and are in conformity with section 104.301 of the Gas Utility Regulatory Act; and

**WHEREAS**, the effective date proposed by Atmos Energy is April 26, 2022 but a suspension by the City will mean that the rate increase cannot go into effect prior to June 10, 2022.



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

**Section 1.** That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

**Section 2.** The City suspends the requested effective date by Atmos Energy for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application.

**Section 3.** The City authorizes the law firm of Herrera Law & Associates, PLLC, to act on its behalf in connection with Atmos Energy's application to increase rates.

**Section 4.** To the extent Atmos Energy's application to increase rates under section 104.301 of the Gas Utility Regulatory Act ("GURA") is considered a ratemaking proceeding, Atmos Energy is ordered to reimburse the City's reasonable rate case expenses incurred in response to Atmos Energy's rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

**Section 5.** A copy of this resolution shall be sent to Mr. Phillip Littlejohn, Vice President, Rates & Regulatory Affairs, Atmos Energy Corporation, 6606 66<sup>th</sup> Street, Lubbock, Texas 79424; and to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 4400 Medical Pkwy., Austin, Texas 78756.

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

**Section 7.** This resolution shall be effective immediately upon passage.

**PASSED AND APPROVED** this 12th day of April 2022.

---

Ginger Nelson, Mayor

ATTEST:

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Stephanie Coggins, City Secretary

**AGENDA INFORMATION SHEET**  
**AGENDA ITEM NO. 2-F**

**ACTION TO SUSPEND FOR 45 DAYS THE EFFECTIVE DATE  
PROPOSED BY ATMOS ENERGY CORPORATION – WEST TEXAS  
DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY  
INFRASTRUCTURE PROGRAM**

**“GRIP” RATE APPLICATION**

Under section 104.301 of the Gas Utility Regulatory Act (GURA), a gas utility is allowed to request increases in its rates to recover a return on investments it makes between general rate cases. This section of GURA is commonly referred to as the “GRIP” statute, that is, the “Gas Reliability Infrastructure Program.”

Under a decision by the Supreme Court of Texas, the Court concluded that a filing made under the GRIP statute permitted gas utilities the opportunity to recover return on capital expenditures made during the interim period between general rate cases by applying for an interim rate adjustment and that proceedings under the GRIP statute did not contemplate either adjudicative hearings or substantive review of utilities' filings for interim rate adjustments. Instead, the Court concluded, the GRIP statute provides for a *ministerial* review of the utility’s filings to ensure compliance with the GRIP statute and the Railroad Commission’s rules, and that it is within the Railroad Commission’s authority to preclude cities from intervening and obtaining a hearing before the Railroad Commission.

**ATMOS ENERGY’S “GRIP” APPLICATION**

On or about February 25, 2022 Atmos Energy filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (“GRIP”) with the Cities of Amarillo, Channing, Dalhart, and Lubbock. Atmos Energy’s application if approved by the Commission will result in an increase in the monthly customer charges as shown below:

| Rate Schedule                           | Current Customer Charge         | Proposed 2021 Interim Rate Adjustment | Adjusted Customer Charge        | Increase Per Bill |
|-----------------------------------------|---------------------------------|---------------------------------------|---------------------------------|-------------------|
| Residential Gas Service                 | \$15.00 per customer per month  | \$2.83 per customer per month         | \$17.83 per customer per month  | \$2.83            |
| Commercial Gas Service                  | \$50.00 per customer per month  | \$8.79 per customer per month         | \$58.79 per customer per month  | \$8.79            |
| Industrial & Transportation Gas Service | \$525.00 per customer per month | \$152.87 per customer per month       | \$677.87 per customer per month | \$152.87          |
| Public Authority Gas Service            | \$50 per customer per month     | \$15.84 per customer per month        | \$65.84 per customer per month  | \$15.84           |

Also, Atmos Energy’s proposed increase in revenue results in the following approximate percentage increases in a customer’s base-rate bills. Base rates recover Atmos Energy’s costs excluding the cost of gas and are the costs that are directly within Atmos Energy’s control:

|                               |                                          |
|-------------------------------|------------------------------------------|
| Residential Gas Service:      | 8.0% increase in average customer’s bill |
| Commercial Gas Service:       | 8.1% increase in average customer’s bill |
| Industrial Gas Service:       | 9.1% increase in average customer’s bill |
| Transportation Gas Service:   | 2.1% increase in average customer’s bill |
| Public Authority Gas Service: | 4.0% increase in average customer’s bill |

Atmos Energy’s application, if approved by the Railroad Commission, will result in a systemwide increase in Atmos Energy’s revenue of about \$13.15 million, of which the Cities of Amarillo, Channing, Dalhart, and Lubbock’s combined share is about \$6.12 million.

**REVIEW AND ACTION RECOMMENDED**

In light of the Texas Supreme Court's opinion, the City's ability to review and effectuate a change in Atmos Energy's requested increase is limited at best. Nonetheless, to allow for a limited review of Atmos Energy's GRIP application, it is recommended that the City suspend Atmos Energy's proposed effective date of April 26, 2022 for forty-five days as allowed by state law, so that the City may evaluate whether the data and calculations in Atmos Energy's rate application are correctly done.

Therefore, the City's Special Counsel, the law firm of Herrera Law & Associates, PLLC (through Alfred R. Herrera) recommends that the City adopt a resolution suspending Atmos Energy's proposed effective date for 45 days. Assuming a proposed effective date of April 26, 2022, Atmos Energy's proposed effective date is suspended to June 10, 2022.

# Amarillo City Council

## Agenda Transmittal Memo



G

|              |                                      |                  |                       |
|--------------|--------------------------------------|------------------|-----------------------|
| Meeting Date | April 12, 2022                       | Council Priority | Fiscal Responsibility |
| Department   | City Manager's Office                |                  |                       |
| Contact      | Laura Storrs, Assistant City Manager |                  |                       |

|                                                 |
|-------------------------------------------------|
| Agenda Caption                                  |
| CONSIDERATION OF RESOLUTION NO. 04-12-22-2      |
| (Contact: Laura Storrs, Assistant City Manager) |

This item considers a resolution amending the Amarillo Potter Events Venue District 2021/2022 Budget. This budget amendment is recommended for approval by the Amarillo Potter Events Venue District Board of Directors.

|                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                |
| This resolution is to amend the Amarillo Potter Events Venue District 2021/2022 Budget by \$210,000 for Civic Center Improvements. |

|                                                                                                |
|------------------------------------------------------------------------------------------------|
| Requested Action                                                                               |
| Approval of the ordinance to amend the Amarillo Potter Events Venue District 2021/2022 Budget. |

|                                                                                                             |
|-------------------------------------------------------------------------------------------------------------|
| Funding Summary                                                                                             |
| Funding for this budget amendment comes from excess reserves for the Amarillo Potter Events Venue District. |

|                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community Engagement Summary                                                                                                                                                                                                                                                        |
| The 2021/2022 fiscal year budget amendment has been reviewed and approved for Council consideration at the March 29, 2022 Amarillo Potter Events Venue District board meeting and will be considered for approval at the April 11, 2022 Potter County Commissioner's Court meeting. |

|                                                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------|
| Staff Recommendation                                                                                                         |
| Staff recommendation is to approve the 2021/2022 fiscal year budget amendment for the Amarillo Potter Events Venue District. |

**RESOLUTION NO. 04-12-22-2**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE APPROVED BUDGET OF THE AMARILLO POTTER EVENTS VENUE DISTRICT FOR THE FISCAL YEAR OCTOBER 1, 2021, to SEPTEMBER 30, 2022.**

---

**WHEREAS**, the Amarillo-Potter Event Venue District (hereafter called “District”) was formed and exists for the purpose of constructing and maintaining voter approved entertainment venues within the City, for the public welfare, in accordance with state law; and

**WHEREAS**, the revenue for the District derives from a tax on car rentals and hotel occupancy, to be used for the above stated activities by the District; and

**WHEREAS**, the Bylaws of the District require that it submit its annual budget to the City Council for approval, and the City Council approved their annual budget for October 1, 2021 to September 30, 2022; and

**WHEREAS**, the District Board of Directors has prepared, approved, and submitted a proposed amendment to their budget for Civic Center Improvements; and

**WHEREAS**, the City Council finds that the proposed budget amendment is in order and should be approved.

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

SECTION 1. The City Council considered the District’s budget approved for the fiscal year October 1, 2021, to September 30, 2022, and the submitted proposed amendment for Civic Center Improvements in the amount of Two Hundred and Ten Thousand and No/100 Dollars (\$210,000.00), and hereby amends such annual budget as shown on Exhibit A.

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

SECTION 3. Repealer. All resolutions in conflict with this Resolution are hereby repealed to the extent of conflict with this Resolution.

SECTION 4. Effective Date. This Resolution shall be effective upon adoption.



INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this the 12th day of April 2022.

ATTEST:

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

\_\_\_\_\_  
Ginger Nelson, Mayor

APPROVED AS TO FORM:

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

**EXHIBIT A**

1. Amarillo Potter Events Venue District Expenditure Budget (92310.92060) - \$210,000 addition



April 4, 2022

Mayor Ginger Nelson  
601 S. Buchanan  
Amarillo, TX 79101

Dear Mayor Nelson:

Attached is the proposed amendment to the 2021/2022 budget for the Amarillo Potter Events Venue District. The Venue District Board met on March 29, 2022 and approved the attached budget amendment and is requesting the City Council's consideration at the April 12, 2022, meeting.

The proposed budget amendment reflects a \$210,000 increase to the Civic Center Improvement line item. This increase will provide additional funding for improvements at the Civic Center. Attached is a list of the proposed projects and the amended budget. Total expenditures for the 2021/2022 fiscal year will increase from \$4,545,301 to \$4,755,301.

The anticipated available fund balance at the end of the 2021/2022 fiscal year (09/30/2022) is \$5,028,209 which includes \$500,000 as a targeted reserve for the District, \$2,289,668 for the Amarillo National Center and \$2,238,541 for the Civic Center facility which is calculated based on the 60/40 split of the original project. The reserve balances at each of the two facilities have historically been available to fund facility improvements or events.

Thank you for your consideration in this matter. If you will please forward this information to the City Council and if acceptable to you, Terry Wright, President of the Amarillo Potter Events Venue District, and I are available to attend the April 12<sup>th</sup> meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laura Storrs'. The signature is stylized with a large, looped 'L' and a cursive 'S'.

Laura Storrs  
Assistant City Manager

Attachment

Amarillo Potter Events Venue District  
2021/2022 Proposed Budget Amendment

|                                                     | 2021/2022<br>Approved Budget | 2021/2022<br>Amended Budget | CALCUALTION OF RESERVE BALANCES |            |             |
|-----------------------------------------------------|------------------------------|-----------------------------|---------------------------------|------------|-------------|
|                                                     |                              |                             | Common<br>REV/EXP               | ANC<br>60% | City<br>40% |
| Beginning Available Balance                         | 6,443,451                    | 6,443,451                   | 500,000                         | 2,188,977  | 3,754,474   |
| 30340 Vehicle Rental Tax                            | 931,401                      | 931,401                     | 931,401                         |            |             |
| 30470 Hotel Occupancy Tax                           | 2,242,704                    | 2,242,704                   | 2,242,704                       |            |             |
| 30480 Interest-Past Tax                             | -                            | -                           | -                               |            |             |
| 37110 Interest Income                               | 9,834                        | 9,834                       | 9,834                           |            |             |
| 37410 Miscellaneous Revenue                         | 156,120                      | 156,120                     |                                 | 156,120    |             |
| TREVENUE Total Revenues                             | 3,340,059                    | 3,340,059                   | 3,183,939                       | 156,120    | -           |
| 51110 Office Expense                                | 25                           | 25                          | 25                              |            |             |
| 61200 Postage                                       | 25                           | 25                          | 25                              |            |             |
| 62000 Professional                                  | 65,000                       | 65,000                      |                                 | 65,000     |             |
| 63140 Audit Fee                                     | 7,560                        | 7,560                       | 7,560                           |            |             |
| 63705 Ama Tri-State Participation                   | 616,037                      | 616,037                     |                                 | 616,037    |             |
| 63710 ANC Management Contract                       | 500,000                      | 500,000                     |                                 | 500,000    |             |
| 63710 ANC Property Insurance                        | 60,000                       | 60,000                      |                                 | 60,000     |             |
| 63715 Civic Center Mgmt Contract                    | 398,004                      | 398,004                     |                                 |            | 398,004     |
| 63900 Event Development                             | 250,000                      | 250,000                     |                                 | 250,000    |             |
| 78010 Fiscal Agent Fees                             | 3,400                        | 3,400                       | 3,400                           |            |             |
| 92060 Civic Center Improv                           | 1,865,000                    | 2,075,000                   |                                 |            | 2,075,000   |
| 92140 Events Debt Service                           | 780,250                      | 780,250                     | 780,250                         |            |             |
| TEXPENSES Total Expenses                            | 4,545,301                    | 4,755,301                   | 791,260                         | 1,491,037  | 2,473,004   |
| Excess of Revenue over Common Expenditures          |                              |                             | 2,392,679                       | 1,435,607  | 957,072     |
| Increase (Decrease )in Reserve Balance              | (1,205,242)                  | (1,415,242)                 | -                               | 100,690    | (1,515,932) |
| Ending Reserve Balance                              | 5,238,209                    | 5,028,209                   | 500,000                         | 2,289,668  | 2,238,541   |
| 63705 Ama Tri-State Participation                   |                              |                             |                                 |            |             |
| Elevator Inspection                                 | 7,000                        | 7,000                       |                                 |            |             |
| HVAC and Other Repairs (ANC)                        | 50,000                       | 50,000                      |                                 |            |             |
| Chain Link Fence Repair                             | 25,000                       | 25,000                      |                                 |            |             |
| New TPO Roof on CEH                                 | 169,750                      | 169,750                     |                                 |            |             |
| New TPO Roof on Office                              | 112,800                      | 112,800                     |                                 |            |             |
| Install Fly Ash Base in ANC Cattle Pens             | 47,690                       | 47,690                      |                                 |            |             |
| Install Fly Ash Base in Cody South Cattle Pens      | 24,904                       | 24,904                      |                                 |            |             |
| Install Fly Ash Base in West Pens in ANC/Bucking Ch | 11,400                       | 11,400                      |                                 |            |             |
| Install Permanent Concrete Water Troughs in ALL C   | 43,000                       | 43,000                      |                                 |            |             |
| 480 Volt Electrical Service to the Baxter           | 76,493                       | 76,493                      |                                 |            |             |
| Paving Repairs                                      | 48,000                       | 48,000                      |                                 |            |             |
|                                                     | 616,037                      | 616,037                     |                                 |            |             |
| 92060 Civic Center Improv                           |                              |                             |                                 |            |             |
| Heritage Air Wall Replacement                       | 1,800,000                    | 2,000,000                   |                                 |            |             |
| Dance Floor Replacement                             | 65,000                       | 75,000                      |                                 |            |             |
|                                                     | 1,865,000                    | 2,075,000                   |                                 |            |             |

# Amarillo City Council

## Agenda Transmittal Memo



|              |                                    |                |                      |
|--------------|------------------------------------|----------------|----------------------|
| Meeting Date | April 12, 2022                     | Council Pillar | Economic Development |
| Department   | Amarillo Civic Center Complex      |                |                      |
| Contact      | Sherman Bass, Civic Center Manager |                |                      |

**Agenda Caption**

CONSIDERATION OF RESOLUTION NO. 04-12-22-3  
(Contact: Sherman Bass, Civic Center Manager)

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes for the 2022 Working Ranch Cowboys Association’s World Championship Ranch Rodeo

**Agenda Item Summary**

This item allows the City of Amarillo as the host community to apply for State Funds through the Special Event Trust Fund for the 2022 World Championship Ranch Rodeo.

**Requested Action**

Council consideration and approval of the resolution.

**Funding Summary**

N/A

**Community Engagement Summary**

The City partners with the Working Ranch Cowboys Association and the Convention and Visitors Bureau to host this event.

**Staff Recommendation**

Staff recommendation is to approve the resolution for the World Championship Ranch Rodeo so the Event Trust Fund application may be submitted.

RESOLUTION NO. 04-12-22-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: AUTHORIZING THE CITY MANAGER TO SEEK AND DISTRIBUTE STATE FUNDS, PURSUANT TO ARTICLE 5190.14, SECTION 5C OF THE TEXAS REVISED CIVIL STATUTES, A QUALIFYING EVENT; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

---

WHEREAS, the Working Ranch Cowboy Association has selected Amarillo, Texas as the site for its 2022 World Championship Ranch Rodeo event, despite enticements to take that event to another state; and

WHEREAS, the City of Amarillo, is the host community of the Working Ranch Cowboy Association event and other eligible events (hereafter “event” whether singular or plural), and

WHEREAS, that event may be eligible to receive some funding as an eligible event from Special Event Trust Funds (hereafter, “Trust Fund”) pursuant to Tex. Rev. Civ. Stat., Art. 5190.14, Sec. 5C (hereafter, “Sec. 5C”); and

WHEREAS, the City of Amarillo and the State of Texas may benefit directly from this state law by utilizing state funds to augment local incentives for the purpose(s) of retaining events in our city and our state that are being courted by other cities located in other states, and by enhancing these events so that they have more prestige and draw more contestants and attendees; and

WHEREAS, Sec. 5C allows for the use of any funds received from state under this law to offset direct expenditures related to the event; and

WHEREAS, the City of Amarillo, and the State of Texas may benefit indirectly from this state law by an increase in tourism resulting from the retention or the attraction of events to our city and state that will likely have the effect of:

- An increase in utilized hotel rooms, which has a positive impact on the Hotel Occupancy Tax; and
- An increase in general sales and consumption, which has a positive impact on the local and state sales tax; and
- An increase in the length of time an event is in Amarillo facilities, which increases the local facility rental revenue.

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

SECTION 1. The City Manager is authorized to submit an application to the Office of the Governor’s Economic Development & Tourism Division to seek state funds, pursuant to Sec. 5C for the purpose of utilizing any funds received to assist in enhancing the Working Ranch Cowboy Association’s World Championship Ranch Rodeo, and other eligible events, with a goal of increasing participation and attendance and benefiting the economy of the City of Amarillo and the State of Texas. Further, the City Manager is authorized to negotiate a contract with the Working Ranch Cowboy Association specifically as to any state



funds received through Sec. 5C with the explicit guidance that the application and the contract be developed so as to maximize the state funds coming back to the City to support the World Championship Ranch Rodeo and other eligible events.

SECTION 2. That 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 3. That 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 4. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 12<sup>th</sup> day of April 2022.

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Ginger Nelson, Mayor

ATTEST:

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Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

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Bryan McWilliams, City Attorney

# Amarillo City Council

## Agenda Transmittal Memo



|              |                                      |                |                      |
|--------------|--------------------------------------|----------------|----------------------|
| Meeting Date | April 12, 2022                       | Council Pillar | Economic Development |
| Department   | City Manager’s Office                |                |                      |
| Contact      | Laura Storrs, Assistant City Manager |                |                      |

**Agenda Caption**

CONSIDERATION OF RESOLUTION NO. 04-12-22-4  
(Contact: Laura Storrs, Assistant City Manager)

This resolution authorizes the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2022 United States Team Penning Association World Championship Event.

**Agenda Item Summary**

This item allows the City of Amarillo as the host community in cooperation with the Amarillo-Potter Event Venue District to apply for State Funds through the Special Event Trust Fund for the 2022 United States Team Penning Association (USTPA) World Championship event.

**Requested Action**

Council consideration and approval of the resolution.

**Funding Summary**

N/A

**Community Engagement Summary**

Participation in the program was approved by Amarillo-Potter Event Venue District through their 2021/2022 budget and at their March 29, 2022 Board meeting.

**Staff Recommendation**

Staff recommendation is to approve the resolution for the USTPA Event so the Event Trust Fund application may be submitted.

RESOLUTION NO. 04-12-22-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: AUTHORIZING THE CITY MANAGER TO SEEK AND DISTRIBUTE STATE FUNDS, PURSUANT TO ARTICLE 5190.14, SECTION 5C OF THE TEXAS REVISED CIVIL STATUTES, A QUALIFYING EVENT; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

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WHEREAS, the United States Team Penning Association (“USTPA”) has selected Amarillo, Texas as the site for its 2022 World Championship event; and,

WHEREAS, the City of Amarillo, is the host community of the USTPA event and other eligible events (hereafter “event” whether singular or plural); and

WHEREAS, that event may be eligible to receive some funding as an eligible event from Special Event Trust Funds (hereafter, “Trust Fund”) pursuant to Tex. Rev. Civ. Stat., Art. 5190.14, Sec. 5C (hereafter, “Sec. 5C”); and

WHEREAS, the City of Amarillo and the State of Texas may benefit directly from this state law by utilizing state funds to augment local incentives for the purpose(s) of retaining events in our city and our state that are being courted by other cities located in other states, and by enhancing these events so that they have more prestige and draw more contestants and attendees; and

WHEREAS, Sec. 5C allows for the use of any funds received from state under this law to offset direct expenditures related to the event; and

WHEREAS, the City of Amarillo, and the State of Texas may benefit indirectly from this state law by an increase in tourism resulting from the retention or the attraction of events to our city and state that will likely have the effect of:

- An increase in utilized hotel rooms, which has a positive impact on the Hotel Occupancy Tax; and
- An increase in general sales and consumption, which has a positive impact on the local and state sales tax; and
- An increase in the length of time an event is in Amarillo facilities, which increases the local facility rental revenue.

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

SECTION 1. The City Manager is authorized to submit an application to the Office of the Governor’s Economic Development & Tourism Division to seek state funds, pursuant to Sec. 5C for the purpose of utilizing any funds received to assist in enhancing the 2022 United States Team Penning Association World Championship Event, and other eligible events, with a goal of increasing participation and attendance and benefiting the economy of the City of Amarillo and the State of Texas. Further, the City Manager is authorized to negotiate a contract with the USTPA specifically as to any state funds received through Sec. 5C

with the explicit guidance that the application and the contract be developed so as to maximize the state funds coming back to the City to support the USTPA World Championship Event and other eligible events.

SECTION 2. That 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 3. That 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 4. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 12th day of April 2022.

---

Ginger Nelson, Mayor

ATTEST:

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Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

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Bryan McWilliams, City Attorney

# Amarillo City Council

## Agenda Transmittal Memo



J

|              |                                      |                |                      |
|--------------|--------------------------------------|----------------|----------------------|
| Meeting Date | April 12, 2022                       | Council Pillar | Economic Development |
| Department   | City Manager’s Office                |                |                      |
| Contact      | Laura Storrs, Assistant City Manager |                |                      |

**Agenda Caption**  
CONSIDERATION OF RESOLUTION NO. 04-12-22-5  
(Contact: Laura Storrs, Assistant City Manager)

This resolution authorizes the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2022 Cowboy Mounted Shooting Association World and American Quarter Horse Association World of Mounted Shooting Horses Event.

**Agenda Item Summary**  
This item allows the City of Amarillo as the host community in cooperation with the Amarillo-Potter Event Venue District to apply for State Funds through the Special Event Trust Fund for the 2022 Cowboy Mounted Shooting Association (CMSA) World and American Quarter Horse Association World of Mounted Shooting Horses event.

**Requested Action**  
Council consideration and approval of the resolution.

**Funding Summary**  
N/A

**Community Engagement Summary**  
Participation in the program was approved by Amarillo-Potter Event Venue District through their 2021/2022 budget and at their March 29, 2022 Board meeting.

**Staff Recommendation**  
Staff recommendation is to approve the resolution for the CMSA Event so the Event Trust Fund application may be submitted.

RESOLUTION NO. 04-12-22-5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: AUTHORIZING THE CITY MANAGER TO SEEK AND DISTRIBUTE STATE FUNDS, PURSUANT TO ARTICLE 5190.14, SECTION 5C OF THE TEXAS REVISED CIVIL STATUTES, A QUALIFYING EVENT; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

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WHEREAS, Amarillo, Texas has been selected as the site for the 2022 Cowboy Mounted Shooting Association (CMSA) World and American Quarter Horse Association World of Mounted Shooting Horses Event; and

WHEREAS, the City of Amarillo, is the host community of the event and other eligible events (hereafter “event” whether singular or plural), and

WHEREAS, that event may be eligible to receive some funding as an eligible event from Special Event Trust Funds (hereafter, “Trust Fund”) pursuant to Tex. Rev. Civ. Stat., Art. 5190.14, Sec. 5C (hereafter, “Sec. 5C”); and

WHEREAS, the City of Amarillo and the State of Texas may benefit directly from this state law by utilizing state funds to augment local incentives for the purpose(s) of retaining events in our city and our state that are being courted by other cities located in other states, and by enhancing these events so that they have more prestige and draw more contestants and attendees; and

WHEREAS, Sec. 5C allows for the use of any funds received from state under this law to offset direct expenditures related to the event; and

WHEREAS, the City of Amarillo, and the State of Texas may benefit indirectly from this state law by an increase in tourism resulting from the retention or the attraction of events to our city and state that will likely have the effect of:

- An increase in utilized hotel rooms, which has a positive impact on the Hotel Occupancy Tax; and
- An increase in general sales and consumption, which has a positive impact on the local and state sales tax; and
- An increase in the length of time an event is in Amarillo facilities, which increases the local facility rental revenue.

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

SECTION 1. The City Manager is authorized to submit an application to the Office of the Governor’s Economic Development & Tourism Division to seek state funds, pursuant to Sec. 5C for the purpose of utilizing any funds received to assist in enhancing the 2022 Cowboy Mounted Shooting Association (CMSA) World and American Quarter Horse Association World of Mounted Shooting Horses event, and other eligible events, with a goal of increasing participation and attendance and benefiting the economy of the City of Amarillo and the State of Texas. Further, the City Manager is authorized to negotiate a contract with the sponsoring association or entity specifically as to any state funds received through

Sec. 5C with the explicit guidance that the application and the contract be developed so as to maximize the state funds coming back to the City to support the event and other eligible events.

SECTION 2. That 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 3. That 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 4. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 12th day of April 2022.

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Ginger Nelson, Mayor

ATTEST:

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Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

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Bryan McWilliams, City Attorney



# Amarillo City Council

## Agenda Transmittal Memo



K

|              |                                        |                  |                                                         |
|--------------|----------------------------------------|------------------|---------------------------------------------------------|
| Meeting Date | April 12, 2022                         | Council Priority | Fiscal Responsibility, Best Practices, Customer Service |
| Department   | Public Works - Fleet Services Division |                  |                                                         |
| Contact      | Donny Hooper, Public Works Director    |                  |                                                         |

**Agenda Caption**

CONSIDER PURCHASE – EXCAVATOR WITH THUMB ATTCHMENT FOR LANDFILL

Award to: Warren CAT - \$229,331.67 (Buy Board Contract #597-19)

This item considers the purchase of an excavator with thumb attachment for the solid waste disposal division for use at the City Landfill. This purchase will be an addition to the City’s fleet.

**Agenda Item Summary**

21/22 Budget approved addition to Solid Waste Disposal Division for use at City Landfill.

**Requested Action**

Recommend purchase approval of Hydraulic Excavator for Solid Waste Disposal Division. This purchase will be on Buy Board contract # 597-19. Contract purchase assures discounted governmental pricing and quicker delivery schedules. Contract purchase of equipment allows for uniformity of specialized equipment, control maintenance cost associated with training and repair compared to multiple manufacturers.

**Funding Summary**

Funding for this purchase will be from 61120.84200 Fleet Services – Machinery General.  
Total Purchase \$229,331.67

**Community Engagement Summary**

N/A

**Staff Recommendation**

Staff Recommends approval of purchase of Hydraulic Excavator.

**Bid No. 7243 HYDRAULIC EXCAVATOR**  
**Opened 4:00 p.m. March 11, 2022**

**To be awarded as one lot**

WARREN CAT

Line 1 Hydraulic Excavator, Caterpillar  
Model 320 TC, per specifications

1 ea

Unit Price

\$228,988.190

Extended Price

228,988.19

Line 2 HET Potter/Randal Tax, per specifications

1 ea

Unit Price

\$343.480

Extended Price

343.48

**Bid Total**

229,331.67

Award by Vendor

\$ 229,331.67

City

Amarillo, TX

# Amarillo City Council

## Agenda Transmittal Memo



L

|              |                                        |                  |                                                         |
|--------------|----------------------------------------|------------------|---------------------------------------------------------|
| Meeting Date | April 12, 2022                         | Council Priority | Fiscal Responsibility, Best Practices, Customer Service |
| Department   | Public Works - Fleet Services Division |                  |                                                         |
| Contact      | Donny Hooper, Public Works Director    |                  |                                                         |

### Agenda Caption

CONSIDER PURCHASE – TWO (2) NON-CDL TRUCKS WITH HOOK-LIFT BODY  
Award to: Cavender Grande Ford - \$261,740.00 (Buy Board Contract #601-19)

This item considers the purchase of two non-CDL trucks with hook-lift bodies for use by the solid waste collection to assist citizens with bulk debris collection and assist citizen groups with neighborhood clean-up and national clean-up days. This purchase will be an addition to the City’s fleet.

### Agenda Item Summary

21/22 Budget approved addition to Solid Waste Collection for use performing daily operational programs to assist citizens with bulk debris collection. Assist citizen groups with neighbor hood clean up and national clean up days.

### Requested Action

Recommend purchase approval of two (2) non-cdl trucks with hook-lift bodies to move and haul debris containers.  
This purchase will be on BuyBoard contract # 601-19. Contract purchase assures discounted governmental pricing and quicker delivery schedules. Contract purchase of equipment allows for uniformity of specialized equipment, control maintenance cost associated with training and repair compared to multiple manufacturers.

### Funding Summary

Funding for this purchase will be from 61120.84100 Fleet Services – Machinery General.  
Total Purchase \$261,740.00

### Community Engagement Summary

N/A

### Staff Recommendation

Staff Recommends approval of purchase of Volumetric Concrete Mixer Truck.

Bid No. 7251 Non-CDL Trucks with Hook Lift Body  
Opened 4:00 p.m. March 22, 2022

To be awarded as one lot CAVENDER GRANDE FORD

Line 1 Truck Cab and Chassis, per specifications

2 ea

Unit Price \$22,374.500

Extended Price 44,749.00

Line 2 Buy Board Published Options, per specifications

1 ea

Unit Price \$190,308.000

Extended Price 190,308.00

Line 3 Steel Surcharge, per specifications

1 ea

Unit Price \$26,283.000

Extended Price 26,283.00

Line 4 Buy Board Fee, per specifications

1 ea

Unit Price \$400.000

Extended Price 400.00

Bid Total \$ 261,740.00

Award by Vendor

\$ 261,740.00

City

San Antonio, TX



# Amarillo City Council

## Agenda Transmittal Memo



M

|              |                                        |                  |                                                         |
|--------------|----------------------------------------|------------------|---------------------------------------------------------|
| Meeting Date | April 12, 2022                         | Council Priority | Fiscal Responsibility, Best Practices, Customer Service |
| Department   | Public Works - Fleet Services Division |                  |                                                         |
| Contact      | Donny Hooper, Public Works Director    |                  |                                                         |

**Agenda Caption**

CONSIDER PURCHASE - CLASS 8 TRUCK WITH VOLUMETRIC CONCRETE MIXER FOR DRAINAGE UTILITY  
Award to: Doggett Freightliner of South Austin LLC - \$271,081.00 (TIPS Contract #200 206)

This item considers the purchase of a Class 8 Truck with a volumetric concrete mixer for use by the drainage utility division to assist in maintenance of drainage channels, curb and gutter, and miscellaneous concrete repairs. This purchase will be an addition to the City’s fleet.

**Agenda Item Summary**

21/22 Budget approved addition to Drainage Utility Division for use performing daily operational requirements and maintenance of drainage channels, curb and gutter, miscellaneous concrete repairs.

**Requested Action**

Recommend purchase approval of Volumetric Concrete Mixer Truck for Drainage Utility Division. This purchase will be on TIPS contract # 200 206. Contract purchase assures discounted governmental pricing and quicker delivery schedules. Contract purchase of equipment allows for uniformity of specialized equipment, control maintenance cost associated with training and repair compared to multiple manufacturers.

**Funding Summary**

Funding for this purchase will be from 61120.84100 Fleet Services – Machinery General.  
Total Purchase \$271,081.00

**Community Engagement Summary**

N/A

**Staff Recommendation**

Staff Recommends approval of purchase of Volumetric Concrete Mixer Truck.

Bid No. 7250 VOLUMETRIC CONCRETE TRUCK

Opened 4:00 p.m. March 22, 2022

|                          |                                        |
|--------------------------|----------------------------------------|
| To be awarded as one lot | DOGGETT FREIGHTLINER OF<br>SOUTH TEXAS |
|--------------------------|----------------------------------------|

Line 1 Class 8 Truck Cab Chassis with  
Volumetric Concrete Mixer, per  
specifications

1 ea

|            |               |
|------------|---------------|
| Unit Price | \$271,081.000 |
|------------|---------------|

|                |            |
|----------------|------------|
| Extended Price | 271,081.00 |
|----------------|------------|

|           |               |
|-----------|---------------|
| Bid Total | \$ 271,081.00 |
|-----------|---------------|

|      |            |
|------|------------|
| City | Austin, TX |
|------|------------|



# Amarillo City Council

## Agenda Transmittal Memo



N

|              |                                        |                  |                  |
|--------------|----------------------------------------|------------------|------------------|
| Meeting Date | April 12, 2022                         | Council Priority | Customer Service |
| Department   | Traffic / 1731                         |                  |                  |
| Contact      | Donny Hooper, Director of Public Works |                  |                  |

### Agenda Caption

CONSIDER PURCHASE – EQUIPMENT FOR NEW SIGNALIZED INTERSECTION AT SONCY AND HERITAGE HILLS

Award to:

Traffic Signal Poles – \$88,885.00 Tiger Electric Supply Inc.  
Flasher School Zone – \$6,448.00 Consolidated Traffic Controls  
Traffic Signal Controllers – \$12,950.00 Iteris Inc.  
Traffic Signal Heads - \$4,352.00 Paradigm Traffic Systems  
Total Award - \$112,635.00

This is a purchase for Traffic Signal Equipment for the new installation of a Traffic Signal at Soncy and Heritage Hills.

### Agenda Item Summary

Signal Items used for the installation of a new traffic signal at the intersection of Soncy and Heritage Hills, this intersection has met 4 of 7 warrants.

### Requested Action

Award these items to the lowest bidder of each lot. These items came at an overall decrease in cost of -0.19% compared to the last purchase in July 2020.

### Funding Summary

Funding in the amount of \$112,635.00 for the purchase of Traffic Signals and Materials will be out of Prop 1 Bond jobs, 462026.17400.2040 New Traffic Signals. The cost \$112,635.00 is 15.75% more than budgeted, due to the increased cost of poles, no state or federal funds will be used for these materials.

### Community Engagement Summary

This Signal equipment will be used for the installation of a signalized intersection at Soncy and Heritage Hills, notification will be sent out on City’s social media to inform citizens of the new signalized intersection. Implementing best practices all signal equipment should be changed out every ten years to update technology to improve efficiency, and fix declining infrastructure.

### Staff Recommendation

Traffic recommends acceptance of this bid as offered.



Bid No. 7188 Traffic Signal Parts and Accessories  
Opened 4:00 p.m. February 24, 2022

| To be awarded by lot. | TIGER ELECTRIC SUPPLY DBA<br>WILDCAT ELECTRIC SUPPLY | CONSOLIDATED TRAFFIC<br>CONTROLS INC | ITERIS, INC. | PARADIGM TRAFFIC SYSTEMS |
|-----------------------|------------------------------------------------------|--------------------------------------|--------------|--------------------------|
|-----------------------|------------------------------------------------------|--------------------------------------|--------------|--------------------------|

Line 1 Traffic Signal Pole: 30' Galvanized  
Traffic Signal Pole with 24' arm and 17" Bolt  
Circle, 1-1/2" Anchor Bolts, Nut Covers and  
Hardware, per specifications

|                |             |              |           |  |
|----------------|-------------|--------------|-----------|--|
| 1 ea           |             |              |           |  |
| Unit Price     | \$6,421.000 | \$11,800.000 |           |  |
| Extended Price |             | 6,421.00     | 11,500.00 |  |

Line 2 Traffic Signal Poles: 30' Galvanized  
Traffic Signal Pole with 65' LMA and 27"  
Bolt Circle, 2-1/2" Anchor Bolts, Nut Covers  
and Hardware, per specifications

|                |              |              |           |  |
|----------------|--------------|--------------|-----------|--|
| 1 ea           |              |              |           |  |
| Unit Price     | \$27,054.000 | \$27,570.000 |           |  |
| Extended Price |              | 27,054.00    | 27,570.00 |  |

Line 3 Traffic Signal Pole: 30' Galvanized  
Traffic Signal Pole with 50' LMA and 27"  
Bolt Circle, 2-1/2" Anchor Bolts, Nut Covers  
and Hardware, per specifications

|                |              |              |           |  |
|----------------|--------------|--------------|-----------|--|
| 2 ea           |              |              |           |  |
| Unit Price     | \$25,533.000 | \$25,350.000 |           |  |
| Extended Price |              | 51,066.00    | 50,700.00 |  |

Line 4 School Flashers: School Flasher  
Complete Cabinet (fully Equipped) RTC  
AP22 Time Switch, TRC Antenna RTC  
Transmitter Radio with 25' Coax Cable, 12  
Volt Flasher Code 3, Morning Star Charger,  
Battery, Aluminum Cabinet with Back-Panel  
and Solar Panel with Top of Pole Mount,  
per specifications

|                |         |             |          |  |
|----------------|---------|-------------|----------|--|
| 2 ea           |         |             |          |  |
| Unit Price     | \$0.000 | \$3,224.000 |          |  |
| Extended Price |         | -           | 6,448.00 |  |

Line 5 Cabinet Equipment: TS-2, 54" Base  
Mounted Complete Cabinet Without  
Controller, per specifications

1 ea

| Unit Price                                                                                                                                                                 | \$0.000     | \$0.000       | \$12,950.000  |               |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------|---------------|---------------|---|
| Extended Price                                                                                                                                                             |             | -             | -             | 12,950.00     | - |
| Line 6 Traffic Signal Heads: 12" 3-Section, Aluminum Body, Yellow Aluminum Tunnel Visors, and Flat Black Louvered Aluminum Back Plate with LED Inserts, per specificatlons |             |               |               |               |   |
| 10 ea                                                                                                                                                                      |             |               |               |               |   |
| Unit Price                                                                                                                                                                 | \$361.000   | \$377.000     |               |               |   |
| Extended Price                                                                                                                                                             | 3,610.00    | 3,770.00      | -             | -             |   |
| Line 7 Traffic Signal Heads: 12" 3-Section, Aluminum Body, Yellow Aluminum Tunnel Visors, and Flat Black Louvered Aluminum Back Plate with Clear LED Inserts, per          |             |               |               |               |   |
| 2 ea                                                                                                                                                                       |             |               |               |               |   |
| Unit Price                                                                                                                                                                 | \$367.000   | \$383.000     |               |               |   |
| Extended Price                                                                                                                                                             | 734.00      | 766.00        | -             | -             |   |
| Line 8 Pelco Equipment: Gusset Pole 3 Sec Pelco, per specifications                                                                                                        |             |               |               |               |   |
| 20 ea                                                                                                                                                                      |             |               |               |               |   |
| Unit Price                                                                                                                                                                 | \$40.000    | \$33.000      | \$36.000      |               |   |
| Extended Price                                                                                                                                                             | 800.00      | 660.00        | -             | 720.00        |   |
| Line 9 Pelco Equipment: Signal Head Bracket Set Pelco, per specifications                                                                                                  |             |               |               |               |   |
| 12 ea                                                                                                                                                                      |             |               |               |               |   |
| Unit Price                                                                                                                                                                 | \$35.000    | \$32.000      | \$31.000      |               |   |
| Extended Price                                                                                                                                                             | 420.00      | 384.00        | -             | 372.00        |   |
| Line 10 Pelco Equipment: Astro Brackets Pelco, per specifications                                                                                                          |             |               |               |               |   |
| 40 ea                                                                                                                                                                      |             |               |               |               |   |
| Unit Price                                                                                                                                                                 | \$80.000    | \$87.000      | \$75.000      |               |   |
| Extended Price                                                                                                                                                             | 3,200.00    | 3,480.00      | -             | 3,000.00      |   |
| Line 11 Pelco Equipment: Sign Clamps Pelco, per specifications                                                                                                             |             |               |               |               |   |
| 20 ea                                                                                                                                                                      |             |               |               |               |   |
| Unit Price                                                                                                                                                                 | \$16.000    | \$13.000      | \$13.000      |               |   |
| Extended Price                                                                                                                                                             | 320.00      | 260.00        | -             | 260.00        |   |
| Bid Total                                                                                                                                                                  | 93,625.00   | 105,538.00    | 12,950.00     | 4,352.00      |   |
| Award by Vendor                                                                                                                                                            | \$88,885.00 | \$6,448.00    | \$ 12,950.00  | \$ 4,352.00   |   |
| City                                                                                                                                                                       | Houston, TX | Arlington, TX | Santa Ana, CA | Arlington, TX |   |

# Amarillo City Council

## Agenda Transmittal Memo



|              |                                        |                  |                |
|--------------|----------------------------------------|------------------|----------------|
| Meeting Date | April 12, 2022                         | Council Priority | Transportation |
| Department   | Street/1420                            |                  |                |
| Contact      | Donny Hooper, Director of Public Works |                  |                |

|                                                                                                |
|------------------------------------------------------------------------------------------------|
| Agenda Caption                                                                                 |
| CONSIDER AWARD –AC-5 ASPHALTIC CEMENT ANNUAL SUPPLY CONTRACT FOR SUMMER SEALCOATING OPERATIONS |
| Award to: Ergon Asphalt & Emulsion Inc. - \$850,500.00                                         |

This item is to consider award of a contract for the purchase of up to 270,000 gallons of AC-5 Asphaltic Cement, used by the Street Division during the summer for sealcoating of paved streets.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| AC-5 Asphaltic Cement, in conjunction with Pre-coated B-4 Aggregate, is used during the sealcoating process. AC-5 is applied to the street surface as a sealant, followed by the pre-coated B-4 aggregate which adheres to the AC-5 forming a new driving surface. The sealcoating process is essential to extending the life of City streets. This contract allows for the purchase of up to 270,000 gallons of AC-5 Asphaltic Cement within FY21/22. |

|                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------|
| Requested Action                                                                                                              |
| Consider approval and award to low bidder meeting specification, Ergon Asphalt & Emulsion Inc. in the amount of \$850,500.00. |

|                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Funding Summary                                                                                                                                                                                                                                                                                                                                                                                                             |
| Funding for this item is available in the Street Division Budget 1420.68300 (R&M Improvements) up to \$675,000. This year’s bid price of \$850,500.00 is an increase of 26% over the 2021/2022 budgeted amount. The additional \$175,500.00 needed to purchase the entire contract amount will be paid from funds remaining in account 1420.68300. No State or Federal funds will be used for the purchase of this product. |

|                              |
|------------------------------|
| Community Engagement Summary |
| N/A                          |

|                                                  |
|--------------------------------------------------|
| Staff Recommendation                             |
| City staff is recommending approval of this bid. |

Bid No. 7198 Asphaltic Cement AC-5 Annual Contract  
Opened 4:00 p.m. March 3, 2022

|                          |                                  |                                    |
|--------------------------|----------------------------------|------------------------------------|
| To be awarded as one lot | ERGON ASPHALT &<br>EMULSION INC. | WRIGHT ASPHALT<br>PRODUCTS COMPANY |
|--------------------------|----------------------------------|------------------------------------|

Line 1 ASPHALTIC CEMENT (AC-5) IS USED DURING THE SUMMER SEALCOATING PROGRAM, WHICH IS OUR PRIMARY PRENTATIVE MAINTENANCE PROGRAM FOR THE CITY'S RESIDENTAL STREETS. AC-5 1 SPRAYED ON TO THE EXISTING ASPHALT PAVEMENT TO SEAL THE SURFACE OF THE ROADWAY NEXT, PRE-COATING AGGREGATE (B-4 GRAVEL) IS SPREAD ONTO THE ROADWAY TO PROVIDE A NEW DRIVING SURFACE. THE AC-5 BONDS THIS AGGREGATE TO THE SURFACE TO THE ROADWAY, PER SPECIFICATIONS

|                 |               |  |            |
|-----------------|---------------|--|------------|
| 270,000 ga      |               |  |            |
| Unit Price      | \$3.150       |  | \$3.302    |
| Extended Price  | 850,500.00    |  | 891,540.00 |
| Bid Total       | 850,500.00    |  | 891,540.00 |
| Award by Vendor | \$ 850,500.00 |  |            |
| City            | Austin, TX    |  |            |

# Amarillo City Council

## Agenda Transmittal Memo



P

|              |                              |                  |                       |
|--------------|------------------------------|------------------|-----------------------|
| Meeting Date | April 12, 2022               | Council Priority | Fiscal Responsibility |
| Department   | Central Stores               |                  |                       |
| Contact      | Trent Davis Purchasing Agent |                  |                       |

**Agenda Caption**

CONSIDER AWARD – SACKED CEMENT ANNUAL SUPPLY AGREEMENT  
Award to: Tascosa Building Products - \$59,520.04

This item considers award of an annual supply agreement for the purchase of sacked cement.

**Agenda Item Summary**

Bid #7196  
These items are to consider for award of the Sacked Cement Supply Agreement.

**Requested Action**

Consider approval of the award for the Sacked Cement Supply Agreement.

**Funding Summary**

Funding is available in inventory account 1000.15400

**Community Engagement Summary**

N/A

**Staff Recommendation**

City Staff is recommending approval of award

Bid No. 7196 Sacked Cement Supply Agreement  
Opened 4:00 p.m., March 3, 2022

| To be awarded as one lot | Tascosa Building<br>Products | A-1 Building Supply |
|--------------------------|------------------------------|---------------------|
|--------------------------|------------------------------|---------------------|

Line 1 Quikrete Portland Cement, 94 LB Bag, per specifications

4,480 bc

Unit Price

\$11.600

\$13.450

Extended Price

51,968.00

60,256.00

Line 2 Quikrete Concrete Mix, 80 LB Bag, per specifications

1,008 bc

Unit Price

\$4.240

\$5.050

Extended Price

4,273.92

5,090.40

Line 3 Quikrete Sand Mix, 60 LB bag, per specifications

448 bc

Unit Price

\$4.490

\$5.250

Extended Price

2,011.52

2,352.00

Line 4 Duracal Cement 49.67 LB., per specifications

60 bc

Unit Price

\$21.110

\$25.600

Extended Price

1,266.60

1,536.00

Bid Total

59,520.04

69,234.40

Award by Vendor

\$ 59,520.04

City

Amarillo, TX

# Amarillo City Council

## Agenda Transmittal Memo



Q

|              |                              |                  |                       |
|--------------|------------------------------|------------------|-----------------------|
| Meeting Date | April 12, 2022               | Council Priority | Fiscal Responsibility |
| Department   | Central Stores               |                  |                       |
| Contact      | Trent Davis Purchasing Agent |                  |                       |

**Agenda Caption**

CONSIDER PURCHASE – WATER METER COVERS  
Award to: Premier Waterworks - \$65,320.00

This item considers the purchase of water meter covers that are compatible with automated metering infrastructure.

**Agenda Item Summary**

Bid #7228  
These items are to consider for award of the Water Meter Covers

**Requested Action**

Consider approval of the award for Water Meter Covers

**Funding Summary**

Funding is available in inventory account 1000.15400

**Community Engagement Summary**

N/A

**Staff Recommendation**

City staff is recommending approval of award.

Bid No. 7228 WATERMETER COVERS FOR THE CITY OF AMARILLO  
Opened 4:00 p.m., March 24, 2022

|                                                     |                |                    |                       |
|-----------------------------------------------------|----------------|--------------------|-----------------------|
| To be awarded as one lot                            |                | PREMIER WATERWORKS | Plains Builders, Inc. |
| Line 1 Watermeter Lid with Hole, per specifications |                |                    |                       |
| 2,000 ea                                            | Unit Price     | \$32.66            | \$32.840              |
|                                                     | Extended Price | 65,320.00          | 65,680.00             |
| Bid Total                                           |                | 65,320.00          | 65,680.00             |

Award by Vendor  
City

\$ 65,320.00  
Amarillo, TX





# Amarillo City Council

## Agenda Transmittal Memo



R

|              |                               |                  |               |
|--------------|-------------------------------|------------------|---------------|
| Meeting Date | April 12, 2022                | Council Priority | Public Safety |
| Department   | Amarillo Police Department    |                  |               |
| Contact      | Trent Davis, Purchasing Agent |                  |               |

|                                                 |
|-------------------------------------------------|
| Agenda Caption                                  |
| CONSIDER AWARD –BALLISTIC VEST SUPPLY AGREEMENT |
| Award to: Aspetto, Inc. - \$71,250.00           |

This item considers award of a supply agreement for the purchase of ballistic vests for Amarillo Police Department officers, civilians, and recruits and City of Amarillo Rick Husband International Airport Police officers.

|                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                                                                                                                      |
| Purchase of Ballistic Vests for Police Department – Supply Agreement for the Amarillo Police Department Officers and Civilians, Amarillo Police Department Recruits, and the City of Amarillo Rick Husband International Airport Police. |

|                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------|
| Requested Action                                                                                                  |
| Request Council’s approval and award of the purchase of Ballistic Vests for Police Department – Supply Agreement. |

|                                                                                                      |
|------------------------------------------------------------------------------------------------------|
| Funding Summary                                                                                      |
| Funding for this award is available in the Quartermaster Inventory Balance Sheet Account 1000.15360. |

|                              |
|------------------------------|
| Community Engagement Summary |
| N/A                          |

|                                                       |
|-------------------------------------------------------|
| Staff Recommendation                                  |
| City Staff is recommending approval and award of bid. |

[illegible]

# Amarillo City Council

## Agenda Transmittal Memo



S

|              |                            |                  |               |
|--------------|----------------------------|------------------|---------------|
| Meeting Date | April 12, 2022             | Council Priority | Public Safety |
| Department   | Amarillo Police Department |                  |               |
| Contact      | Chief Martin Birkenfeld    |                  |               |

**Agenda Caption**

CONSIDER APPROVAL – SMART POLICING INITIATIVE GRANT RESEARCH AND GRANT MANAGEMENT CONTRACT

Award to: IDEA Analytics (Dr. Jessica Herbert) - \$150,000.00

This item considers approval of a three-year contract to perform the required SPI Grant research and grant management functions for the Smart Policing Initiative (SPI) Grant. This item will be funded by the SPI Grant.

**Agenda Item Summary**

The proposal is for approval of the analytics and research partner to fulfill BJAs requirements for the SPI Grant Award, which will cost approximately \$50,000.00 per year for 3 years, totaling approximately \$150,000.00.

**Requested Action**

Request the council approve IDEA Analytics (Dr. Jessica Herbert) as the research partner and grant manager for the duration of the SPI grant (3 years).

**Funding Summary**

Funding Account 26160.62000 - SPI Grant 15PBJA-21-GG-04381-SMTP.

**Community Engagement Summary**

N/A

**Staff Recommendation**

City Staff recommends approval.

Idea Analytics  
Opened 4:00 p.m. March 11, 2022

To be awarded as one lot IDEA ANALYTICS

Line 1 Analysis and project updates of the  
crime center, per specifications

3 yr

|                |              |
|----------------|--------------|
| Unit Price     | \$50,000.000 |
| Extended Price | 150,000.00   |

|           |            |
|-----------|------------|
| Bid Total | 150,000.00 |
|-----------|------------|

|                 |             |
|-----------------|-------------|
| Award by Vendor | 150,000.00  |
| City            | Phoenix, AZ |

# Amarillo City Council

## Agenda Transmittal Memo



T

|              |                                    |                  |               |
|--------------|------------------------------------|------------------|---------------|
| Meeting Date | April 12, 2022                     | Council Priority | Public Safety |
| Department   | Amarillo Police Department         |                  |               |
| Contact      | Martin Birkenfeld, Chief of Police |                  |               |

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| Agenda Caption                                                                          |
| CONSIDER PURCHASE – TELEROB EVO PLUS ROBOT FOR THE AMARILLO POLICE DEPARTMENT BOMB TEAM |
| Award to: AeroVironment - \$452,128.20                                                  |

This item considers the purchase of the Telerob Evo Plus Robot with attachments from AeroVironment for use by the Amarillo Police Department (APD) Bomb Team. This purchase will be funded through donations received by APD.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| The APD Bomb Team needs a new robot system. The original bomb robot was purchased in 2005 and has provided 17 years of life-saving service. However, technology has advanced greatly during this time, and the current system is requiring significant maintenance. This new robot system will provide dramatically superior capabilities to mitigate hazardous situations including explosive devices, unknown hazards packages, and surveillance and intervention in armed barricaded suspect incidents. This system greatly reduces police officers’ exposure to hazards while providing critical on-scene intelligence. |

|                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------|
| Requested Action                                                                                                                        |
| Request Council’s approval and award of the Telerob Evo Plus Robot with Attachment for the Bomb Team of the Amarillo Police Department. |

|                                                                        |
|------------------------------------------------------------------------|
| Funding Summary                                                        |
| Funding for this purchase will come from Donation Account 71001.37420. |

|                              |
|------------------------------|
| Community Engagement Summary |
| N/A                          |

|                                                                     |
|---------------------------------------------------------------------|
| Staff Recommendation                                                |
| Staff recommends approval of this purchase and award to the vendor. |

Bid No. 7226 Bomb Squad Robot for City of Amarillo Police Department  
Opened 4:00 p.m. March 17, 2022

To be awarded as one lot AEROVIRONMENT, INC.

Line 1 EVO PLUS, MPU5, LI-ION W/3-DAY  
TRAINING COURSE, per specifications

|                |               |            |
|----------------|---------------|------------|
| 1 ea           |               |            |
| Unit Price     | \$349,344.000 |            |
| Extended Price |               | 349,344.00 |

Line 2 MAX09/ACCU LI-ION FULLSIZE  
26V/40AH, per specifications

|                |             |          |
|----------------|-------------|----------|
| 1 ea           |             |          |
| Unit Price     | \$7,787.000 |          |
| Extended Price |             | 7,787.00 |

Line 3 MAX/PAN SHOCKTUBE RELEASE  
LOWER ARM, per specifications

|                |             |          |
|----------------|-------------|----------|
| 1 ea           |             |          |
| Unit Price     | \$4,394.000 |          |
| Extended Price |             | 4,394.00 |

Line 4 MAX/SAMPLE TAKING SYSTEM,  
per specifications

|                |             |          |
|----------------|-------------|----------|
| 1 ea           |             |          |
| Unit Price     | \$4,459.000 |          |
| Extended Price |             | 4,459.00 |

Line 5 MAX09/HOLDER MULTIBLOCK,  
per specifications

|                |             |          |
|----------------|-------------|----------|
| 1 ea           |             |          |
| Unit Price     | \$2,626.000 |          |
| Extended Price |             | 2,626.00 |

Line 6 MAX/WINDOW BREAKER DEXTER,  
per specifications

|                |           |        |  |
|----------------|-----------|--------|--|
| 1 ea           |           |        |  |
| Unit Price     | \$525.200 |        |  |
| Extended Price |           | 525.20 |  |

Line 7 T002/PT ZOOM CAMERA HD/IR  
SONY 30X 1X IC, per specifications

|                |              |           |  |
|----------------|--------------|-----------|--|
| 1 ea           |              |           |  |
| Unit Price     | \$21,970.000 |           |  |
| Extended Price |              | 21,970.00 |  |

Line 8 MAX09/ZOOM CAMERA SONY,  
per specifications

|                |             |          |  |
|----------------|-------------|----------|--|
| 1 ea           |             |          |  |
| Unit Price     | \$4,329.000 |          |  |
| Extended Price |             | 4,329.00 |  |

Line 9 MAX09/INSPECTION CAMERA  
WHITE LIGHT, per specifications

|                |             |          |  |
|----------------|-------------|----------|--|
| 1 ea           |             |          |  |
| Unit Price     | \$5,941.000 |          |  |
| Extended Price |             | 5,941.00 |  |

Line 10 MEVO/IP MESH 1X REPEAT/1X SN-  
K 2.-2.5G IC , per specifications

|                |              |           |  |
|----------------|--------------|-----------|--|
| 1 ea           |              |           |  |
| Unit Price     | \$38,090.000 |           |  |
| Extended Price |              | 38,090.00 |  |

Line 11 MAX/HOLDER XR150 F TOOL  
MAGAZINE, per specifications

|                |             |          |  |
|----------------|-------------|----------|--|
| 1 ea           |             |          |  |
| Unit Price     | \$2,574.000 |          |  |
| Extended Price |             | 2,574.00 |  |

Line 12 MAX/BASKET, per specifications

|                |             |          |
|----------------|-------------|----------|
| 1 ea           |             |          |
| Unit Price     | \$1,430.000 |          |
| Extended Price |             | 1,430.00 |

Line 13 AIMING SYSTEM, OPTICAL AUTO  
CROSSHAIR PAN, per specifications

|                |             |          |
|----------------|-------------|----------|
| 1 ea           |             |          |
| Unit Price     | \$5,500.000 |          |
| Extended Price |             | 5,500.00 |

Line 14 MAX/HOLDER PAN W/O RELEASE,  
per specifications

|                |             |          |
|----------------|-------------|----------|
| 1 ea           |             |          |
| Unit Price     | \$3,159.000 |          |
| Extended Price |             | 3,159.00 |

|           |            |  |
|-----------|------------|--|
| Bid Total | 452,128.20 |  |
|-----------|------------|--|

Award by Vendor \$ 452,128.20  
City Simi Valley, CA





# Amarillo City Council

## Agenda Transmittal Memo



|              |                                            |                  |                           |
|--------------|--------------------------------------------|------------------|---------------------------|
| Meeting Date | April 12, 2022                             | Council Priority | Infrastructure Initiative |
| Department   | Capital Projects & Development Engineering |                  |                           |
| Contact      | Matthew Thomas, City Engineer              |                  |                           |

**Agenda Caption**

CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT FOR RIVER ROAD WASTEWATER RECLAMATION FACILITY DIGESTER MIXING AND SECONDARY BOILER IMPROVEMENTS  
Award to: CH2M Hill Engineers, Inc. - \$93,425.00

This item considers the award of a professional services agreement to increase the scope of work and bidding services for the digester mixing project for the River Road Wastewater Reclamation Facility.

**Agenda Item Summary**

This item is to consider approval of the professional services agreement. Contract No. 3 Professional Services Agreement with CH2M Hill Engineers, Inc. increases the scope of work and bidding services for the digester mixing project for the River Road Wastewater Reclamation Facility. The contract is for increased scope for resident project representation in coordination with the Hollywood WRF Digester Mixing project.

**Requested Action**

Consider approval of agreement with CH2M Hill Engineers, Inc. in the amount of \$93,425.00 for execution by the City Manager.

**Funding Summary**

Funding for this project is available in Project Budget Numbers 530013 and 530015. These projects were approved in the FY 17/18 Community Investment Program. This project is funded with water and sewer revenue bonds.

**Community Engagement Summary**

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

**Staff Recommendation**

City Staff is recommending approval of the contract.

# Amarillo City Council

## Agenda Transmittal Memo



V

|              |                                      |                  |     |
|--------------|--------------------------------------|------------------|-----|
| Meeting Date | April 12, 2022                       | Council Priority | N/A |
| Department   | Information Technology – Rich Gagnon |                  |     |

|                                                       |
|-------------------------------------------------------|
| Agenda Caption                                        |
| CONSIDER PURCHASE – VOICE-OVER-IP (VOIP) PHONES       |
| Award to: Nuwave - \$494,598.00 (award on NCPA 01-97) |

This item considers the purchase of VoIP phones for the information technology Voice Over IP project.

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                     |
| This item represents the purchase of VoIP phones necessary to migrate to a VoIP system. |

|                                                            |
|------------------------------------------------------------|
| Requested Action                                           |
| Approval of award to Nuwave in the amount of \$494,598.00. |

|                                                                            |
|----------------------------------------------------------------------------|
| Funding Summary                                                            |
| This purchase will be funded from Job 620070.17400.1040 (IT Voice Over IP) |

|                              |
|------------------------------|
| Community Engagement Summary |
| N/A                          |

|                                     |
|-------------------------------------|
| Staff Recommendation                |
| Staff recommends approval of award. |

Bid No. 7242 Voice Over IP (VOIP) PHONES PROJECT  
Opened 4:00 p.m. March 9, 2022

To be awarded as one lot

NUWAVE COMMUNICATIONS

Line 1 Polycomccx 400 Phone, per specifications

20 ea

Unit Price

\$205.000

Extended Price

4,100.00

Line 2 Polycomccx 500 Phone, per specifications

1,526 ea

Unit Price

\$291.000

Extended Price

444,066.00

Line 3 Polycomc60 Phone, per specifications

50 ea

Unit Price

\$750.440

Extended Price

37,522.00

Line 4 Polycomx50 (With Controller), per specifications

3 ea

Unit Price

\$2,970.000

Extended Price

8,910.00

Bid Total

494,598.00

Award by Vendor

\$ 494,598.00

City

Las Vegas, NV



# Amarillo City Council

## Agenda Transmittal Memo



W

|              |                                      |                  |     |
|--------------|--------------------------------------|------------------|-----|
| Meeting Date | April 12, 2022                       | Council Priority | N/A |
| Department   | Information Technology – Rich Gagnon |                  |     |

|                                                                                     |
|-------------------------------------------------------------------------------------|
| Agenda Caption                                                                      |
| CONSIDER PURCHASE – VIRTUAL DESKTOP INTERFACE (VDI) SERVERS AND SECURITY MONITORING |
| Award to: Weaver Technologies - \$162,373.14 (award on DIR-TSO-4299)                |

This item considers the purchase of VDI servers and security monitoring.

|                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                                                                          |
| This item represents the purchase of additional compute resources required for enhanced security monitoring used to protect City of Amarillo Information Technology infrastructure and data. |

|                                                                         |
|-------------------------------------------------------------------------|
| Requested Action                                                        |
| Approval of award to Weaver Technologies in the amount of \$162,373.14. |

|                                                                                |
|--------------------------------------------------------------------------------|
| Funding Summary                                                                |
| This purchase will be funded from account 620070.17400.1040 (VOIP Job Account) |

|                              |
|------------------------------|
| Community Engagement Summary |
| N/A                          |

|                                     |
|-------------------------------------|
| Staff Recommendation                |
| Staff recommends approval of award. |

Bid No. 7253 VDI SERVERS SECURITY MONITORING  
Opened 4:00 p.m. March 23, 2022

---

To be awarded as one lot

WEAVER TECHNOLOGIES

---

Line 1 Gov-VxRail P570d/V570d H/F with  
5 year maintenance, per specifications

2 ea

Unit Price \$79,864.850

Extended Price 159,729.70

---

Line 2 Dell Networking Cable, per  
specifications

4 ea

Unit Price \$87.110

Extended Price 348.44

---

Line 3 Dell World Solution Training, per  
specifications

1 ea

Unit Price \$2,295.000

Extended Price 2,295.00

---

Bid Total

\$ 162,373.14

---

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# Amarillo City Council

## Agenda Transmittal Memo



X

|              |                                      |                  |     |
|--------------|--------------------------------------|------------------|-----|
| Meeting Date | April 12, 2022                       | Council Priority | N/A |
| Department   | Information Technology – Rich Gagnon |                  |     |

|                                                  |
|--------------------------------------------------|
| Agenda Caption                                   |
| CONSIDER PURCHASE – BROADBAND SECURITY EQUIPMENT |
| Dell - \$1,023,868.72 (Award on DIR-TSO-3763)    |

This item considers the purchase of security equipment necessary to construct the core communications infrastructure for the Broadband project. This purchase will be funded by American Rescue Plan Act (ARPA) federal funding.

|                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                              |
| This item represents the purchase of security equipment necessary to construct the core communications infrastructure for the Broadband project. |

|                                                            |
|------------------------------------------------------------|
| Requested Action                                           |
| Approval of award to Dell in the amount of \$1,023,868.72. |

|                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Funding Summary                                                                                                                                                   |
| This purchase will be funded from account 58100.84610 (Broadband Info Serv - Hardware). Federal funds from the American Rescue Plan Act (ARPA) fund this account. |

|                              |
|------------------------------|
| Community Engagement Summary |
| N/A                          |

|                                     |
|-------------------------------------|
| Staff Recommendation                |
| Staff recommends approval of award. |

Bid No. 7246 BROADBAND PROJECT  
Opened 4:00 p.m. March 11, 2022

To be awarded as one lot

DELL

Line 1 PA5450Base AC Hardware Bundle,  
per specifications

2 ea

Unit Price \$29,645.600

Extended Price 59,291.20

Line 2 Palo Alto 5400 Data Processor  
Card, per specifications

2 ea

Unit Price \$20,639.870

Extended Price 41,279.74

Line 3 Palo Alto Power Supply for 5450,  
per specifications

4 ea

Unit Price \$1,330.790

Extended Price 5,323.16

Line 4 Palo Alto Blank Card, per  
specifications

4 ea

Unit Price \$0.000

Extended Price -

Line 5 Palo Alto Power Cord, per  
specifications

8 ea

Unit Price \$0.000

Extended Price -

Line 6 Palo AltoThreat Prevention  
Subscription 5 Year, per specifications

2 ea

Unit Price \$57,675.050

|                                                                                                                                       |                |            |            |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------|------------|------------|
|                                                                                                                                       | Extended Price |            | 115,350.10 |
| Line 7 Palo Alto WildFire Subscription 5-year, per specifications                                                                     |                |            |            |
| 2 ea                                                                                                                                  |                |            |            |
| Unit Price                                                                                                                            | \$57,675.050   |            |            |
| Extended Price                                                                                                                        |                | 115,350.10 |            |
| Line 8 Palo Alto Advanced URL Filtering Subscription, 5-Year, per specifications                                                      |                |            |            |
| 2 ea                                                                                                                                  |                |            |            |
| Unit Price                                                                                                                            | \$86,512.570   |            |            |
| Extended Price                                                                                                                        |                | 173,025.14 |            |
| Line 9 Palo Alto Premium Support 5 Year, per specifications                                                                           |                |            |            |
| 2 ea                                                                                                                                  |                |            |            |
| Unit Price                                                                                                                            | \$114,797.930  |            |            |
| Extended Price                                                                                                                        |                | 229,595.86 |            |
| Line 10 Palo Alto 4TB EDSFF, SSD Logging Drive, per specifications                                                                    |                |            |            |
| 2 ea                                                                                                                                  |                |            |            |
| Unit Price                                                                                                                            | \$1,745.290    |            |            |
| Extended Price                                                                                                                        |                | 3,490.58   |            |
| Line 11 Palo Alto QSFP28 Form Factor, 100Gb SR4 optical transeiver, Short Reach 300m OM4 (70m OM3), 12 Strand MPO, per specifications |                |            |            |
| 2 ea                                                                                                                                  |                |            |            |
| Unit Price                                                                                                                            | \$1,199.890    |            |            |
| Extended Price                                                                                                                        |                | 2,399.78   |            |
| Line 12 Palo Alto SFP+ Form Factor, SR 10Gb Optical Transceiver, Short Reach 300m, OM3 MMF, Duplex LC, per specifications             |                |            |            |
| 10 ea                                                                                                                                 |                |            |            |



|                                                                                          |                |                 |                                                                                       |
|------------------------------------------------------------------------------------------|----------------|-----------------|---------------------------------------------------------------------------------------|
|                                                                                          | Unit Price     | \$359.970       |                                                                                       |
|                                                                                          | Extended Price |                 | 3,599.70                                                                              |
| <hr/>                                                                                    |                |                 |                                                                                       |
| Line 13 Palo Alto Panorama Central Management Software, per specifications               |                |                 |                                                                                       |
| 1                                                                                        | ea             |                 |                                                                                       |
|                                                                                          | Unit Price     | \$9,089.510     |                                                                                       |
|                                                                                          | Extended Price |                 | 9,089.51                                                                              |
| <hr/>                                                                                    |                |                 |                                                                                       |
| Line 14 Palo Alto Premium Support 5 Year, per specifications                             |                |                 |                                                                                       |
| 1                                                                                        | ea             |                 |                                                                                       |
|                                                                                          | Unit Price     | \$62,612.490    |                                                                                       |
|                                                                                          | Extended Price |                 | 62,612.49                                                                             |
| <hr/>                                                                                    |                |                 |                                                                                       |
| Line 15 Palo Alto SD-WAN Subscription, 5 Years, per specifications                       |                |                 |                                                                                       |
| 2                                                                                        | ea             |                 |                                                                                       |
|                                                                                          | Unit Price     | \$57,675.050    |                                                                                       |
|                                                                                          | Extended Price |                 | 115,350.10                                                                            |
| <hr/>                                                                                    |                |                 |                                                                                       |
| Line 16 PA-5400 Data Processor Card, per specifications                                  |                |                 |                                                                                       |
| 4                                                                                        | ea             |                 |                                                                                       |
|                                                                                          | Unit Price     | \$17,590.400    |                                                                                       |
|                                                                                          | Extended Price |                 | 70,361.60                                                                             |
| <hr/>                                                                                    |                |                 |                                                                                       |
| Line 17 Palo Alto M-600 Chassis w/16TB Storage and 4 Post Rack Mount, per specifications |                |                 |                                                                                       |
| 1                                                                                        | ea             |                 |                                                                                       |
|                                                                                          | Unit Price     | \$17,749.660    |                                                                                       |
|                                                                                          | Extended Price |                 | 17,749.66                                                                             |
| <hr/>                                                                                    |                |                 |                                                                                       |
| Bid Total                                                                                |                |                 | 1,023,868.72                                                                          |
| <hr/>                                                                                    |                |                 |                                                                                       |
| Award by Vendor                                                                          |                | \$ 1,023,868.72 |  |
| City                                                                                     |                | Round Rock, TX  |                                                                                       |

# Amarillo City Council

## Agenda Transmittal Memo



Y

|              |                                     |                  |                |
|--------------|-------------------------------------|------------------|----------------|
| Meeting Date | April 12, 2022                      | Council Priority | Infrastructure |
| Department   | Facilities Department               |                  |                |
| Contact      | Jerry Danforth, Facilities Director |                  |                |

|                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Caption                                                                                                                                                                        |
| CONSIDER AWARD – DEMOLITION SERVICES CONTRACT FOR NEW CITY HALL PROJECT<br>(Contact: Jerry Danforth, Facilities Director)<br>Award to: Lloyd D Nabors Demolition, LLC. - \$139,700.00 |

This item considers the award of a contract for demolition of the three warehouses at the old Amarillo Hardware Building in the proposed New City Hall location at 600 S. Grant in Amarillo, TX 79101.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| This bid is for the demolition contract with Lloyd D Nabors Demolition, LLC. for demolition services of the three warehouses at the Old Amarillo Hardware Building in the proposed New City Hall location at 600 S Grant in Amarillo, TX 79101. The demolition of the identified buildings is necessary to move forward with the New City Hall Project to be used as a construction staging area as well as a finished Parking Lot for the New City Hall. |

|                                                                                                           |
|-----------------------------------------------------------------------------------------------------------|
| Requested Action                                                                                          |
| Approval and award of the construction contract with Lloyd D Nabors, LLC. for the amount of \$139,700.00. |

|                                                                                                   |
|---------------------------------------------------------------------------------------------------|
| Funding Summary                                                                                   |
| This project is funded through the City of Amarillo General Fund. (Job Number: 411760.17400.1020) |

|                              |
|------------------------------|
| Community Engagement Summary |
| N/A                          |

|                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Staff Recommendation                                                                                                                                                                                                                   |
| Staff recommends approval of contract award to Lloyd D Nabors, LLC. for demolition services of the three warehouses at the Old Amarillo Hardware Building in the proposed New City Hall location at 600 S Grant in Amarillo, TX 79101. |

Bid No. 7221 Building Demolition Project at Proposed New City Hall  
Opened 4:00 p.m., March 14, 2022

| To be awarded as one lot                                                                                                                                                                           |                | LLOYD D NABORS DEMOLITION,<br>LLC | GEM TECHNOLOGIES INC | GRANT CONSTRUCTION | MBW SERV CORPORATION | HOWELL SAND COMPANY, INC. | WCSA, INC.    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------|----------------------|--------------------|----------------------|---------------------------|---------------|
| Line 1 Furnish all necessary superintendence, labor,<br>materials, tools, equipment, machinery and apparatus<br>and whatever else may be necessary to complete all<br>the work, per specifications |                |                                   |                      |                    |                      |                           |               |
| 1 ea                                                                                                                                                                                               | Unit Price     | \$139,700.000                     | \$143,219.000        | \$148,706.000      | \$172,000.000        | \$192,612.00              | \$195,838.000 |
|                                                                                                                                                                                                    | Extended Price | 139,700.00                        | 143,219.00           | 148,706.00         | 172,000.00           | 192,612.00                | 195,838.00    |
|                                                                                                                                                                                                    | Bid Total      | 139,700.00                        | 143,219.00           | 148,706.00         | 172,000.00           | 192,612.00                | 195,838.00    |
| Award by Vendor                                                                                                                                                                                    |                | \$ 139,700.00                     |                      |                    |                      |                           |               |
| City                                                                                                                                                                                               |                | Hutchins, TX                      |                      |                    |                      |                           |               |

# Amarillo City Council

## Agenda Transmittal Memo



Z

|              |                                     |                  |                         |
|--------------|-------------------------------------|------------------|-------------------------|
| Meeting Date | April 12, 2022                      | Council Priority | Fiscal Responsibilities |
| Department   | Purchasing                          |                  |                         |
| Contact      | Trent Davis, Director of Purchasing |                  |                         |

|                                                                                                               |
|---------------------------------------------------------------------------------------------------------------|
| Agenda Caption                                                                                                |
| CONSIDER APPROVAL – INTER-LOCAL AGREEMENT BETWEEN THE CITY OF MESQUITE, TEXAS AND THE CITY OF AMARILLO, TEXAS |

This item considers approval of an Inter-local Agreement between The City of Mesquite and the City of Amarillo, Texas to provide The City of Mesquite to piggyback on the City of Amarillo’s bid 7025 Amarillo Fire Department Class “A” Uniform Annual Contract.

|                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                                                                                                                            |
| The City of Amarillo Purchasing Department and The City of Amarillo Fire Department is partnering with the City of Mesquite to allow the City of Mesquite to piggyback off a City of Amarillo Contract for Fire Department Class “A” Uniforms. |

|                                                                                          |
|------------------------------------------------------------------------------------------|
| Requested Action                                                                         |
| Authorize the City Manager to execute the Interlocal Agreement for the City of Amarillo. |

|                                                                                      |
|--------------------------------------------------------------------------------------|
| Funding Summary                                                                      |
| There is no cost to the City to enter into this Inter-Local Agreement with Mesquite. |

|                              |
|------------------------------|
| Community Engagement Summary |
| N/A                          |

|                                                         |
|---------------------------------------------------------|
| Staff Recommendation                                    |
| Staff recommends approval of the Inter-Local Agreement. |

## **INTERLOCAL AGREEMENT**

This Interlocal Agreement ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the CITY OF AMARILLO, Texas (hereinafter called "AMARILLO"), and the CITY OF MESQUITE, Texas (hereinafter called "MESQUITE"), each acting by and through its duly authorized officials:

WHEREAS, AMARILLO and MESQUITE are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, AMARILLO and MESQUITE wish to enter into this Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") and Chapter 271 of the Texas Government Code (cooperative purchasing programs) to set forth the terms and conditions upon which AMARILLO and MESQUITE may purchase various goods and services commonly utilized by each party;

WHEREAS, participation in an interlocal agreement will be highly beneficial to the taxpayers of AMARILLO and MESQUITE through the anticipated savings to be realized and is of mutual concern to the contracting parties;

WHEREAS, AMARILLO and MESQUITE have current funds available to satisfy any fees owed pursuant to this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein; AMARILLO and MESQUITE agree as follows:

1. AMARILLO and MESQUITE may cooperate in the purchase of various goods and services commonly utilized by the participants, where available and applicable, and may purchase goods and services from vendors under present and future contracts.
2. AMARILLO and MESQUITE shall each be individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under such contracts. AMARILLO and MESQUITE shall each make their respective payments from current revenues available to the paying party.
3. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by any party upon thirty (30) days written notice to the other participating party(ies).
4. The undersigned officer and/or agents of the party(ies) hereto are duly authorized officials and possess the requisite authority to execute this Agreement on behalf of the parties hereto.

5. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

6. This Agreement shall become effective on the day and year first written above (the "Effective Date"). The primary term of this Agreement shall be for one (1) year, commencing on the Effective Date and terminating on December 1, 2022, and shall thereafter automatically renew for successive one-year terms, unless terminated according to the terms set forth in Paragraph 3.

7. To the extent allowed by law, each party agrees to release, defend, indemnify, and hold harmless the other (and its officers, agents, and employees) from and against all claims or causes of action for injuries (including death), property damages (including loss of use), and any other losses, demands, suits, judgments and costs, including reasonable attorneys' fees and expenses, in any way arising out of, related to, or resulting from its performance under this agreement, or caused by its negligent acts or omissions (or those of its respective officers, agents, employees, or any other third parties for whom it is legally responsible) in connection with performing this agreement.

8. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement.

9. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

10. This Agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

11. This Agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this Agreement without the written consent of the other party.

12. It is expressly understood and agreed that, in the execution of this Agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied other than those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

13. The declarations, determinations and findings declared, made and found in the preamble to this Agreement are hereby adopted, restated and made part of the operative provisions hereof.

EXECUTED hereto on the day and year first above written.

CITY OF AMARILLO

\_\_\_\_\_  
Jared Miller  
City Manager

CITY OF MESQUITE

\_\_\_\_\_  
Cliff Keheley  
City Manager

STATE OF TEXAS §

COUNTY OF POTTER §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2022, by Jared Miller, City Manager of the **CITY OF AMARILLO, TEXAS**, a home-rule municipal corporation, on behalf of such corporation.

\_\_\_\_\_  
Notary Public in and for the  
State of Texas

ATTEST:

By: \_\_\_\_\_  
Sonja Land, City Secretary  
City of Mesquite

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Assistant City Attorney  
City of Mesquite

# Amarillo City Council

## Agenda Transmittal Memo



AA

|              |                       |                  |                                  |
|--------------|-----------------------|------------------|----------------------------------|
| Meeting Date | Apr. 12, 2022         | Council Priority | Customer Service/ Best Practices |
| Department   | Civic Center          |                  |                                  |
| Contact      | Bo Fowlkes – Asst. GM |                  |                                  |

**Agenda Caption**

CONSIDER AWARD – CIVIC CENTER COMPLEX PORTABLE DANCE FLOOR REPLACEMENT

(Contact: Bo Fowlkes, Civic Center Complex Assistant General Manager)

Award to: Mity Lite, Inc. - \$71,491.89

This item considers award of a contract for the replacement of a portable dance floor at the Civic Center Complex.

**Agenda Item Summary**

This project replaces the portable dance floor that is utilized in the ballroom of the Civic Center Complex. Funding for this award is provided through the Venue District.

**Requested Action**

Approval and award.

**Funding Summary**

CIP Budget, FY2021 Capital Funding

**Community Engagement Summary**

Feedback from patrons and lessees; research on best practices.

**Staff Recommendation**

It is recommended that the purchase of the equipment be awarded to Mity Lite, Inc. in the amount of \$71,491.89.



Bid No. 7259 Magnatech Dance Floor System  
Opened 4:00 p.m. April 1, 2022

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To be awarded as one lot MITYLITE

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|                                                                                           |                |              |           |
|-------------------------------------------------------------------------------------------|----------------|--------------|-----------|
| Line 1 Magnattach V3 Dance Floor Kit<br>40X40, Studio Teak, Silver, per<br>specifications |                |              |           |
| 1                                                                                         | ea             |              |           |
|                                                                                           | Unit Price     | \$69,662.840 |           |
|                                                                                           | Extended Price |              | 69,662.84 |

---

|                                    |                |             |          |
|------------------------------------|----------------|-------------|----------|
| Line 2 Freight, per specifications |                |             |          |
| 1                                  | ea             |             |          |
|                                    | Unit Price     | \$1,829.050 |          |
|                                    | Extended Price |             | 1,829.05 |

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|           |    |           |
|-----------|----|-----------|
| Bid Total | \$ | 71,491.89 |
|-----------|----|-----------|

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|                 |    |            |
|-----------------|----|------------|
| Award by Vendor | \$ | 71,491.89  |
| City            |    | Dallas, TX |

# Amarillo City Council

## Agenda Transmittal Memo



BB

|              |                                      |                  |             |
|--------------|--------------------------------------|------------------|-------------|
| Meeting Date | April 12, 2022                       | Council Priority | Civic Pride |
| Department   | Parks & Recreation                   |                  |             |
| Contact      | George Priolo, GM of Golf Operations |                  |             |

|                                                            |
|------------------------------------------------------------|
| Agenda Caption                                             |
| CONSIDER APPROVAL – GOLF CART LEASES                       |
| Award to: Club Car/ VGM Financial Services -\$1,029,873.96 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Item Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| While the golf cart lease was previously awarded by Council to DLL Financing LLC on September 28, 2021, a change in state law has prompted a change in our leasing company to VGM Financial Services. All substantive terms of the lease approved on September 28, 2021, remain the same. The approved lease was 54-month lease on 245 – 2022 Club Car Tempo Li Golf Cars for Ross Rogers (125 cars) and Comanche Trail (120 cars) Golf Complexes including one (1) Carryall 300 Gasoline Range Cart with cage at each golf complex at no charge. |

|                                                                               |
|-------------------------------------------------------------------------------|
| Requested Action                                                              |
| Request approval of the lease agreement to Club Car – VGM Financial Services. |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Funding Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 54-month lease agreement:<br>Tempo Li Golf Cars (125 cars) Ross Rogers: \$77.84 per car per month=\$9,730.48 per month<br>Tempo Li Golf Cars (120 cars) Comanche Trail: \$77.84 per car per month=\$9,341.26 per month<br>Total combined per month = \$19,071.75 per month<br><br>Total lease payments for 54-month term lease: \$1,029,873.96<br><br>The Golf Car Revenue performance during the current lease is as follows:<br>FY17-18 \$741,479.40<br>FY18-19 \$762,645.08<br>FY 19-20 \$771,697.24<br>FY 20-21 \$1,005,114.68<br>Total Golf Car Revenue for the current lease \$3,280,936.40<br><br>Based on revenue projections like the current lease the net revenue for the term of the lease is estimated to be conservatively \$2,251,062.44 |

|                                                                                                       |
|-------------------------------------------------------------------------------------------------------|
| Community Engagement Summary                                                                          |
| N/A                                                                                                   |
| Staff Recommendation                                                                                  |
| Parks Administration and Golf Operations staff recommends approval and award of this lease agreement. |

# Amarillo City Council

## Agenda Transmittal Memo



CC

|              |                                         |                  |                |
|--------------|-----------------------------------------|------------------|----------------|
| Meeting Date | April 12, 2022                          | Council Priority | Transportation |
| Department   | Aviation                                |                  |                |
| Contact      | Michael W. Conner, Director of Aviation |                  |                |

### Agenda Caption

CONSIDER AWARD – CONSTRUCTION CONTRACT FOR THE CTX RECAPITALIZATION PROJECT AT RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT

Award to: Diversified Conveyors International, LLC - \$1,322,201.00

This item considers the award of a contract for the CTX Recapitalization Project at the Airport, including the removal of existing Explosive Detection System (EDS) machines and installation of one new EDS machine furnished by the Transportation Security Administration (TSA). This item will be fully funded by the TSA.

### Agenda Item Summary

This project includes the removal of existing Explosive Detection System (EDS) machines and installation of one new EDS machine furnished by TSA. The new system includes four new conveyors and modifications to the existing MCP panels for new equipment. New inspection tables and lighting are being added. Scope of work includes architecture, electrical, and mechanical elements. Baggage handling systems and EDS elements are included as well.

### Requested Action

Award bid No. 7136 in the amount of \$1,322,201.00 to Diversified Conveyors International, LLC.

### Funding Summary

This construction contract is contained in OTA 70T04021T7672N025 with the TSA for 100% reimbursement. This OTA was approved by Council on September 14, 2021.

### Community Engagement Summary

Level 1 – Modest impact on selected area and/or community group.

### Staff Recommendation

Airport staff recommends award of bid no. 7136 in the amount of \$1,322,201.00 to Diversified Conveyors International, LLC.

| To be awarded as one lot                                                                                                                                                                           | ROBSON HANDLING<br>TECHNOLOGY USA INC. | DIVERSIFIED CONVEYORS<br>INTERNATIONAL LLC | G&S AIRPORT CONVEYOR | THE HORSLEY COMPANY<br>FIVE STAR AIRPORT ALLIANCE<br>INC. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------------------------------------|----------------------|-----------------------------------------------------------|
| Line 1 Furnish all necessary superintendence, labor,<br>materials, tools, equipment, machinery and apparatus<br>and whatever else may be necessary to complete all<br>the work, per specifications |                                        |                                            |                      |                                                           |
| 1 ea                                                                                                                                                                                               |                                        |                                            |                      |                                                           |
| Unit Price                                                                                                                                                                                         | \$1,230,569.000                        | \$1,322,201.00                             | \$1,328,821.000      | \$1,427,917.000                                           |
| Extended Price                                                                                                                                                                                     | 1,230,569.00                           | 1,322,201.00                               | 1,328,821.00         | 1,427,917.00                                              |
| Bid Total                                                                                                                                                                                          | 1,230,569.00                           | 1,322,201.00                               | 1,328,821.00         | 1,427,917.00                                              |
| Award by Vendor                                                                                                                                                                                    | Doesn't meet<br>Spec's                 | \$ 1,322,201.00                            |                      |                                                           |
| City                                                                                                                                                                                               |                                        | Memphis, TN                                |                      |                                                           |

# Amarillo City Council

## Agenda Transmittal Memo



DD

|              |                                     |                  |                |
|--------------|-------------------------------------|------------------|----------------|
| Meeting Date | April 12, 2022                      | Council Priority | Infrastructure |
| Department   | Facilities – Civic Center           |                  |                |
| Contact      | Jerry Danforth, Facilities Director |                  |                |

**Agenda Caption**

CONSIDER AWARD – CIVIC CENTER CHILLER REPLACEMENT

Award to: Johnson Controls - \$283,177.00

This item considers award for the removal and replacement of a York Chiller assembly at the Civic Center that has failed and no longer meets current EPA or Energy Codes.

**Agenda Item Summary**

This is for the removal of 30-year-old Chiller that has been rebuilt multiple times and its replacement with a new --York YKE5E1Q-EKHS Chiller. The new chiller will be larger and meet all current EPA and Energy Codes.

**Requested Action**

Approval of removal and replacement

**Funding Summary**

Job # 440410

**Community Engagement Summary**

N/A

**Staff Recommendation**

Approval

**Bid No. 7261 Removal and Replacement of New-York Chiller**  
**Opened 4:00 p.m. April 5, 2022**

|                          |                  |
|--------------------------|------------------|
| To be awarded as one lot | JOHNSON CONTROLS |
|--------------------------|------------------|

Line 1 Chiller and Install, per specifications

1 ea

|            |               |
|------------|---------------|
| Unit Price | \$283,177.000 |
|------------|---------------|

|                |            |
|----------------|------------|
| Extended Price | 283,177.00 |
|----------------|------------|

|                  |                      |
|------------------|----------------------|
| <b>Bid Total</b> | <b>\$ 283,177.00</b> |
|------------------|----------------------|

Award by Vendor  
City

\$ 283,177.00

Lubbock, TX

# Amarillo City Council

## Agenda Transmittal Memo



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|              |                                      |                  |             |
|--------------|--------------------------------------|------------------|-------------|
| Meeting Date | April 12, 2022                       | Council Priority | Civic Pride |
| Department   | City Manager’s Office                |                  |             |
| Contact      | Laura Storrs, Assistant City Manager |                  |             |

**Agenda Caption**  
CONSIDER APPROVAL – POTTER COUNTY SHERIFF SALES  
(Contact: Laura Storrs, Assistant City Manager)

This item is to consider authorizing Potter County, as the Trustee, to sell multiple Sheriff Sale properties that were sent out for bid. The County is requesting authorization of the Sheriff Sale properties from all taxing entities. The property sale process provides for the taxing entities, depending on the amount of bids/sale amount, to recoup all or a portion of delinquent taxes.

**Agenda Item Summary**  
This item authorizes Potter County as the Trustee, to award to the highest bidder, property located at:

- 927 Crockett St. to Luis A Perez for \$8,001.01
- 809 N. Florida St to Magaly Velasco for \$3,200.00
- 2602 S. Tyler St. to Luis A Perez for \$10,001.01

The County is requesting authorization of the sale to the highest bidder from all taxing entities.

**Requested Action**  
Approval of the sale of property.

**Funding Summary**  
There is no funding associated with this item.

**Community Engagement Summary**  
N/A

**Staff Recommendation**  
Staff recommends approval of the private sale of property.

# County of Potter

STATE OF TEXAS  
SANTA FE BUILDING

TAX OFFICE  
900 S. POLK, SUITE 106  
PO BOX 2289  
AMARILLO, TEXAS 79105-2289



PHONE: (806) 342-2600  
FAX: (806) 342-2637  
pcto@co.potter.tx.us

**SHERRI AYLOR, PCC**  
TAX ASSESSOR-COLLECTOR

March 3, 2022

City of Amarillo  
Stephanie Coggins, City Secretary  
P. O. Box 1971  
Amarillo, TX 79105-1971

Ms. Coggins:

Enclosed is a list of Sheriff Sale properties that Potter County, as Trustee, sent out for bid. The bidder who qualified to purchase the property has been highlighted, and we have received their payment for the property. Please place this item on your April 12<sup>TH</sup> 2022 agenda for their deed approval and signature(s).

If you would please e-mail a confirmation that this item has been placed on your agenda to [katrinaadams@co.potter.tx.us](mailto:katrinaadams@co.potter.tx.us) or contact Katrina at #342-2607.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sherri Aylor", is written in dark ink.

**SHERRI AYLOR, PCC**  
Tax Assessor-Collector

SA/ka

Enclosure



**TRUSTEE PROPERTY SALE**  
**MARCH 1, 2022**

**PROPERTY DESCRIPTION:**

108337  
LOT: 17 BLOCK: 2  
BIVINS ADDN

CAUSE # 21723E & 19391C  
TOTAL DUE: \$ 44,328.19  
927 CROCKETT ST

**BIDS RECEIVED:**

Luis A Perez \$ 8,001.01

**PROPERTY DESCRIPTION:**

161242  
LOT: BLOCK: 241  
50 FT S X 150 FT E BEG 250 FT S & 300 FT  
W NE COR OF BLK IMP ONLY THE AMARILLO  
CO SUB  
PLEMONS

CAUSE # 19623E & 22250A  
TOTAL DUE: \$ 70,863.76  
1711 S JACKSON ST

**BIDS RECEIVED:**

NO BID

**PROPERTY DESCRIPTION:**

159279  
LOT: 11 BLOCK: 8  
WEBSTER HEIGHTS

CAUSE # 21095B  
TOTAL DUE: \$ 9,540.06  
809 N FLORIDA ST

**BIDS RECEIVED:**

Magaly Velasco \$ 3,200.00  
Jordan Dossey \$ 3,003.00  
Luis A Perez \$ 651.01

**PROPERTY DESCRIPTION:**

153432  
LOT: 9 BLOCK: 97  
MRS M D OLIVER-EAKLE

CAUSE # 21855B  
TOTAL DUE: \$ 92,066.36  
2602 S TYLER ST

**BIDS RECEIVED:**

Luis A Perez \$ 10,001.01  
SunGator Properties LLC \$ 7,901.00  
Frances G Tooley \$ 4,500.00

# Amarillo City Council

## Agenda Transmittal Memo



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|              |                                      |                  |             |
|--------------|--------------------------------------|------------------|-------------|
| Meeting Date | April 12, 2022                       | Council Priority | Civic Pride |
| Department   | City Manager’s Office                |                  |             |
| Contact      | Laura Storrs, Assistant City Manager |                  |             |

**Agenda Caption**  
CONSIDER APPROVAL – POTTER COUNTY PROPERTY SALE  
(Contact: Laura Storrs, Assistant City Manager)

This item is to consider authorizing Potter County, as the Trustee, to sell the property located at 1711 S. Jackson. The County is requesting authorization of the property sale from all taxing entities. The property sale process provides for the taxing entities, depending on the amount of bids/sale amount, to recoup all or a portion of delinquent taxes.

**Agenda Item Summary**  
This item authorizes Potter County as the Trustee, to award to the highest bidder, property located at 1711 S. Jackson to Luis A. Perez for \$47,001.01. The County is requesting authorization of the sale to the highest bidder from all taxing entities.

**Requested Action**  
Approval of the sale of property.

**Funding Summary**  
There is no funding associated with this item.

**Community Engagement Summary**  
N/A

**Staff Recommendation**  
Staff recommends approval of the private sale of property.

# County of Potter

STATE OF TEXAS  
SANTA FE BUILDING

TAX OFFICE  
900 S. POLK, SUITE 106  
PO BOX 2289  
AMARILLO, TEXAS 79105-2289



PHONE: (806) 342-2600  
FAX: (806) 342-2637  
pcto@co.potter.tx.us

**SHERRI AYLOR, PCC**  
TAX ASSESSOR-COLLECTOR

April 4, 2022

City of Amarillo  
Stephanie Coggins, City Secretary  
P. O. Box 1971  
Amarillo, TX 79105-1971

Ms. Coggins:

Enclosed is a property that Potter County, as Trustee, sent out for bid. The bidder who qualified to purchase the property has been highlighted, and we have received their payment for the property. Please place this item on your April 12<sup>TH</sup> agenda for their deed approval and signature(s).

If you would please e-mail a confirmation that this item has been placed on your agenda to [katrinaadams@co.potter.tx.us](mailto:katrinaadams@co.potter.tx.us) or contact Katrina at #342-2607.

Sincerely,

A handwritten signature in cursive script, reading "Sherri Aylor".

SHERRI AYLOR, PCC  
Tax Assessor-Collector

SA/ka

Enclosure

**TRUSTEE PROPERTY SALE**  
**APRIL 1, 2022**

**PROPERTY DESCRIPTION:**

161243 & 161242  
LOT: BLOCK: 241  
50 FT S X 150 FT E BEG 250 FT S & 300 FT  
W NE COR OF BLK THE AMARILLO  
CO SUB

CAUSE # 19623E & 22250A  
TOTAL DUE: \$ 70,863.76

1711 S JACKSON ST

PLEMONS

**BIDS RECEIVED:**

|                           |    |           |
|---------------------------|----|-----------|
| LUIS A PEREZ              | \$ | 47,001.01 |
| DELBERT HOWELL            | \$ | 44,500.00 |
| HECTOR & LIZBETH VILLECAS | \$ | 40,150.00 |
| ELIAS B ALEMAYEHU         | \$ | 35,500.00 |

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# Amarillo City Council

## Agenda Transmittal Memo



|              |                                   |                  |                                        |
|--------------|-----------------------------------|------------------|----------------------------------------|
| Meeting Date | April 12, 2022                    | Council Priority | Economic Development                   |
| Department   | Planning and Development Services | Contact Person   | Andrew Freeman, Assistant City Manager |

**Agenda Caption**

CONSIDER AGREEMENT BETWEEN THE CITY OF AMARILLO AND THE AMARILLO INDEPENDENT SCHOOL DISTRICT FOR THE DISTRICT’S FINANCIAL PARTICIPATION IN THE TRI-STATE FAIRGROUNDS MASTER PLAN

**Agenda Item Summary**

This agreement is for Amarillo Independent School District’s participation in contracting professional consulting services related to creating a master plan for the Tri-State Fairgrounds and adjoining neighborhoods in East Amarillo. The plan is a partnership among the five organizations involved in the ownership, management and programming of the area including the City of Amarillo, Potter County, Amarillo Independent School District (AISD), the Amarillo-Potter Events Venue District, and the Tri-State Exposition.

The contract amount is \$198,000, with each entity (City, AISD, Potter County, and Venue District) providing \$49,500.

**Requested Action**

Approval as presented.

**Funding Summary**

The cost for the plan is \$198,000. AISD will contribute \$49,500.

**Community Engagement Summary**

Multiple meetings were held with the four organizations participating in this master plan effort.

**Staff Recommendation**

City staff is recommending approval of the agreement.

## **AGREEMENT BETWEEN THE CITY OF AMARILLO AND THE AMARILLO INDEPENDENT SCHOOL DISTRICT**

This Agreement ("Agreement") is made between the City of Amarillo ("City") and Amarillo Independent School District ("AISD" or "the District"). The parties hereto, in consideration of the premises, mutual promises, and other valuable consideration stated herein, now agree as follows:

1. Entity & Authorization. Each party is a local government within the State of Texas. Each signatory below has the authority to execute this Agreement on behalf of each respective entity.
2. Public Benefit & Purpose. The Parties find that the subject of this Agreement is necessary for the benefit of the public and each entity, and serves a legitimate public purpose.
3. Current Revenues. Both the Party performing a service and the Party paying for the performance of governmental functions or services shall, respectively, render performance and make payments from current revenues legally available to the party.
4. City Obligation. City hereby agrees to provide services as identified in Exhibit A.
5. AISD Obligation. AISD hereby (a) accepts the duties, terms, conditions, limitations, procedures, fees, and scope of services stated in Exhibit A and, (b) agrees to perform its obligations stated therein, (c) including timely payment.
6. Exhibit incorporated. The provisions of Exhibit A are incorporated herein by this reference as though stated verbatim.
7. Liability. The purpose of this Agreement is only to set forth the rights and duties of the Parties regarding the governmental function or services described. This agreement does not create any right, benefit, or cause of action for any third party. By executing this Agreement, neither Party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. To the extent allowed by or consistent with Texas law, each Party shall be solely responsible for any loss, damage, injury, or death to a third party (parties) arising out of or related to the acts or omissions of its employees or agents and not those of any other party.
8. Venue. Each Party agrees that if legal action is brought under this Agreement, then exclusive venue shall lie in the county in which the defendant Party is located and, if located in more than one county, in the county in which the principal offices of the defendant Party are located.
9. Effective Date & Term. This Agreement shall become effective on the first day after it has received approval. This Agreement shall remain in full force and effect for a term of one (1) year from the effective date hereof. This Agreement shall automatically be renewed for additional one-year terms unless and until a Party cancels it by giving thirty (30) days written notice to the other Party.
10. Contacts. The point of contact for each Party shall be:

|                                                                                                                                                                              |                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>For Amarillo ISD:</i><br>Mr. Doug Loomis, Superintendent<br>7200 I-40 West<br>Amarillo, Texas 79106<br><a href="mailto:Doug.Loomis@amaisd.org">Doug.Loomis@amaisd.org</a> | <i>For City of Amarillo:</i><br>Ms. Emily Koller<br>Planning & Development Service Manager<br>PO BOX 1971<br>Amarillo, TX 79105-1971<br><a href="mailto:Emily.koller@amarillo.gov">Emily.koller@amarillo.gov</a> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
11. Severance & Survival. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any request, such invalidity, illegality, or unenforceability shall not affect any other provision contained herein and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained. The provisions of paragraphs 7 and 8, inclusive, shall survive termination, cancellation, expiration or non-renewal of this Agreement.

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

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

**AMARILLO INDEPENDENT  
SCHOOL DISTRICT**

**CITY OF AMARILLO**

By: \_\_\_\_\_  
Title: Superintendent \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

## EXHIBIT A

The City of Amarillo is leading in the development of a master plan related to the fairgrounds, which is a complex and important community asset for Amarillo. The grounds are in use an average of 240 days per year with more than 300,000+ visitors, vendors, exhibitors and participants in events like the Tri-State Fair and Rodeo.

The City has determined a master plan is needed to develop a collaborative vision and set of strategies to accommodate the needs of all stakeholders (“the Project”), including the Amarillo Independent School District (which owns adjacent facilities and property), while positioning the fairgrounds as an economic catalyst for East Amarillo and the City overall. The planning process is expected to involve stakeholder interviews, public participation, a facilities demand analysis, land use and infrastructure assessments, and an economic impact analysis to develop a concise and coordinated roadmap for the fairgrounds area to guide planning and development among all partners for the next 20 years.

The Parties acknowledge and agree that the City oversaw the procurement of services related to the Project, and the City takes full responsibility for procurement processes and any related or subsequent contract. The City represents to AISD that procurement related to the Project was completed in full compliance with the law, and the City takes sole responsibility for same. The Parties acknowledge that AISD is not a party to any third-party contract awarded by the City, related to the Project. To the extent allowed by law, the City agrees to indemnify and defend the Amarillo Independent School District (“AISD”) for any challenges related to the procurement of services related to the master plan and/or the Project. AISD shall not be required to execute any agreements related to the Project and, by execution of the Agreement to which this Exhibit is attached, is not committing to any future involvement in efforts related to the City’s efforts related to the Project.

AISD shall pay the City a sum of \$49,500, for the benefit of providing input into the Project and receiving access to draft and final master plans and related matters. AISD shall be invited to any meetings the City has with the selected vendor related to the Project, as well as any City, community or stakeholder meetings related to the project.

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# Amarillo City Council

## Agenda Transmittal Memo



|              |                                   |                  |                |
|--------------|-----------------------------------|------------------|----------------|
| Meeting Date | April 12, 2022                    | Council Priority | Consent Agenda |
| Department   | Planning and Development Services |                  |                |
| Contact      | Brady Kendrick – Planner II       |                  |                |

**Agenda Caption**

CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENT

Consideration of an Aviation Clear Zone Easement being 4,750 feet above mean sea level above the plat of Usherwood Acres Unit No. 1, a suburban subdivision to the City of Amarillo, being a unplatted tract of land, in Section 181, Block 2, A.B.&M. Survey, Randall County, Texas.  
VICINITY: Georgia St. and Hollywood Rd.  
APPLICANT/S: Steve Usherwood

**Agenda Item Summary**

The above referenced Aviation Clear Zone (ACZ) Easement is being requested by the City of Amarillo and is associated with the plat Usherwood Acres Unit No. 1.

To ensure safety of operation and protection of air traffic operating into and out of the airport, future physical development around the airport needs to be regulated. In 1981, the Texas Legislature enacted the Airport Zoning Act, cited as Chapter 241 of the Local Government Code, which authorized cities in the state to establish and administer regulations pertaining to the height of structures and compatible land uses in the vicinity of the airport. One of the tools established in the Amarillo Code of Ordinances that allows the City of Amarillo to regulate this type of development is the Airport Height Hazard and Zoning Regulations (Chapter 4-9) which establishes minimum requirements to control the height and use of structures that may develop in the vicinity of the airport.

The ACZ Easement document is established during the platting of a tract of land to set the height regulations for noting on the associated plat, and the legal document is signed by the owner/developer of the tract. The placement of the note on the plat ensures that the height regulation is easily found by any future owner of the tract of land. Each ACZ Easement has an associated height regulation that is determined by the tract’s proximity and location around the airport. For example, areas at the end of the runway will likely have a lower height regulation that ones at the same distance that are located adjacent to the length of the runway. The reason for this is because aircraft taking off or landing will need to be at a lower altitude during its approach or departure portion of the traffic pattern for the each associated runway.

This ACZ Easement is establishing a height regulation of 4,750 feet above mean sea level for the plat of Usherwood Acres Unit No. 1.

**Requested Action**

Planning Staff have reviewed the associated Aviation Clear Zone Easement and the item is ready for City Council Consideration as a consent agenda item.

**Funding Summary**

The Easement is being granted to the City at no cost.

**Community Engagement Summary**

N/A

**Staff Recommendation**

Staff recommends approval of this Aviation Clear Zone Easement.

AVIATION CLEAR ZONE EASEMENT

THE STATE OF TEXAS       §  
                                          §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF RANDALL       §

WHEREAS, Steve Usherwood, hereinafter called "GRANTOR," whether one or more, individual or corporate, partnership or association, is the owner in fee of that certain parcel or parcels of land being described as follows:

Aviation Clear Zone Easement being 4,750 feet above mean sea level above the plat of Usherwood Acres Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 181, Block 2, A.B.&M. Survey, Randall County, Texas.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR does for himself, his successors and assigns, GRANT, BARGAIN, SELL AND CONVEY unto the City of Amarillo, Texas, hereinafter called GRANTEE, its successors and assigns, for the use and benefit of the public, and easement and right-of-way appurtenant to Rick Husband Amarillo International Airport for the unobstructed passage of all aircraft, "aircraft" being defined for the purpose of this instrument as any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, by whomsoever owned or operated, in the airspace above GRANTOR'S above-described property; together with the right to cause in all airspace such noise, vibration, fumes, dust, fuel particulates and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at, on, over the above described property; and GRANTOR, his successors, executors, heirs or assigns, does hereby fully waive, remise and release any right, cause of action, and damage which it may now have or which it may have in the future against GRANTEE, its successors and assigns, due to such noise, vibrations, fumes, dust, fuel particulates and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating near or on Rick Husband Amarillo International Airport or over the described property.

GRANTOR, for itself, its successors and assigns, does hereby covenant and agree that it will not hereafter erect, or permit the erection or growth of, any structure, tree or other object on the above described property to any height in excess of 4,750 feet above mean sea level. GRANTOR does hereby GRANT and CONVEY to GRANTEE a continuing right of ingress and egress via passage easement on and across the above-described property for the purpose of taking any action necessary to remove any structure, tree or other object in the airspace to any elevation greater than 4,750 feet above mean sea level.

TO HAVE AND TO HOLD said aviation clear zone easement, passage easement, and rights-of-way, and all rights appertaining thereto unto the GRANTEE, its successors and assigns, until Rick Husband Amarillo International Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and that these covenants and agreements shall run with the land, and that for the purposes of this

instrument, this easement shall be considered the dominant estate on the above-referenced property.

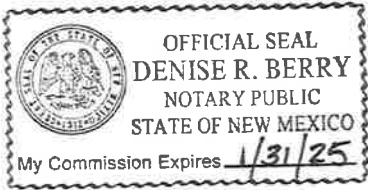
IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 20<sup>th</sup> day of December, 2021.

GRANTOR

*Steve Usherwood*  
Steve Usherwood

THE STATE OF New Mexico §  
COUNTY OF Eddy §

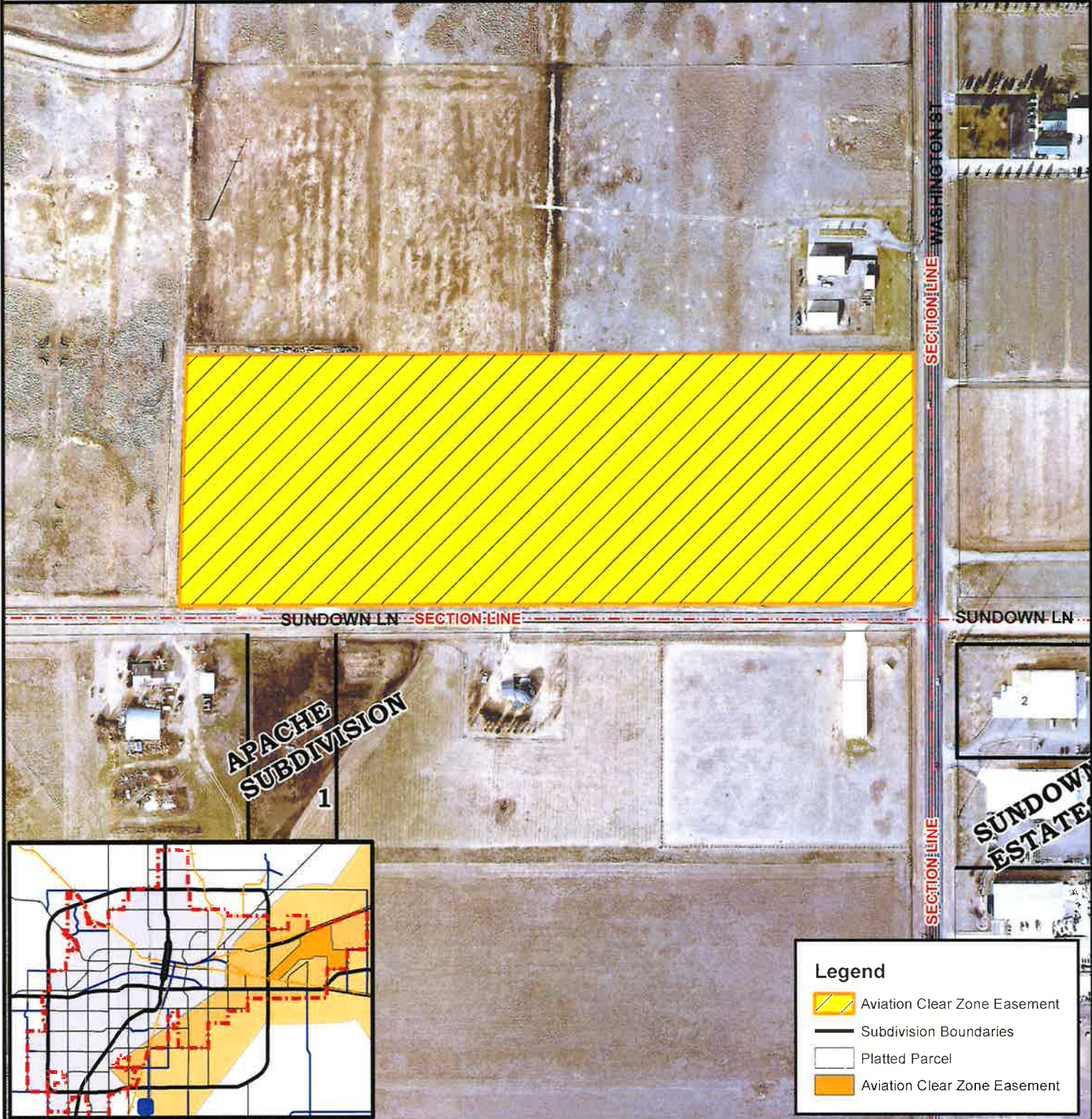
This instrument was acknowledged before me on this the 20<sup>th</sup> day of December, 2021, by Steve Usherwood.



*Denise R. Berry*

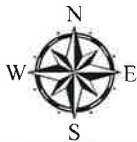


# AVIATION CLEAR ZONE EASEMENT



## CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 300 feet  
Date: 12/1/2021  
Case No: ACZ-21-22



Aviation Clear Zone Easement being 4,750 feet above mean sea level above the plat of Usherwood Acres Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 181, Block 2, A.B.&M. Survey, Randall County, Texas,

Vicinity: Washington and Sundance Ln.  
Applicant: Steve Usherwood

AP: M-18

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



# Amarillo City Council

## Agenda Transmittal Memo



|              |                                   |                  |                |
|--------------|-----------------------------------|------------------|----------------|
| Meeting Date | April 12, 2022                    | Council Priority | Consent Agenda |
| Department   | Planning and Development Services |                  |                |
| Contact      | Brady Kendrick – Planner II       |                  |                |

Agenda Caption

CONSIDER APPROVAL – AVIATION CLEAR ZONE EASEMENT

Consideration of an Aviation Clear Zone Easement being 4,450 feet above mean sea level above the plat of Burnett Acres Unit No. 2, a suburban subdivision to the City of Amarillo, being a unplatted tract of land, in Section 174, Block 2, A.B.&M. Survey, Randall County, Texas.  
VICINITY: 58th St. and Tradewinds St.  
APPLICANT/S: Mark Scaggs

Agenda Item Summary

The above referenced Aviation Clear Zone (ACZ) Easement is being requested by the City of Amarillo and is associated with the plat Burnett Acres Unit No. 2.

To ensure safety of operation and protection of air traffic operating into and out of the airport, future physical development around the airport needs to be regulated. In 1981, the Texas Legislature enacted the Airport Zoning Act, cited as Chapter 241 of the Local Government Code, which authorized cities in the state to establish and administer regulations pertaining to the height of structures and compatible land uses in the vicinity of the airport. One of the tools established in the Amarillo Code of Ordinances that allows the City of Amarillo to regulate this type of development is the Airport Height Hazard and Zoning Regulations (Chapter 4-9) which establishes minimum requirements to control the height and use of structures that may develop in the vicinity of the airport.

The ACZ Easement document is established during the platting of a tract of land to set the height regulations for noting on the associated plat, and the legal document is signed by the owner/developer of the tract. The placement of the note on the plat ensures that the height regulation is easily found by any future owner of the tract of land. Each ACZ Easement has an associated height regulation that is determined by the tract’s proximity and location around the airport. For example, areas at the end of the runway will likely have a lower height regulation that ones at the same distance that are located adjacent to the length of the runway. The reason for this is because aircraft taking off or landing will need to be at a lower altitude during its approach or departure portion of the traffic pattern for the each associated runway.

This ACZ Easement is establishing a height regulation of 4,450 feet above mean sea level for the plat of Burnett Acres Unit No. 2.

Requested Action

Planning Staff have reviewed the associated Aviation Clear Zone Easement and the item is ready for City Council Consideration as a consent agenda item.

Funding Summary

The Easement is being granted to the City at no cost.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this Aviation Clear Zone Easement.

AVIATION CLEAR ZONE EASEMENT

THE STATE OF TEXAS       §  
                                          §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF RANDALL       §

WHEREAS, Mark Scaggs, hereinafter called "GRANTOR," whether one or more, individual or corporate, partnership or association, is the owner in fee of that certain parcel or parcels of land being described as follows:

Aviation Clear Zone Easement being 4.450 feet above mean sea level above the plat of Burnett Acres Unit No. 2, a suburban subdivision to the City of Amarillo, being a unplatted tract of land, in Section 174, Block 2, A.B.&M. Survey, Randall County, Texas.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR does for himself, his successors and assigns, GRANT, BARGAIN, SELL AND CONVEY unto the City of Amarillo, Texas, hereinafter called GRANTEE, its successors and assigns, for the use and benefit of the public, and easement and right-of-way appurtenant to Rick Husband Amarillo International Airport for the unobstructed passage of all aircraft, "aircraft" being defined for the purpose of this instrument as any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, by whomsoever owned or operated, in the airspace above GRANTOR'S above-described property; together with the right to cause in all airspace such noise, vibration, fumes, dust, fuel particulates and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at, on, over the above described property; and GRANTOR, his successors, executors, heirs or assigns, does hereby fully waive, remise and release any right, cause of action, and damage which it may now have or which it may have in the future against GRANTEE, its successors and assigns, due to such noise, vibrations, fumes, dust, fuel particulates and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating near or on Rick Husband Amarillo International Airport or over the described property.

GRANTOR, for itself, its successors and assigns, does hereby covenant and agree that it will not hereafter erect, or permit the erection or growth of, any structure, tree or other object on the above described property to any height in excess of 4,450 feet above mean sea level. GRANTOR does hereby GRANT and CONVEY to GRANTEE a continuing right of ingress and egress via passage easement on and across the above-described property for the purpose of taking any action necessary to remove any structure, tree, or other object in the airspace to any elevation greater than 4,450 feet above mean sea level.

TO HAVE AND TO HOLD said aviation clear zone easement, passage easement, and rights-of-way, and all rights appertaining thereto unto the GRANTEE, its successors and assigns, until Rick Husband Amarillo International Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and that these covenants and agreements shall run with the land, and that for the purposes of this

instrument, this easement shall be considered the dominant estate on the above-referenced property.

IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 22<sup>nd</sup> day of February, 2022.

GRANTOR

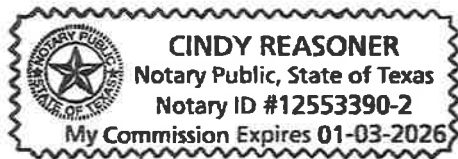


Mark Scaggs

THE STATE OF Texas §

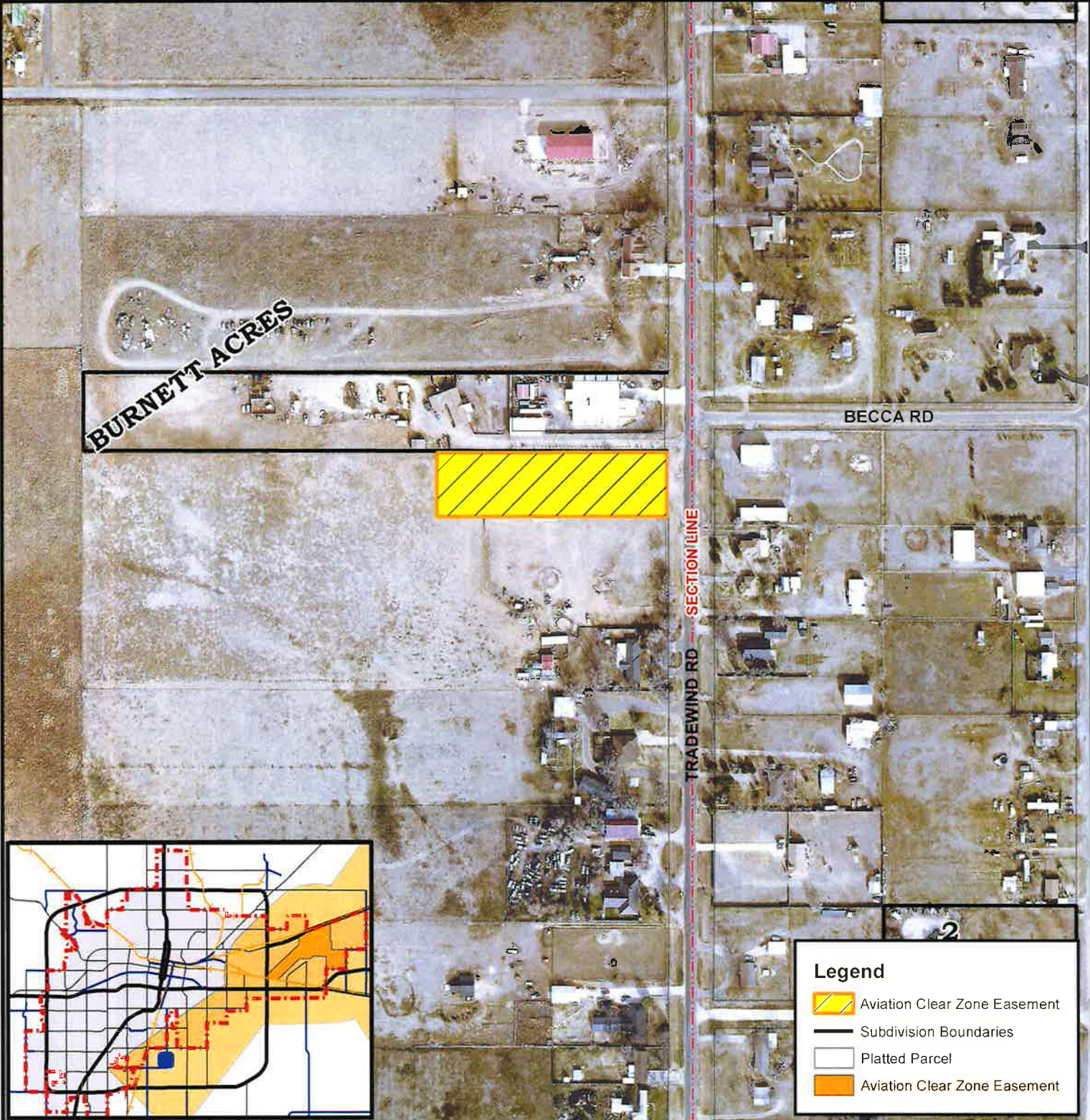
COUNTY OF Randall §

This instrument was acknowledged before me on this the 22<sup>nd</sup> day of February, 2022, by Mark Scaggs.





# AVIATION CLEAR ZONE EASEMENT



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

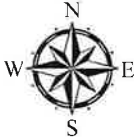
Aviation Clear Zone Easement being 4,450 feet above mean sea level above the plat of Burnett Acres Unit No. 2, a suburban subdivision to the City of Amarillo, being a unplatted tract of land, in Section 174, Block 2, A.B.&M. Survey, Randall County, Texas

Vicinity: 58th St. & Tradewind Rd.

Applicant: Mark Scaggs

AP: N-16

Scale: 1 inch = 300 feet  
Date: 1/27/2022  
Case No: ACZ-22-04



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



# Amarillo City Council

## Agenda Transmittal Memo



|              |                |                  |                                                              |
|--------------|----------------|------------------|--------------------------------------------------------------|
| Meeting Date | April 12, 2022 | Council Priority | Economic Development/<br>Redevelopment (Consent Agenda Item) |
| Department   | Planning       | Contact Person   | Cody Balzen, Economic Development<br>Specialist              |

### Agenda Caption

CONSIDER APPROVAL – East Gateway Tax Increment Reinvestment Zone #2 Developer Agreement for ATC Realty Investments, LLC:

This item approves a Tax Increment Reinvestment Zone (TIRZ) #2 Developer Agreement for the ATC Realty Investments, LLC Premier Truck Group of Amarillo project to be located at 7580 East Interstate 40. The agreement is for a 50% annual property tax rebate for ten years. The rebate is contingent upon receiving a certificate of occupancy within eighteen months after building permit issuance.

### Agenda Item Summary

On March 31<sup>st</sup>, the Board of Directors of the East Gateway Tax Increment Reinvestment Zone (TIRZ) #2 considered a request for TIRZ incentives associated with 7580 E IH40, a commercial development project. This project is for a Premier Truck Group of Amarillo truck sales and service center. The site will consist of an approximate 115,500 square foot facility to be located on 17.98 acres.

With an expected construction cost of \$25,039,871, this new center is projected to provide approximately 20 new employment positions, retention of the 108 existing jobs, as well as increased ad valorem tax collections for the zone, all of which further objectives of the TIRZ #2 Project and Financing Plan. Project site has already been acquired at \$2,348,499 and existing structures have been demolished. Construction is estimated to start by May and expected to take 12 to 14 months to complete.

The project will be 2-stories, approximately 36 feet in height to the tallest elements and constructed with a combination of concrete tilt-wall, glass curtainwall, and pre-engineered metal building systems. The interior of the facility will house twenty private offices, along with forty-plus front of house support staff for retail parts sales, parts distribution, commercial vehicle sales and lease, service write-up, and facility administration. Further the facility will house two service write-up lanes capable of assessing up to four vehicles at a time for maximum efficiency, one express oil and lube bay capable of servicing two vehicles at a time, thirty-one major repair bays, seven body-shop bays, along with taping and painting operations. These operations will be manned in multiple shifts by up to eighty-four trained technicians.

The Tax Reimbursement Developer Agreement stipulates a 50% reimbursement of annual increment generated by the project’s ad valorem tax revenue above base year 2022, for ten years. The agreement is subject to receiving a Certificate of Occupancy within eighteen months after building permit issuance.

### Requested Action

Approve as presented. This item was approved unanimously by the TIRZ #2 Board during their March 31, 2022 meeting. It also will have been presented to the Potter County Commissioners for comment on April 11, 2022.

### Funding Summary

Funding for this incentive is provided through the TIRZ #2 revenues. Being a reimbursement, the property owner must pay their annual taxes before receiving a reimbursement in June of the following year. Rebates would not begin until the project is completed and fully on the tax rolls for two years.

### Community Engagement Summary

Public TIRZ Board meeting held on March 31, 2022.

### Staff Recommendation

Staff recommends approval as presented.

**DEVELOPER AGREEMENT  
TAX INCREMENT REINVESTMENT ZONE NO. 2,  
CITY OF AMARILLO, TEXAS**

This DEVELOPER AGREEMENT ("Agreement") is entered into by and between the **TAX INCREMENT REINVESTMENT ZONE NUMBER TWO, CITY OF AMARILLO, TEXAS** (the "Zone"), by and through its administrative board appointed in accordance with Chapter 311 of the Texas Tax Code (the "Act") to oversee the administration of the Zone, a reinvestment zone designated by ordinance of the City of Amarillo, Texas ("City") in accordance with the Act, and ATC Realty Investments, LLC (Developer).

The Zone and Developer hereby agree that the following statements are true and correct and constitute the basis upon which the Zone and Developer have entered into this Agreement:

WHEREAS, on November 8, 2016, the City Council approved Ordinance No. 7627 establishing East Gateway Tax Increment Reinvestment Zone Number Two, City of Amarillo, Texas, (the "Zone") in accordance with the Tax Increment Financing Act, as amended (V.T.C.A., Tax Code, Chapter 311) to promote development and redevelopment in the area through the use of tax increment financing;

WHEREAS, on December 12, 2017, pursuant to Ordinance No. 7698, the CITY approved Tax Increment Financing Reinvestment Zone Number Two, City of Amarillo, Texas, Project and Financing Plan (the "Plan") and certain amendments to Ordinance No. 7627;

WHEREAS, pursuant to the Plan, certain tax revenues will flow into a fund to be administered by the Zone, known as the Tax Increment Fund (TIF); also, the Zone may receive other gifts, grants or other revenue to be accounted for separately from the TIF but used only for duly approved authorized purposes of the Zone;

WHEREAS, pursuant to Section 311.010 of the Act and the provisions of City Ordinance No. 7698, as amended, City has delegated to the Zone the powers necessary for the implementation of the Plan, which includes the power to enter into agreements for the construction of both private and public improvements that accomplish or enhance one of these ten goals: 1) Development of new retail and entertainment venues contributing additional property and sales tax revenue 2) Relocation and expansion of the Big Texan Steakhouse resulting in increased customer attraction contributing additional property and sales tax revenue 3) Redevelopment of the existing Big Texan Steakhouse resulting in the retention of customers and continuing to contribute property and sales tax revenues 4) RV Park contributing additional property and sales tax revenue 5) Retail outlets contributing additional property and sales tax revenue 6) Entertainment venues contributing additional property and sales tax revenue 7) Auto and truck service outlets contributing additional property and sales tax revenue 8) Full-service hotel contributing additional property and HOT tax revenue 9) Limited-service hotels contributing additional property and HOT tax revenue 10) Development of new recreation and athletic facilities;

WHEREAS, the Zone and City recognize the importance of its continued role in local economic development, including incentives under Chapter 380, Texas Local Government Code;

WHEREAS, Developer owns or controls certain property located within the Zone and has requested reimbursement for constructing certain improvements pursuant to the Plan; and,

WHEREAS, Developer's proposed project was approved for TIRZ participation by the Amarillo City Council on \_\_\_\_\_;

NOW THEREFORE, in consideration of the mutual covenants and obligations herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**Section 1. Site**

Developer owns certain real property (the "Property"), which is within the city limits of Amarillo and the boundaries of the Zone. The Property is specifically described in Exhibit A.

**Section 2. Project & Financing**

The project involves development of a minimum 115,500 square foot building with a minimum \$25,000,000 investment on a site located at 7580 E. IH 40 (IH 40 Access Road between S Whitaker Rd and Loop 335) into a new facility for Premier Truck Group of Amarillo (the "Private Improvements"), which are more particularly described on Exhibit B.

Developer understands and agrees that the cost of the Private Improvements associated with the Project shall be funded by and through Developer's own capital or other financing means arranged and obtained by Developer. Further, the TIF payments made to Developer pursuant to

this Agreement are not intended to reimburse Developer for all of its costs incurred in connection with performing its obligations under this Agreement.

### **Section 3. TIF Participation: partial reimbursement of tax increment**

Subject to all limitations and conditions precedent contained in this Agreement and the attached exhibits, Zone agrees to provide: annual reimbursement to Developer of fifty percent (50%) reimbursement for ten years of the annual ad valorem tax increment from participating taxing entities that is generated by the Property's ad valorem tax revenue for a term not to exceed ten (10) years after the terms stated herein. The reimbursement is contingent upon: (i) a building permit issued within three months of City Council approval of developer agreement; (ii) certificate of occupancy received within eighteen months of building permit issuance. The City Manager or designee is authorized to grant an extension of up to 120 days for performance of this Developer Obligation for good cause as reasonably determined by that official. If the Developer is unreasonably delayed by the City or any other governmental entity or agency, as determined by a qualified mediator mutually selected by the parties, in obtaining the building permit, the certificate of occupancy, or any other permit or license, the time period applicable to such requirement shall be extended for a period of time equal to the period Developer was delayed.

Reimbursements will start on the second fully valued tax year following project completion. The term "tax increment" means the difference in tax revenue on the Property between the year in which City approved this Agreement and January 1 of each subsequent tax year during the term of this Agreement.

Unless explicitly provided differently in an exhibit attached hereto, all grants, loans, reimbursements and any other financial payment to Developer under this Agreement shall be made in annual installments in June of each year, provided all information demonstrating current taxes have been paid on the Property and that any other prerequisites stated in this Agreement have been satisfied.

During each fiscal year for the term of this Agreement, payment of the annual installment to Developer shall have priority for reimbursement over all other Zone expenditures subject only to (i) preexisting debt service and (ii) any pre-existing annual expenditures required to be made pursuant to other Developer Agreements prior in time to this Agreement.

Zone also reserves the right, when payments come into the Tax Increment Fund, to prepay all or any portion of the total amount to be reimbursed under this Agreement at any given time. If City in its sole discretion issues Tax Increment Funds Bonds to pay for previous and future projects, Zone may fully reimburse Developer from bond proceeds received, the existing unpaid balance plus accrued interest under this Agreement, and under any other outstanding developer agreements within the Zone.

### **Section 4. Reimbursement Limited to TIF Fund**

Developer understands and agrees that any and all payments, obligations, grants, loans, reimbursements and any other form of financial obligation imposed on the Zone by this Agreement ("Reimbursement") shall be made solely from then-currently available revenues in the TIF Fund and subject to pre-existing commitments and all other terms of this Agreement and applicable laws. In the event that there is not sufficient revenue in the TIF Fund to timely pay Developer any part of the Reimbursement, the Zone will pay Developer such portion of the Reimbursement that may be available at the time. The balance of any due but unpaid Reimbursement shall be carried forward without interest and paid by the Zone in the first year in which there is sufficient revenue in the TIF to pay such balance. Developer agrees that it will not look to other funds of the Zone, bonds or funds of the City, or any property of the Zone or City for all or any portion of the Reimbursement. Upon termination of the Zone on November 8, 2046, as provided by Ordinance No. 7627 or such other date as may be specified in a subsequent ordinance adopted in accordance with Section 311.017 of the Act, any portion of the Reimbursement that has not been paid due to the unavailability of revenue in the TIF Fund or due to Developer's failure to meet any precondition under this Agreement for receipt of the Reimbursement shall no longer be considered Project Costs of the Zone, and any obligation of the Zone to pay Developer any remaining balance of the Reimbursement shall automatically expire.

### **Section 5. Term**

The term of this Agreement shall begin upon the effective date and end upon the earlier of: (a) the complete performance of all obligations and conditions precedent by parties to this Agreement; (b) expiration of ten years after commencement of reimbursements and after ten annual reimbursements are paid to the Developer; or (c) the expiration of the term of the Zone.

### **Section 6. Exhibits**

The parties agree that each and every exhibit that is mentioned in and attached to this Agreement is a material part of this Agreement and each such exhibit is by this reference, incorporated into this agreement for all purposes as thought set forth verbatim here.

### **Section 7. Force Majeure**

It is expressly understood and agreed by the parties that if the performance of any obligation hereunder is delayed by reason of war, civil commotion, acts of God, inclement weather, governmental restrictions, regulations, or interferences, delays caused by the franchise utilities (SPS/Xcel Electric, Southwestern Bell Telephone, Atmos Gas, Suddenlink Cable or their Contractors or other utilities or their contractors), fire or other casualty, court injunction, necessary condemnation proceedings, acts of the other party, its affiliates/related entities and/or their contractors, or any actions or inactions of third parties or other circumstances which are reasonably beyond the control of the party obligated or permitted under the terms of this Agreement to do or perform the same, regardless of whether any such circumstance is similar to any of those enumerated or not, the party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such design or construction requirement shall be extended for a period of time equal to the period such party was delayed.

#### **Section 8. Indemnity**

DEVELOPER AGREES TO DEFEND, INDEMNIFY AND HOLD THE ZONE, THE BOARD, THE CITY AND THEIR RESPECTIVE OFFICERS, AGENTS AND EMPLOYEES, ASSIGNS AND SUCCESSIONS, HARMLESS AGAINST ANY AND ALL CLAIMS, DEMANDS, LAWSUITS, JUDGMENTS, COSTS AND EXPENSES, INTEREST, AND ATTORNEY FEES FOR PERSONAL INJURY (INCLUDING DEATH), PROPERTY DAMAGE (INCLUDING LOSS) OR OTHER HARM FOR WHICH RECOVERY OF DAMAGES IS SOUGHT THAT MAY ARISE OUT OF OR BE OCCASIONED BY DEVELOPER'S BREACH OF ANY OF THE TERMS OR PROVISIONS OF THIS AGREEMENT, OR BY ANY NEGLIGENT ACT OR OMISSION OF DEVELOPER, ITS OFFICERS, AGENTS, ASSOCIATES, EMPLOYEES, CONTRACTORS OR SUBCONTRACTORS IN THE PERFORMANCE OF THIS AGREEMENT; EXCEPT THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE SOLE NEGLIGENCE OF THE ZONE, BOARD OR CITY OR THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES OR CONTRACTORS, AND IN THE EVENT OF JOINT AND CONCURRENT NEGLIGENCE OF BOTH DEVELOPER AND ZONE, RESPONSIBILITY, IF ANY, SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS. HOWEVER, NOTHING IN THIS SECTION WAIVES ANY IMMUNITY OR OTHER DEFENSE AVAILABLE TO THE ZONE, BOARD OR CITY UNDER TEXAS OR FEDERAL LAW.

#### **Section 9. M/WBE Goals**

In satisfaction of the Zone's obligations under Section 311.0101 of the Act, Developer shall make a good faith effort to comply with City's policy regarding participation of business enterprises eligible as small, minority, or women-owned business enterprises in subcontracting any of the construction performed on the Project. Upon Developer's request, City shall provide Developer with access to the list of companies that qualify as such a business enterprise. Developer shall: (i) maintain records showing its contracts, supply agreements, and service agreements with such Business Enterprises, as well as its efforts to identify and award contracts to such Business Enterprises; and, (ii) provide a report to the Zone annually during construction, in a manner reasonably prescribed by the Board, documenting its efforts to comply with this paragraph.

#### **Section 10. Events of Default & Remedies**

A default shall exist if either party fails to perform or observe any material covenant contained in this Agreement, including exhibits, which is not otherwise excused under the terms of this Agreement. The non-defaulting party shall immediately notify the defaulting party in writing upon becoming aware of any change in the existence of any condition or event that would constitute a default or, with the giving of notice or passage of time, or both, would constitute a default under this Agreement. Such notice shall specify the nature and the period of existence thereof and what action, if any, the non-defaulting party requires or proposes to require with respect to curing the default.

If a default shall occur and continue, after thirty (30) day's notice to cure default, the non-defaulting party may, at its option, pursue any and all remedies it may be entitled to, at law or in equity, in accordance with Texas law, without the necessity of further notice to or demand upon the defaulting party. The Zone shall not, however, pursue remedies for as long as Developer proceeds in good faith and with due diligence to remedy and correct the default, provided that Developer has commenced to cure such default within the 30 days following notice.

#### **Section 11. Venue and Governing Law**

This Agreement is performable in Potter County, Texas and venue of any action arising out of this Agreement shall be exclusively in Potter County. This Agreement shall be governed and construed in accordance with the Charter, ordinances, and resolutions of the City of Amarillo, applicable federal and state laws, the violation of which shall constitute a default of this Agreement. To the extent permitted by law, the law of the state of Texas shall apply without regard to applicable principles of conflicts of law, and the parties submit to the jurisdiction of the state and federal courts in Amarillo, Potter County, Texas.

## **Section 12. Notices**

Any notice required by this Agreement shall be deemed to be properly served if deposited in the U.S. mail by certified letter, return receipt requested, addressed to the recipient at the recipient's address shown below, subject to the right of either party to designate a different address by notice given in the manner just described.

### **If intended for Zone, to:**

Tax Increment Reinvestment Zone No. 2  
c/o City of Amarillo Planning and Development  
Services Department  
808 S. Buchanan  
Amarillo TX 79101  
Fax: 806/378-9388

### **If intended for Developer, to:**

ATC Realty Investments, LLC  
ATTN: John Pruitt, CFO  
4200 Port Boulevard  
Dallas, TX 75241

### **Copy to:**

Office of the City Attorney  
601 S. Buchanan, Ste. 207  
Amarillo, Texas 79101  
Fax: 806/378-3018

### **Copy to:**

Same as Developer

## **Section 12. Severability**

In case any one or more of the provisions of this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect by a court or agency of competent jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other remaining provisions hereof and this Agreement shall remain in full force and effect and be construed as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

## **Section 13. Counterparts & Signatures**

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument. This agreement may be executed in multiple originals. This agreement may be executed by facsimile signatures which shall be deemed originals and equally admissible as originals.

## **Section 14. Captions**

The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

## **Section 15. Successors and Assigns**

The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto. Provided, however, Developer shall not assign this Agreement without prior Zone approval, which approval shall not be unreasonably withheld. Notwithstanding the foregoing, written approval of the Zone shall not be required for an assignment to an Affiliate of Developer. "Affiliate of Developer" as used herein, includes any parent, sister, partner, joint venturer, or subsidiary entity of Developer; any entity in which Developer is a major shareholder, owns an equity interest, or is a joint venturer or partner (whether general or limited), or to the Developer's financial institution.

## **Section 16. Limited Rights and Non-waiver**

This agreement is intended only to establish the rights and obligations as between the Parties hereto and it creates no right, expectation, benefit or obligation for or toward any other person or entity. Nothing stated or omitted from this Agreement shall be construed as a waiver of any defense, affirmative defense, or immunity available to the Zone or the City and their respective officials, directors, members, employees, agents, assigns, successors.

## **Section 17. Entire Agreement**

This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements between the parties and relating to matters in this Agreement, and except as otherwise provided herein cannot be modified without written agreement of the parties to be attached to and made a part of this Agreement.

EXECUTED as of the dates shown below so as to be effective for all purposes as of the last date upon which all persons and parties for whom a blank is provided have signed (the "effective date").

TAX INCREMENT REINVESTMENT  
ZONE NUMBER TWO, CITY OF  
AMARILLO, TEXAS

ATC Realty Investments, LLC

By: \_\_\_\_\_ Date \_\_\_\_\_  
John Attebury  
Board Chair

By: \_\_\_\_\_ Date \_\_\_\_\_  
John Pruitt  
Chief Financial Officer

CITY OF AMARILO, TEXAS

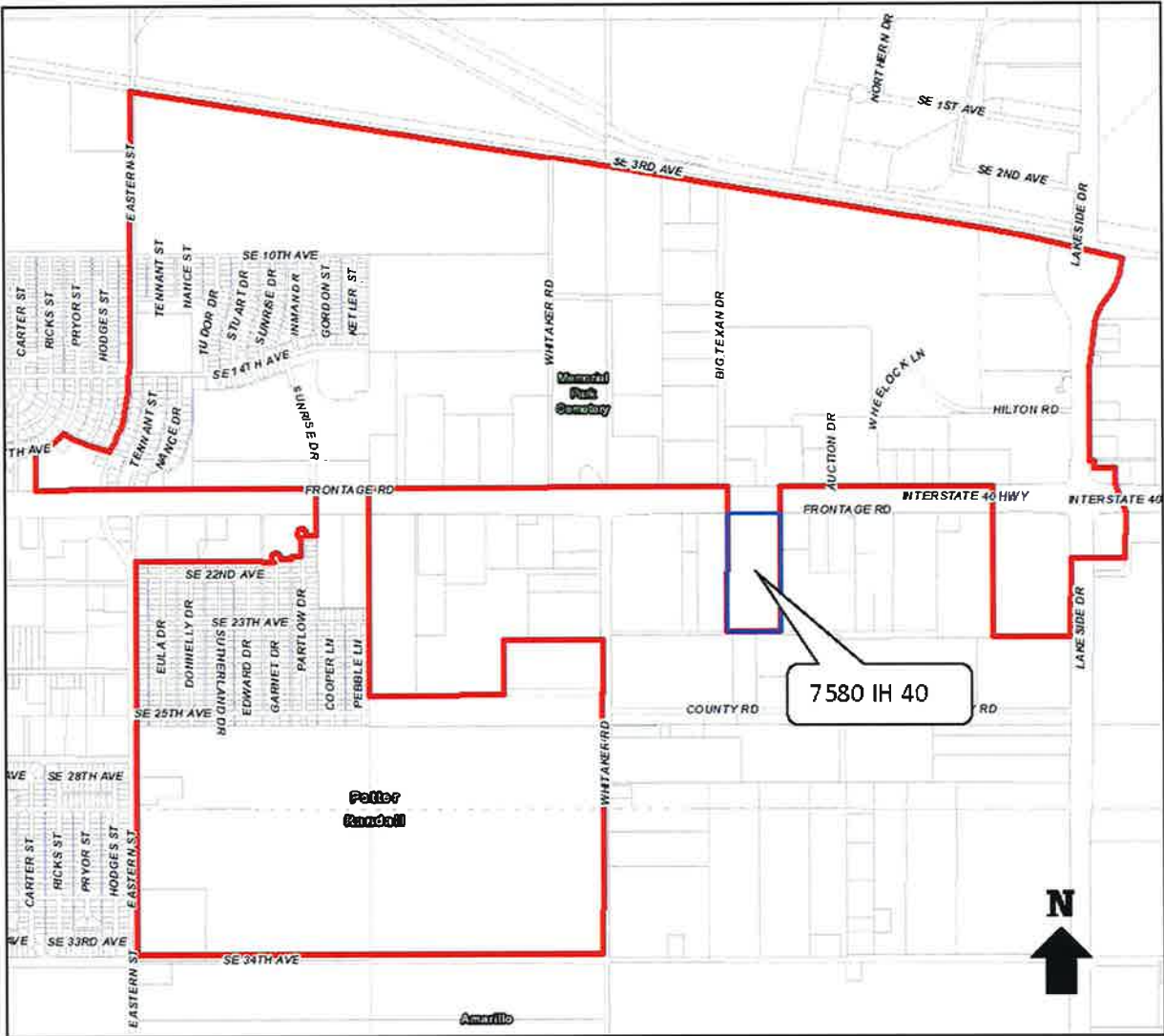
APPROVED AS TO FORM FOR CITY & ZONE

By: \_\_\_\_\_ Date \_\_\_\_\_  
Jared Miller  
City Manager

By: \_\_\_\_\_ Date \_\_\_\_\_  
Bryan McWilliams  
City Attorney

Attachments that are part of this Agreement:  
Exhibit A Site description & map  
Exhibit B Private Property Improvement

**EXHIBIT A**  
**MAP OF TIRZ #2 BOUNDARY AND SITE LOCATION**



**SITE LEGAL DESCRIPTION**

**7580 Interstate 40 and legally described as:**

|                 |                                    |
|-----------------|------------------------------------|
| <b>LOT</b>      | 1A                                 |
| <b>BLOCK</b>    | 1                                  |
| <b>ADDITION</b> | IH-40 East Industrial Park Unit #9 |
| <b>CITY</b>     | Amarillo, Texas                    |
| <b>COUNTY</b>   | Potter County, Texas               |

**EXHIBIT B**  
**PRIVATE PROPERTY IMPROVEMENT**

**SECTION 1. IMPROVEMENTS TO BE CONSTRUCTED**

Developer promises to redevelop the lot, resulting in the following improvements to the Property described in Exhibit A:

|                    |                                            |
|--------------------|--------------------------------------------|
| Business/Land Use  | Minimum 115,500 square foot Truck Facility |
| Other improvements | Site, and public right-of-way improvements |

**SECTION 2. FINANCIAL ANALYSIS**

Analysis indicates the financial feasibility of the Project is negatively affected due to the scope of the Project and additional infrastructure requirements of the site. The proposed assistance will encourage and support the Project, which is consistent with the goals of the Zone. Making grants and loans from the TIF of the Zone will serve those ends.

In order to make Developer's planned development financially feasible, Developer has requested that the Zone reimburse Developer for certain actual costs incurred for financial assistance per §311.010 of the Texas Tax Code and chapter 380 of the Texas Local Government Code.

**SECTION 3. DEVELOPER'S OBLIGATIONS**

Subject to the terms and provisions of the Agreement, as conditions precedent to the Zone making any payment from the TIF to Developer, the Developer must:

- Secure not less than \$25,000,000 in private investment for the Project on the Property.
- Comply with all terms, conditions, and obligations of this Exhibit B and the Agreement to which it is attached.
- Obtain an issued building permit for the building within three months after City Council approval of developer agreement amendment
- Obtain a Certificate of Occupancy for the building within eighteen months after building permit issuance.
- Anticipate the first reimbursement no earlier than June 1, 2025 based on 2024 property tax statements depending on project completion date. There will be no reimbursement until a Certificate of Occupancy is issued, all taxes on the Property are paid to current, and all other conditions of this exhibit and the Agreement are satisfied.

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# Amarillo City Council

## Agenda Transmittal Memo



A

|              |                               |                  |                            |
|--------------|-------------------------------|------------------|----------------------------|
| Meeting Date | April 12, 2022                | Council Priority | Public Safety; Civic Pride |
| Department   | Community Development         |                  |                            |
| Contact      | Jason Riddlespurger, Director |                  |                            |

**Agenda Caption**  
CONDUCT A PUBLIC HEARING AND CONSIDER A RESOLUTION TO APPROVE THE 2022 ERA2 Housing Stability Services (HSS) Program award.

Texas Department of Housing and Community Affairs (TDHCA) awarded Community Development \$1,274,112 in HSS funding to provide Housing Stability Services to those who have recently or are currently experiencing homelessness. This award will allow Community Development to expand the capacity of the Coming Home program. Coming Home is actively providing supportive services to 130 housed households along with many clients currently experiencing homelessness.

**Agenda Item Summary**  
TDHCA’s ERA2 HSS Program award will allow Community Development to expand the capacity of our Coming Home program. Coming Home is actively providing supportive services to 130 housed households along with many clients currently experiencing homelessness. Presently, the team is unable to adequately serve additional households.

As current PIT numbers reflect, rates of homelessness still exist at high levels in Amarillo. To expand our ability to offer supportive services to clients who enter housing, Coming Home is in need of these funds to support added staff positions.

This award is a 2-year, nonrenewable grant, so the positions funded by the grant will only be guaranteed funding through the end of the grant cycle.

The commitment letter and the contract benchmarks are attached for review.

**Requested Action**  
\*Approval of the resolution to approve the ERA2 Housing Stability Services Program Award to Community Development in the amount of \$1,274,122.

**Funding Summary**  
**Housing Stability Services Funding, \$1,274,112**

- Outreach: \$140,181  
This will fund the salary of 1 Outreach Case Manager over the course of 2 years. This role will assist at least 50 clients each year.
- Housing Services: \$280,361  
This will fund the salaries of 2 Housing Navigator positions over the course of 2 years. These individuals will provide case management services to individuals seeking housing.
- Social Services for Housing Stability: \$726,159  
This will fund 3 Case Manager and 2 Peer Support positions over the course of 2 years. These individuals will provide supportive services to housed clients to ensure successful and sustained housing for clients.
- Federal Indirect Cost Rate (10% cap): \$127,411  
This award limits administrative costs to 10% of the grant.

**Community Engagement Summary**  
TDHCA engaged service providers in December to announce the ERA2 HSS Program NOFA. Community Development participated in the webinars hosted by TDHCA in December and applied to be considered for funding.

**Staff Recommendation**  
Staff recommends approval of the resolution adopting the ERA2 HSS Program award, authorizing the appointment of new staff to provide supportive services to an expanded client base.

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**  
**Section 3201(a) of the American Rescue Plan Act of 2021**  
**(Pub. L. No. 117-2; March 11, 2021)**  
**Emergency Rental Assistance Round 2 (ERA-2) Program**  
**Housing Stability Services and Other Financial Assistance**

**CONTRACT NO. 20220000014**  
**WITH**  
**City of Amarillo, Community Development Department, (Coming Home Program)**  
**a political subdivision of the State of Texas**

**EXHIBIT A**  
**CONTRACT BENCHMARKS**

CONTRACT BENCHMARKS<sup>1</sup> AS REFLECTED THROUGH THE MONTHLY EXPENDITURE AND PERFORMANCE REPORT:

- A. Expenditure Benchmarks by Budget:
  - 1. Expended by October 15, 2022, Reporting: 25%
  - 2. Expended by April 15, 2023, Reporting: 50%
  - 3. Expended by October 15, 2023, Reporting: 75%
  - 4. Expended by April 15, 2024, Reporting: 100%
  - 5. Expended administrative funds by May 15, 2024, Close-Out Report: 100%
- B. Performance Benchmarks by Unduplicated Households Services (cumulative):
  - 1. Unduplicated households served by October 15, 2022, Reporting: 45
  - 2. Unduplicated households served by April 15, 2023, Reporting: 90
  - 3. Unduplicated households served by October 15, 2023, Reporting: 135
  - 4. Unduplicated households served by April 15, 2024, Reporting: 180
- C. Contract Reporting Benchmarks:
  - 1. Monthly performance report by May 15, 2022, for April 1 – 30, 2022.
  - 2. Monthly performance reports by 15<sup>th</sup> of each subsequent month.
  - 3. Final monthly performance report provided by April 15, 2024.
  - 4. Close-Out report by May 15, 2024.
  - 5. Inventory report by May 15, 2022.

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<sup>1</sup> The Department may recapture the unexpended funding up to the expenditure benchmark funding, as further detailed in Section 4 D. of this Contract.

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
Section 3201(a) of the American Rescue Plan Act of 2021  
(Pub. L. No. 117-2; March 11, 2021)  
Emergency Rental Assistance Round 2 (ERA-2) Program  
Housing Stability Services and Other Financial Assistance**

**CONTRACT NO. 20220000014  
WITH  
City of Amarillo, Community Development Department, (Coming Home Program)  
a political subdivision of the State of Texas**

**EXHIBIT B  
PERFORMANCE STATEMENT AND BENCHMARKS**

CONTRACT TERM: 03/31/2022 – 03/31/2024

SERVICE AREA: City of Amarillo

ACTIVITIES DESCRIPTION: \*\*List any eligible major activities funded wholly or partially through the ERA HSS program below. 'Major activities' should include any activity funded by ERA HSS that your organization considers to be administratively distinct from other activities provided by your organization. Do not include activities for which ERA HSS funds shall not be used. Estimates should be through the entire contract period.\*\*

A. Estimated number of Eligible Households (clients) assisted through Outreach: 100

B. Estimated number of Eligible Households (clients) assisted through Housing Services: 80

C. Estimated number of Eligible Households (clients) assisted through Social Services for Housing Stability: 80

**Activities Performed:**

1. Street Outreach: Outreach services will include Engagement and Case Management. Engagement includes services to locate, identify and build relationship with unsheltered homeless individuals and then connect them to services for the purpose of providing immediate and necessary support. Case Management services will include provision of urgent and lifesaving needs (food, clothing), evaluation and assessment of client needs, agency and program referrals, assistance in securing coordinating services, transportation to appointments, family reunification, obtaining benefits, crisis intervention, client advocacy, monitoring client progress, and development of a housing and service plan. Outreach provides housing stability to clients by identifying and assisting clients as they prepare for their transition from homelessness to housed (development of a housing plan, securing IDs, connection to housing services, etc.)

2. **Housing Services:** Housing services provided by Housing Navigators include connecting clients to appropriate housing assistance programs and appropriate housing options, assistance with the completion of housing paperwork, assisting clients in the search for available housing, completion of paperwork for selected property, facilitating the communication between the client, landlord, and housing program staff, assistance when transitioning from one assistance program to another, annual renewal processes, etc. Housing Navigators provide housing stability to clients by supporting clients in their transition from homelessness, ensuring clients have access to appropriate housing and secure/complete all necessary documents to secure housing. Then, by ensuring housed clients receive assistance when transitioning from one program to another, when changes occur in the client's household, and/or through the annual renewal process, the client can maintain housing stability.
3. **Social Services for Housing Stability:** Case Managers and Peer Support Specialists will provide supportive services to housed clients. Supportive services provided by Case Managers include: client evaluation, assistance with IDs, obtaining benefits, establishing medical care, connection to substance use resources, establishing mental health care, transportation to appointments, access to educational and employment opportunities, service planning, goal setting, evaluation of client progress, etc. Supportive services provided by Peer Support Specialists include: encourage client choice during service planning and goal setting, access to and navigation of community resources (navigation of transit system, access to local food banks, establish bank accounts, etc.), encourage the development of social skills (resolving interpersonal conflicts, engaging in group activities, connection to group counseling and support groups, etc.), development of life skills (cleaning, scheduling appointments, etc.) and development of work and employability skills. All services are unique to the client and client need. These services work to provide sustained, long-term support to the client to ensure the client's ability to maintain housing is not in jeopardy. These services support the client as they move toward achieving goals and reaching self-sufficiency.

#### REPORTING:

Beginning May 15, 2022, and by the 15<sup>th</sup> of each following month, Subrecipient shall report:

A. Household Level Data:

Subrecipient must report the following Household-level data on a TDHCA's Monthly Performance Report spreadsheet and any other data further required by the Treasury:

1. A unique identifier for the Household that retains Household confidentiality, while linking the identifier to a specific Household file in the Subrecipient's records.
2. Zip code and county of Household or where Household was served.
3. Annual Household income.
4. Number of individuals in the Household.
5. AMI level of Household assisted.
6. Race of head of Household assisted.
7. Ethnicity of head of Household assisted.
8. Gender of head of Household assisted.
9. Payment amount if the Household received direct household payment assistance for rental deposits, application fees, pet fees, utility deposits, utility reconnection

fees, landlord incentive fees, risk fees, and/or short term payments for hotels/motels and other expenses as indicated by TDHCA and Treasury.

10. Whether Household has a Veteran member, an Older Adult (sixty-two (62) and over), Children under eighteen (18), or a Person with a Disability in the Household.
11. Number of meals served if meals were provided to residents in shelters, congregate living situations, or other situations where tracking individual meal service to Households is difficult

B. Aggregate-Level Performance Data: Subrecipient must report the following aggregate-level performance data in TDHCA's Housing Contract System Monthly Expenditure Report and any other data further required by the Treasury:

1. Number of Households served in the month by income level;
2. Number of Households served in the month by race, ethnicity, gender, and any other demographic data category as required by Treasury

C. Aggregate-Level Expenditure Data: Subrecipient must report the following aggregate-level expenditure data in TDHCA's Housing Contract System Monthly Expenditure Report and any other data further required by the Treasury:

1. Total Administrative funds expended;
2. Total Other Financial Assistance (i.e. Direct Household Payment) funds expended for rental deposits, application fees, pet fees, utility deposits, utility reconnection fees, landlord incentive fees, risk fees, and/or short term payments for hotels/motels and other expenses as indicated by TDHCA reporting guidance; and,
3. Total Housing Stability Services Program funds expended for all other services.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
Section 3201(a) of the American Rescue Plan Act of 2021  
(Pub. L. No. 117-2; March 11, 2021)  
Emergency Rental Assistance Round 2 (ERA-2) Program  
Housing Stability Services and Other Financial Assistance

CONTRACT NO. 20220000014  
WITH  
City of Amarillo, Community Development Department, (Coming Home Program)  
a political subdivision of the State of Texas

EXHIBIT C  
BUDGET<sup>2</sup> \*\*\*Please input budget information here according to major activities. Add  
lines to Housing Stability Services category as needed\*\*\*

| Line           | Categories                                                         | ERA-2 Contract Funds              |
|----------------|--------------------------------------------------------------------|-----------------------------------|
| 1.             | Housing Stability Services                                         |                                   |
| a.             | Outreach                                                           | \$140,181                         |
| b.             | Housing Services                                                   | \$280,361                         |
| c.             | Social Services for Housing Stability                              | *\$726,159                        |
|                |                                                                    | *Please note this change          |
| 2.             | Other Financial Assistance                                         |                                   |
| a.             | Security Deposits, Pet Deposits, and Application Fees              |                                   |
| b.             | Utility Deposits and Utility Reconnection Fees                     |                                   |
| c.             | Landlord Incentives and Risk Fees                                  |                                   |
| d.             | Short-Term Hotel/Motel Stays                                       |                                   |
|                |                                                                    |                                   |
| 3.             | General Administrative Costs (shall not exceed 10% of total award) | \$127,411 (Federal Indirect Cost) |
| Total Expended |                                                                    | \$1,274,112                       |

Federal Indirect Cost Rate: 10% (if applicable).

<sup>2</sup> Subrecipient may expend amounts not to exceed a ten percent (10%) increase or decrease among activities in Housing Stability Services and Other Financial Assistance and still be within the terms of this Contract. However, budgeted amounts cannot be moved between Housing Stability Services and Other Financial Assistance without a written Contract Amendment. Administration amounts cannot be moved between Housing Stability Services and Other Financial Assistance and cannot increase beyond the amounts reflected above. The total budget expended cannot surpass the total budget listed.

# Amarillo City Council

## Agenda Transmittal Memo



B

|              |                                                                  |                  |                                      |
|--------------|------------------------------------------------------------------|------------------|--------------------------------------|
| Meeting Date | April 12, 2022                                                   | Council Priority | Regular Agenda Item – Public Hearing |
| Department   | Planning and Development Services<br>Brady Kendrick – Planner II |                  |                                      |

### Agenda Caption

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7974

Public hearing and first reading to consider an ordinance rezoning of Lot 12, Block 3, Johnson and McCluskey Addition, an addition to the City of Amarillo, in Section 139, Bock 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Residential District 1 with Specific Use Permit 200 for the placement of a carport in the front yard setback.

VICINITY: Marrs St. and SE 19<sup>th</sup> Ave.

APPLICANT/S: Charles Lynch for Grace Montoya

### Agenda Item Summary

#### Adjacent land use and zoning

Adjacent zoning consists of Residential District 1 in all directions.

Adjacent land uses consist of traditional single-family detached homes in all directions.

#### Proposal

The applicant is requesting a change in zoning in order to allow an existing carport to remain in place within the front-yard setback as it was built without permit.

#### Analysis

Section 4-10-191 (Accessory Building Regulations) of the City's Zoning Ordinance sets standards for accessory buildings within Amarillo. One of the requirements is that an accessory building shall have a Front Yard setback no less than that specified for the Main Building. In this case, the front yard setback for a single-family detached home in the R-1 District is 25 feet.

Section 4-10-193 (Carport Regulations) of the City's Zoning Ordinance sets standards for carports not able to meet setbacks of a particular district. One of the requirements for carport related to an SUP request is that the carport (including the roof, eaves, and supporting members) must be set back at least ten (10) feet from the street curb line, or where no curb exists, the edge of paving, or the graded edge of an unimproved street, and in no case shall the Carport extend beyond the property line. As mentioned previously, the carport was erected in a location that not only encroaches into the front setback, but also appears to extend past the property line into public right-of-way. If approved as built, the carport would be in public right-of-way, which is not allowed.

Additionally, during the meeting it was stated that a portion of the existing carport may be encroaching onto private property to the north.

The applicant acknowledged the two encroachments mentioned above and stated that they would be willing to remove the overhang to alleviate the encroachments if the carport were allowed to remain.

Regarding the presence of other carports in the area, in examining a two-block radius around the applicant's tract, Staff noticed that there are several carports, however a majority of which appear to be outside of the front-yard setback. It is worth noting that of the carports observed, there was at one detached carport that appears to be located within the front yard setback, however no permit can be found.

Although there is a limited number of accessory buildings (carports) located in the front yard setback in the area, the Planning and Zoning Commission was of the opinion that should the encroachments be removed, the applicant's request is appropriate.

The applicant as part of a request for a Specific Use Permit is also required to submit an expert evaluation by a licensed real estate appraiser to assess the impacts, if any, the request would have on the area. It was the opinion of the appraiser that the request, if approved, would not adversely affect the property values of the adjoining property or other property in the area.

|                                        |
|----------------------------------------|
| <b>Requested Action/Recommendation</b> |
|----------------------------------------|

Notices were sent to all property owners within 200 feet. As of this writing, the Planning Department did receive one call regarding the request in which the caller expressed opposition to the request.

Considering the above-mentioned information, the Planning and Zoning Commission recommends **APPROVAL** of the request provided the encroachments are removed.



**ORDINANCE NO. 7973**

**AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF MARRS STREET AND SOUTHEAST NINETEENTH AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

---

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

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

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

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

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

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

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

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

Rezoning of Lot 12, Block 3, Johnson and McCluskey Addition, an addition to the City of Amarillo, in Section 139, Bock 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 (R-1) to Residential District 1 with Specific Use Permit 200 (R-1/S-200) for the placement of a carport in the front yard setback, and being further described in attached Exhibit A, incorporated 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 12th day of April, 2022 and PASSED on Second and Final Reading on this the 26th day of April, 2022.

\_\_\_\_\_  
Ginger Nelson, Mayor

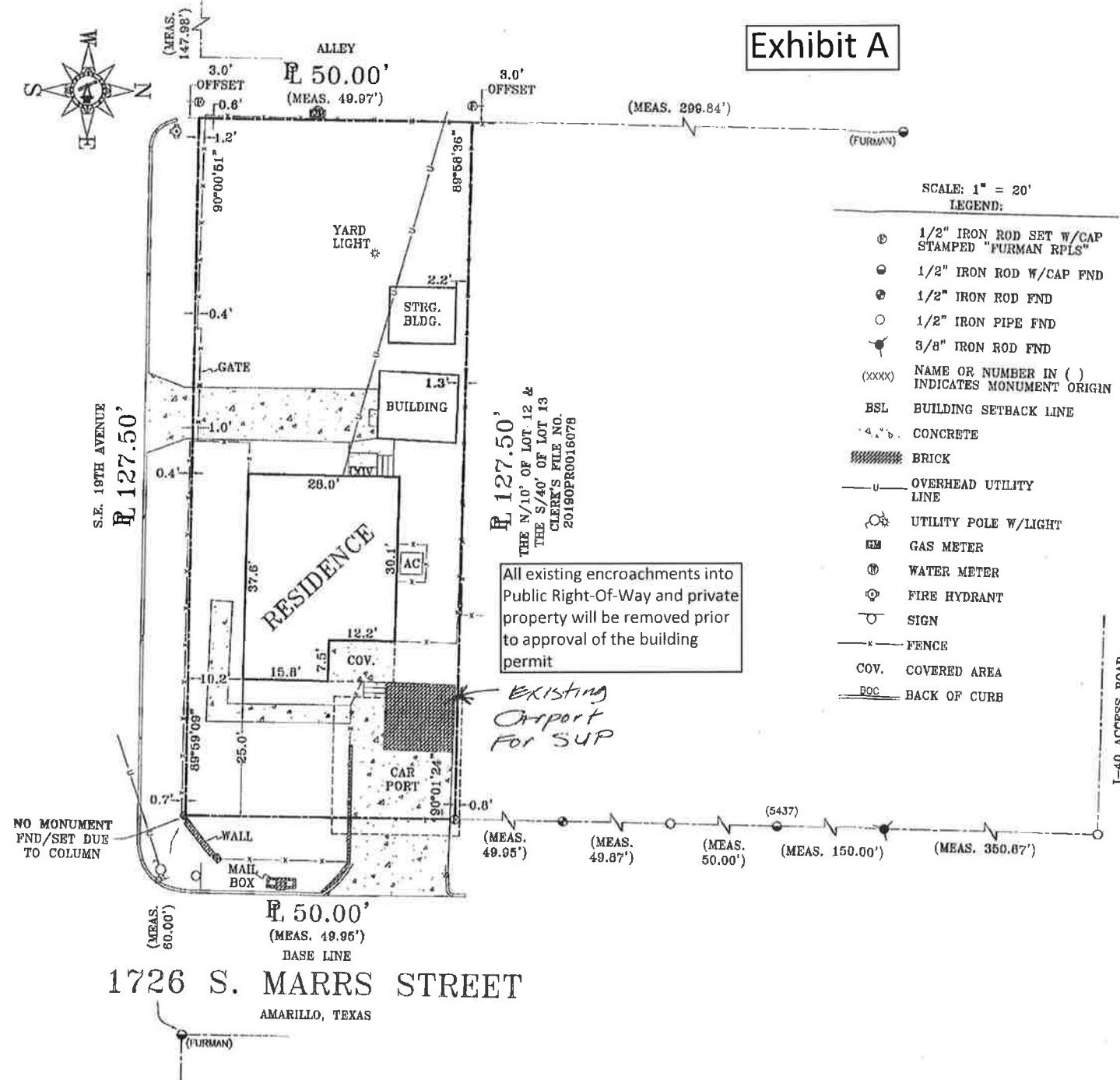
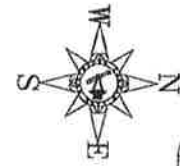
ATTEST:

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

APPROVED AS TO FORM:

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

## Exhibit A



## NOTES

1. Original seal and signature of the surveyor must be present on each page for survey to be valid.

2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereof and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other than its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2022.

3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

4. The tract of land surveyed and shown hereon may be subject to the State of Texas and City of Amarillo platting rules and regulations. This surveyor suggests that the City of Amarillo Planning and Zoning Department be consulted about these rules, regulations and any requirements that this property may be subject to.

5. Subject property as described in Warranty Deed recorded under Clerk's File No. 20190PR0001303 of the Official Public Records of Potter County, Texas.

## DESCRIPTION

The South 50 feet of Lot No. 12, in Block No. 3, of Johnson and McCluskey Addition, an addition to the City of Amarillo in Potter County, Texas, according to the map or plat thereof, recorded in Volume 500, Page 67 of the Deed Records of Potter County, Texas.

SURVEY FOR  
CHUCK LYNCH  
FEBRUARY 9TH, 2021

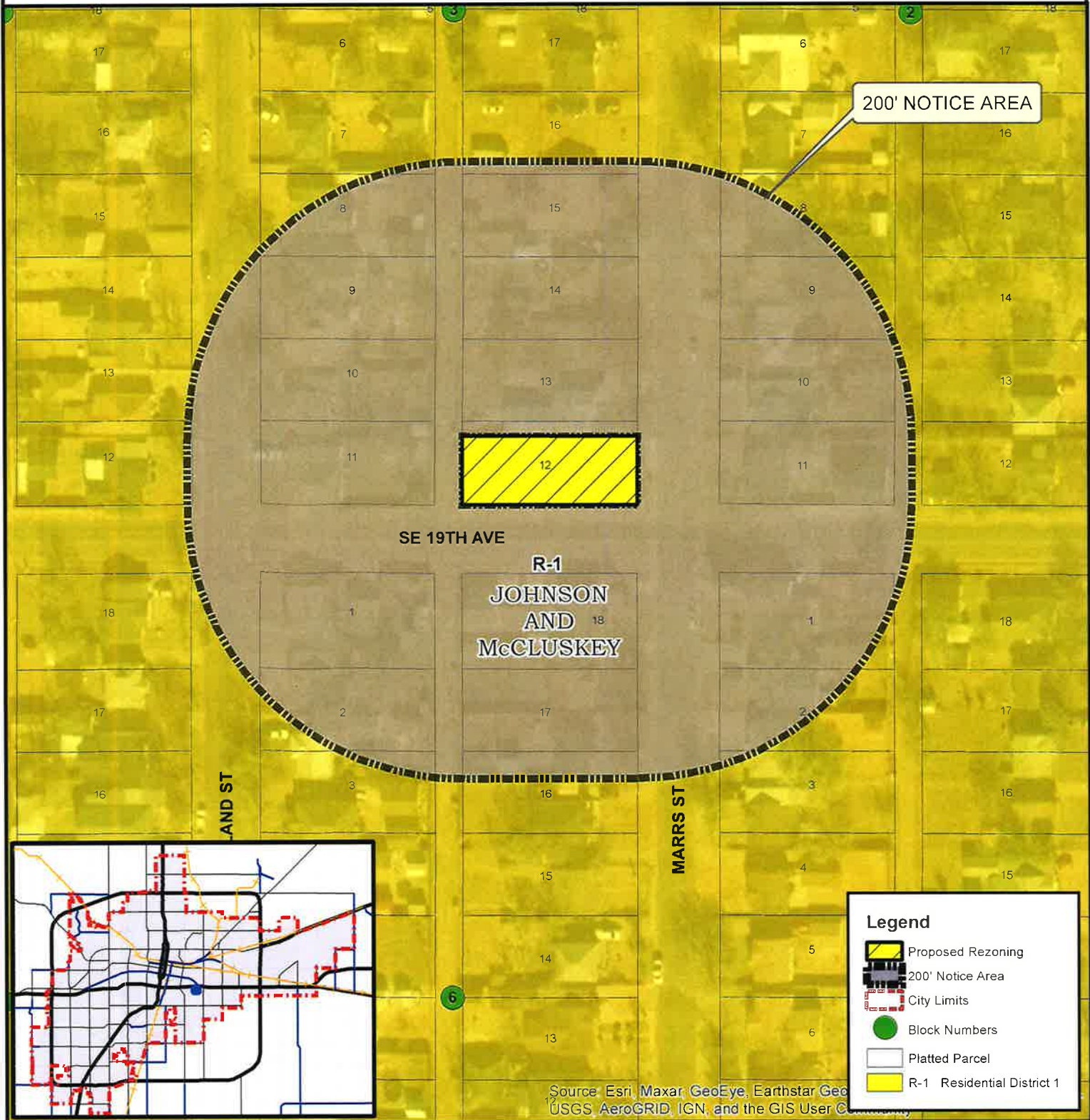


Daryl R. Furman  
RPLS 5374

FURMAN LAND SURVEYORS, INC.  
SURVEYING · MAPPING · CONSULTING  
TEXAS · OKLAHOMA · NEW MEXICO  
KANSAS · COLORADO

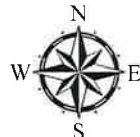
DARYL R. FURMAN, RPLS · DANIEL R. FURMAN, RPLS · DONALD R. FURMAN, RPLS  
CASBY A. MANN, RPLS · LONDON M. STOKES, RPLS  
HEATHER LYNN LEMONS, RPLS · KYLE L. BRADY, RPLS  
CHASE ROME, SIT · LEONARD A. McLAUGHLIN, SIT  
TEXAS FIRM #10092400 & 10092401  
P.O. BOX 1416 · AMARILLO, TEXAS 79103 · (806) 374-4246 · FAX (806) 374-4248  
P.O. BOX 464 · DUMAS, TEXAS 79529 · (806) 934-1405 · FAX (806) 934-1482  
PROJECT NO. 2220821 FILE NO. P-13  
DRAWING NO. P:\Dwg 22\PTOTTER\22\2220821\2220821

REZONING FROM R-1 TO SUP



CITY OF AMARILLO  
PLANNING DEPARTMENT

Scale: 1 inch = 100 feet  
Date: 2/28/2022  
Case No: Z-22-09



Rezoning of Lot 12, Block 3, Johnson and McCluckey Unit, an addition to the City of Amarillo, in Section 139, Bock 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Residential District 1 with Specific Use Permit 200 for the placement of a carport in the front yard setback.

Owner: Charles Lynch for Charles Lynch Architects

Vicinity: Marrs St. & SE 19th Ave.

AP: P-13

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



# Amarillo City Council

## Agenda Transmittal Memo



C

|              |                |                  |                                      |
|--------------|----------------|------------------|--------------------------------------|
| Meeting Date | April 12, 2022 | Council Priority | Regular Agenda Item – Public Hearing |
|--------------|----------------|------------------|--------------------------------------|

|            |                                                                  |
|------------|------------------------------------------------------------------|
| Department | Planning and Development Services<br>Brady Kendrick – Planner II |
|------------|------------------------------------------------------------------|

### Agenda Caption

Public hearing and first reading to consider an ordinance rezoning Lots 20A through 22A, a portion of Lot 22B, Lot 23A, and Lots 24 and 25, Block 2, South Side Acres Unit No. 20, an addition to the City of Amarillo, in Section 230, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District and Planned Development District 235C to Planned Development District 235E for expansion of existing development standards and land uses.  
VICINITY: Office Park Dr. and Business Park Dr.  
APPLICANT/S: Brent Lane for Paradise Builders Custom Homes LLC

### Agenda Item Summary

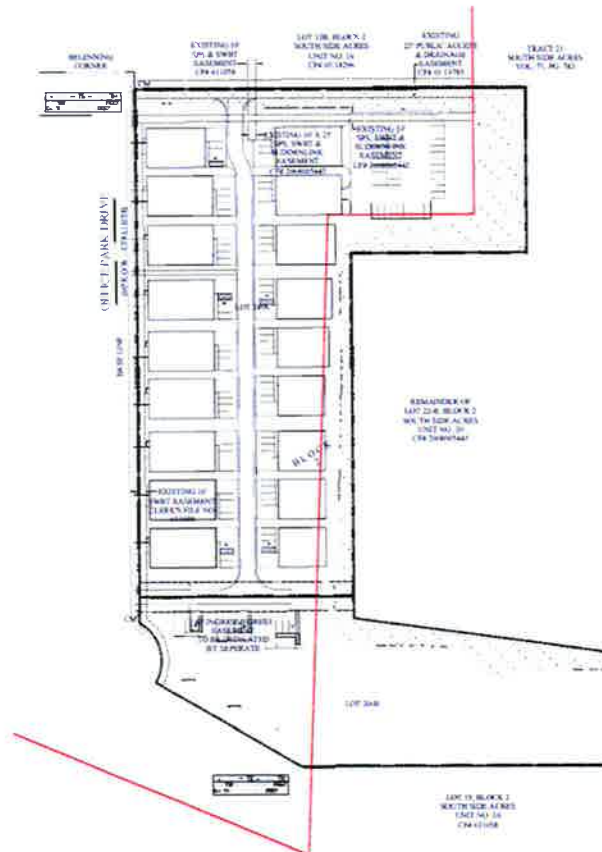
#### Adjacent land use and zoning

Adjacent zoning consists of Planned Development District 235C and Agricultural District to the north and south, Agricultural District to the east, and Planned development District 235C to the west.

Adjacent land uses consist of multiple multi-tenant commercial buildings to the north, undeveloped land to the south and east, and undeveloped land and a multi-tenant commercial building to the west.

#### Proposal

The applicant is proposing a change is zoning in order to develop the entirety of the tract with multiple office warehouse buildings and associated parking. The applicant’s tract, while mostly appropriately zoned for the proposed use (PD-235C), is partially zoned as Agricultural District which would not allow for the proposed use and is the reason for the request to expand the existing development standards and allowed land uses within PD235C to the entirety of the applicant’s tract (applicant’s tract and site plan with the boundary of PD-235C in red below).



## Analysis

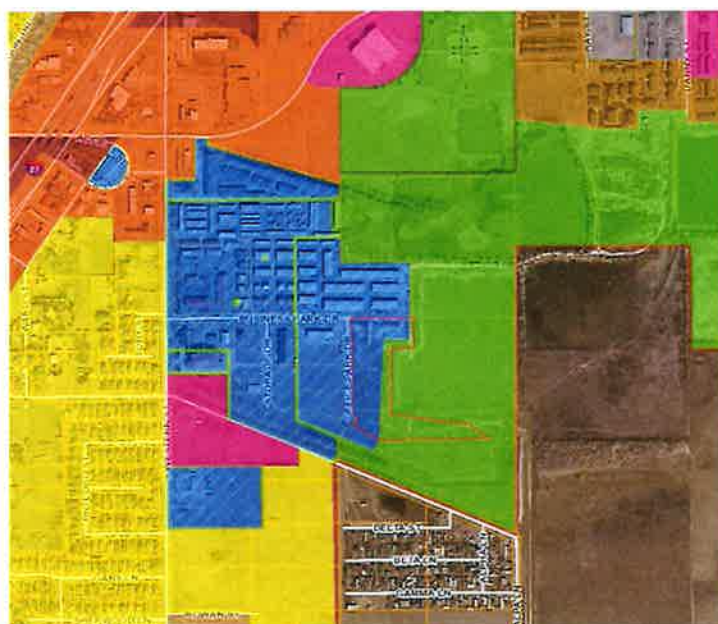
The Planning and Zoning Commission's analysis of zoning change requests begins with referring to the Comprehensive Plan's Future Land Use and Character Map, which identifies recommended future land uses. Additionally, the Planning and Zoning Commission considers what impact on area existing zoning and development patterns as well as its conformity to the Neighborhood Unit Concept of development (NUC).

The applicant's tract, located within Western Business Park, is identified as being in the Business Park Future Land Use Map category which calls for a campus style development which increased open space, extensive landscaping, and screening to create a highly attractive business investment environment. The primary development types would feature office medical, and light industrial uses with enhanced development standards. The applicant's request and proposed development would conform with this category as the zoning request would be an expansion of the existing PD-235C zoning that currently exist within the business park.

The proposed development standards include:

- Allowed uses include office warehouses and uses allowed under the Light Commercial Zoning District excluding bars, lounges, and taverns.
- Maximum building height of 20 feet
- Maximum building area of a single building is 50,000 square feet.
- Maximum lot coverage of 29%
- Off-street parking will be provided per Section 4-10-211 of the Amarillo Municipal Code.
- No storage of hazardous or flammable materials is allowed.
- Hours and days of operation are 7 days per week and between 7am and 7pm.
- Outdoor storage is allowed only behind solid screening fences and material or items may not exceed the height of the perimeter fence.
- Sign standards will comply with the Office District-1 standards. No illuminated signage is allowed to face in a southerly direction if located within 250 feet of the southern boundary of the site.
- Landscaping standards will meet the City of Amarillo Landscape Ordinance.
- Any additional bulk or area requirement not specifically noted shall comply with Light Commercial District (LC).

Regarding the Neighborhood Unit Concept of Development (NUC), this concept calls for more intensive uses such as commercial, retail, office, and multi-family development to be located at or near Section Line Arterial Intersections with intensity of use and/or zoning decreasing inward towards the center/middle of a section.



While just looking that the applicant's site, a commercial planned development would not be typically desired internal to the section as shown, however it must be noted that development and zoning patterns north, west, and south of the applicant's tract have not developed in accordance with the NUC as much of the section is commercial in nature due to the proximity of the I-27 corridor and the presence of a major flood hazard area.

The applicants request to expand the PD-235C standards to the entirety of the tract would also be a small expansion of the Planned Development standards in the long developed Western Business Park area and would in the Planning Commission's opinion, not result in any detrimental impacts to the surrounding area.

|                                        |
|----------------------------------------|
| <b>Requested Action/Recommendation</b> |
|----------------------------------------|

Notices were sent to all property owners within 200 feet. As of this writing, the Planning Department has not received any comments regarding the request.

Considering the above-mentioned information, the Planning and Zoning Commission believes this is logical continuation of existing zoning and development and as such, recommends **APPROVAL** of the request as presented.

**ORDINANCE NO. 7974**

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

---

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

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

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

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

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

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

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

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

Rezoning of Lots 20A through 22A, a portion of Lot 22B, Lot 23A, and Lots 24 and 25, Block 2, South Side Acres Unit No. 20, an addition to the City of Amarillo, in Section 230, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District and Planned Development District 235C to Planned Development District 235E for expansion of existing development standards and land uses, development standards attached hereto and incorporated herein as Exhibit A and being further described below:

A 9.56+/- acre tract of land out of Section 230, Block 2, A.B.&M. Survey, Randall County, Texas, being all of Lots 20-A, 21-A, 22-A, 23-A, 24 and 25 and a portion of Lot 22-B, Block 2, South Side Acres Unit No. 20, an addition to the City of Amarillo according to the map or plat thereof, recorded under Clerk's File No. 2008005445 of the Official Public Records of Randall County, Texas, said 9.56+/- acre tract of land having been surveyed on the ground on January 29, 2021 by Furman Land Surveyors, Inc. and being described by metes and bounds as follows:

BEGINNING at a mag nail found in the East Right-of-Way line of Office Park Drive as dedicated per plat of South Side Acres Unit No. 10, an addition to the City of Amarillo



according to the map or plat thereof, recorded under Clerk's File No. 611058 of the Official Public Records of Randall County, Texas, for the Northwest corner of said Lot 24, same being the Northwest corner of this tract of land;

THENCE N. 89° 53' 00" E. 533.69 feet along the North line of said Lots 24 and 25 to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the Northeast corner of said Lot 25, same being the Northeast corner of this tract of land, from whence the Northeast corner of said Lot 22-B bears N. 89° 53' 00" E. 692.82 feet;

THENCE S. 00° 15' 00" E. 225.41 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the Southeast corner of said Lot 25, same being a jog corner of this tract of land;

THENCE S. 89° 53' 00" W. 240.48 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the Southwest corner of said Lot 25, same being an interior corner of this tract of land;

THENCE S. 00° 15' 00" E 499.59 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the Southeast corner of said Lot 21-A, same being an interior corner of this tract of land;

THENCE S. 82° 14' 36" E. 570.11 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE S. 63° 51' 12" E. 108.06 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE S. 53° 52' 29" E. 130.16 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the most East corner of said Lot 20-A, same being the most East corner of this tract of land, from whence a 1/2 inch iron rod found for the Southeast corner of said Lot 22-B bears N. 89° 53' 29" E. 166.31 feet;

THENCE S. 89° 53' 29" W. 839.65 feet along the South line of said Lot 20-A to a 1/2 inch iron rod found for the most South Southwest corner of this tract of land;

THENCE N. 59° 53' 13" W. 229.49 feet to a 1/2 inch iron rod with cap (5626) found in the East Right-of-Way line of said Office Park Drive, for the beginning of a curve to the left whose center bears N. 60° 11' 09" W. 60.00 feet;

THENCE Northerly 94.04 feet along said curve to the left with a long chord of N. 15° 05' 13" W. 84.71 feet to a 1/2 inch iron rod with cap (5626) found for the end of said curve;

THENCE N. 00° 15' 00" W. (Base line) 730.37 feet along the East Right-of-Way line of said Office Park Drive to the PLACE OF BEGINNING and containing 9.56 acres of land, more or less.

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

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

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

**INTRODUCED AND PASSED** by the City Council of the City of Amarillo, Texas, on First Reading on this the 12th day of April, 2022 and PASSED on Second and Final Reading on this the 26<sup>th</sup> day of April, 2022.

\_\_\_\_\_  
Ginger Nelson, Mayor

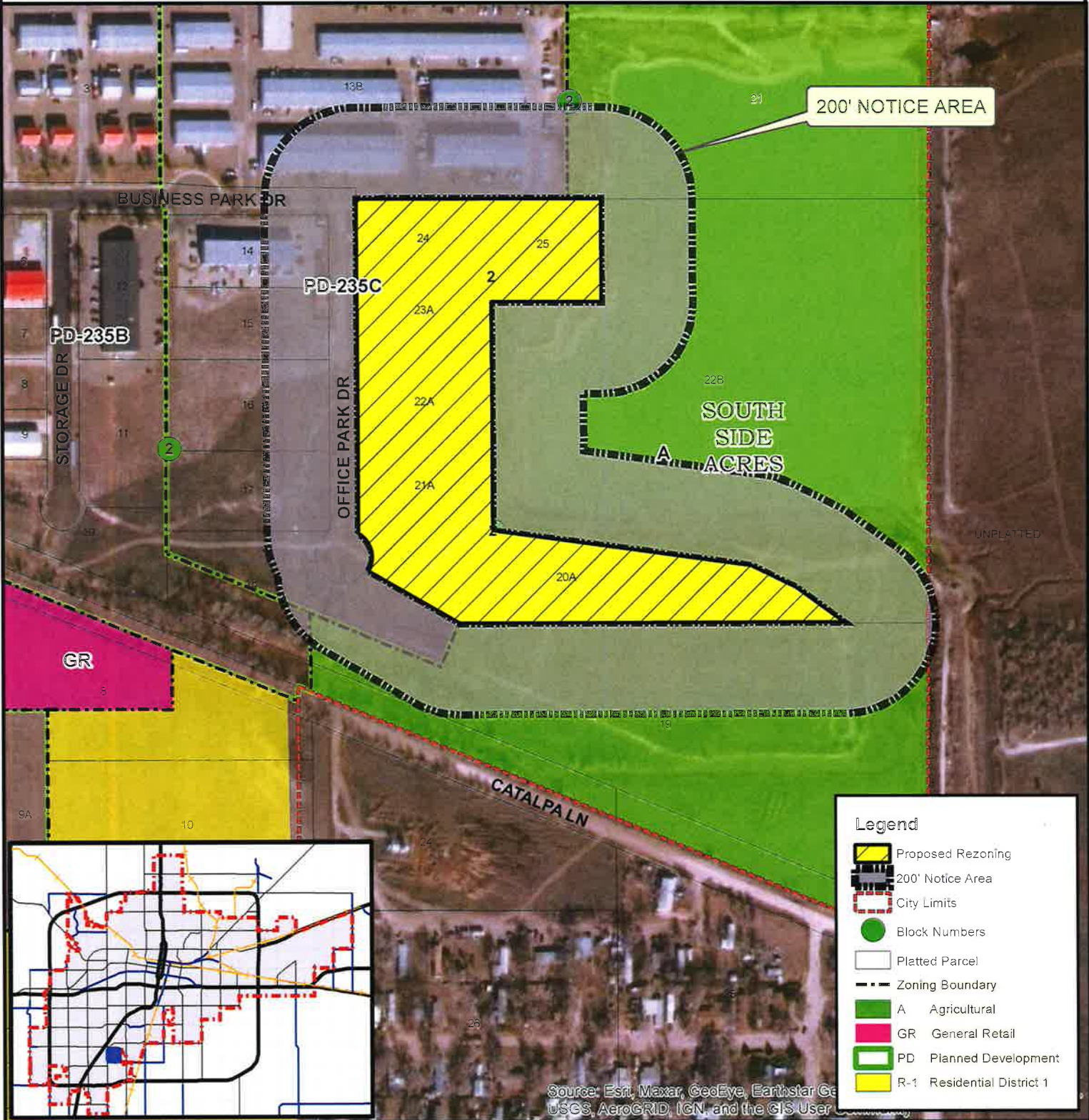
ATTEST:

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

APPROVED AS TO FORM:

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

REZONING FROM A AND PD-235C TO PD-235E



CITY OF AMARILLO  
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet  
Date: 3/1/2022  
Case No: Z-22-08



Z-22-08 Rezoning of Lots 20A through 22A, a portion of Lot 22B, Lot 23A, and Lots 24 and 25, Block 2, South Side Acres Unit No. 20, an addition to the City of Amarillo, in Section 30, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District and Planned Development District 235C to Planned Development District 235E for expansion of existing development standards and land uses.

VICINITY: Office Park Dr. and Business Park Dr.  
APPLICANT/S: Brent Lane for Paradise Builders Custom Homes LLC

AP: L-16

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.

**Planned Development 235E (PD-235E) Development Standards**

- Allowed land uses: Office warehouses and uses as allowed by Light Commercial Zoning excluding bars, lounges, & taverns.
  - No use other than that allowed under the previous zoning classification (PD-235C) or that which is specified by this Planned Development amendment is allowed. Any other use change shall require a zoning amendment for this site.
  - Max size of individual unit is 50,000 square feet.
  - Number of employees: 1 - 20.
  - Hours and Days of operation: Seven days per week, 7am to 7pm.
  - Maximum lot coverage: 29%
  - Landscaping will comply with the City of Amarillo Landscape Ordinance.
  - Maximum building height: 20 feet
  - Off street parking: Will comply with section 4-10-211 (Vehicle Parking Regulations).
  - No storage of hazardous or flammable material is allowed.
  - Outdoor storage is allowed behind solid screened fenced area and stored material may not to exceed height of fence.
  - All signage is restricted to Business Sign Standards listed for the Office-1 District zoning. No illuminated signage is allowed to face in a southerly direction within 250 feet of the southern boundary line of this site. No signs shall be operated on the property that use or have attached any flashing, pulsating, or rotating lighting source or reflector.
  - All parking and driveways shall conform to the requirements of Section 9 of the Development Policy Manual of the City of Amarillo unless noted otherwise.
  - All exterior lighting shall be directed onto the property in such a manner to minimize or eliminate glare across adjacent property lines.
  - All refuse containers shall be screened and maintained in such a manner as to prevent blowing trash and debris.
  - Any additional bulk or area requirement not specifically noted on this site plan shall comply with the Light Commercial District (LC).
  - Any and all utility relocations or adjustments required for this development shall be the responsibility of the developer(s).
-

-All fencing, screening, landscaping, driveways, and parking areas shall be maintained in good condition at all times by owners. All landscaping to be installed prior to receiving a certificate of occupancy, or within six months of occupying structure if bad weather exists. All landscape material, trees, grass, shrubs, etc., shall be installed on the site in the same manner as depicted on this site plan and all landscaped areas shall be served with a sprinkler system.

-The approval of this development by the City of Amarillo in no way shall alter or abrogate requirements of the Uniform Building Code as adopted and amended by the City of Amarillo.

-The City of Amarillo or its franchised utility shall not be required to replace any obstructions, paving, or plantings that must be removed during the course of maintenance, construction, or reconstruction within any public utility or drainage easement.

-All exterior mechanical equipment shall be located and/or screened in such a manner as to eliminate or minimize noise and visual impact to adjacent properties.

-All surface storm water collected on this site shall drain directly to adjacent public right of way or by other means if approved by the City Engineer.

-The developer shall comply with all ADA requirements.

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

|                                                                                     |                                                                                      |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|  |  |
| <hr/>                                                                               |                                                                                      |
| Signature of owner/Developer                                                        | Date                                                                                 |



# Amarillo City Council

## Agenda Transmittal Memo



D

|              |                |                  |                     |
|--------------|----------------|------------------|---------------------|
| Meeting Date | April 12, 2022 | Council Priority | Regular Agenda Item |
|--------------|----------------|------------------|---------------------|

|            |                                                                  |
|------------|------------------------------------------------------------------|
| Department | Planning and Development Services<br>Brady Kendrick – Planner II |
|------------|------------------------------------------------------------------|

|                                                   |
|---------------------------------------------------|
| Agenda Caption                                    |
| <u>CONSIDERATION OF RESOLUTION NO. 04-12-22-8</u> |

Consideration of a Resolution of the City Council for the City of Amarillo setting a date, time, and place for a Public Hearing on the proposed annexation of certain property by the City of Amarillo, Texas and authorizing the City Manager to execute the Agreed Service Plan.  
VICINITY: Arden Road and Helium Road  
APPLICANT/S: Canyon Independent School District and Helium Hope Development, LLC

### Agenda Item Summary

The just mentioned resolution is to consider allowing the City Manager to formalize an Agreed Service Plan related to a landowner-initiated annexation request and to set the public hearing for the request. The land proposed for annexation is approximately 77.29 acres in Section 73, Block 9 BS&F Survey and includes the West Plains High School site and adjacent undeveloped land.

The Agreed Service Plan is a negotiated agreement between the City and a landowner/s requesting annexation that details responsibilities for services to be provided by each party should annexation actually occur. *Formal consideration of whether to annex or not does not occur at this point in the process. Formalization of an Agreed Service Plan is merely to ensure a written understanding of responsibilities is in place prior to official consideration of the Annexation Ordinance, set to occur at a later date summarized below.*

Staff has met both internally and with the property owners on several occasions to arrive at an acceptable agreement for services and on March 21, 2022, the landowners, who are requesting annexation, have signed the Agreed Service Plan. The Agreed Service Plan is not considered recognized until the City Manager executes. Should Council authorize the City Manager to do so, a Public Hearing will be scheduled at a later date to consider the Annexation Ordinance and allow all interested parties to be heard.

As just mentioned, consideration of the annexation ordinance is the event where official acceptance or denial of the annexation request occurs and if annexation is approved, the Agreed Service Plan becomes binding. Although State Law allows a City to adopt the ordinance at the conclusion of the 1st Public Hearing, the annexation ordinance will not be effective until a second reading due to the City Charter requiring all ordinances have two readings before Council.

Below is a timeline of any anticipated events mentioned above:

- April 12, 2022:** Council considers Agreed Service Plan and authorizing the City Manager to execute the Agreed Service Plan. (1<sup>st</sup> Public Hearing will also be called.)
- April 26, 2022:** 1<sup>st</sup> Public Hearing and reading of Annexation Ordinance.
- May 10, 2022:** 2<sup>nd</sup> Reading of the Annexation Ordinance.

Annexation is one of the primary means by which a City grows and also allows a municipality to provide services to urbanizing areas and exercise regulatory authority (enacting land use control) necessary to protect public health and safety and ensure orderly development occurs at the fringes of a City. Annexation also ensures future residents who would be benefiting from access to City facilities and services share in the tax burden associated with constructing and maintaining said facilities and services.

Each annexation request should be evaluated on a case by case basis and characteristics such as fiscal impact, development plans, need for land use control, anticipated revenues, among others should be considered.

**RESOLUTION NO. 4-12-22-7**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF AMARILLO SETTING A DATE, TIME AND PLACE FOR PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF AMARILLO, TEXAS; AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICES OF SUCH PUBLIC HEARING; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREED SERVICE PLAN**

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**WHEREAS**, the City of Amarillo, Texas is a home-rule municipality authorized by State law and the City Charter to extend its boundaries and to annex areas adjacent and contiguous to its corporate limits; and

**WHEREAS**, Canyon Independent School District and Helium Hope Development, LLC, petitioned the City of Amarillo, Texas to annex an approximately 77.29 acre tract of unplatted land located in Section 73, Block 9, B.S.&F. Survey, Randall County, Texas, which is adjacent and contiguous to its corporate city limits; and

**WHEREAS**, before the City can consider annexation proceedings, the City Council must conduct one public hearing for those interested in such annexation for an opportunity to be heard in compliance with Texas Local Government Code, Section 43.0673; and

**WHEREAS**, the City Council must authorize and direct that such public hearing be published as directed in Texas Local Government Code, Section 43.0673; and

**WHEREAS**, the City Council must further negotiate and enter into a written agreement with the landowners in the proposed annexation area for the provision of municipal services within such area in accordance with the Texas Local Government Code, Section 43.0672.

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

**Section 1.** The City Council will hold one public hearing in accordance with the Texas Local Government Code, Section 43.0673, as follows:

**April 26, 2022 at 1:00 p.m. in the Council Chambers located on the Third Floor of City Hall, 601 S. Buchanan St., Amarillo, Texas 79101.**

All interested persons will have the right to appear and be heard on the proposed annexation for the property described as an approximately 77.29 acre tract of unplatted land located in Section 73, Block 9, B.S.&F. Survey, Randall County, Texas, as shown on the map attached hereto and incorporated herein.

**Section 2.** The City Secretary of the City of Amarillo is hereby authorized and directed to publish notice of the public hearing once in a newspaper having general circulation in the City and in the above-described territory prior to the date of such public hearing in accordance with the Charter of the City of Amarillo and the laws of the State of Texas.

**Section 3.** The City Manager is authorized to execute the Agreed Service Plan, attached hereto and incorporated herein, in accordance with the laws of the State of Texas.

**INTRODUCED AND PASSED** by the City Council of the City of Amarillo, Texas, on this the 12<sup>th</sup> day of April 2022.

---

Ginger Nelson, Mayor

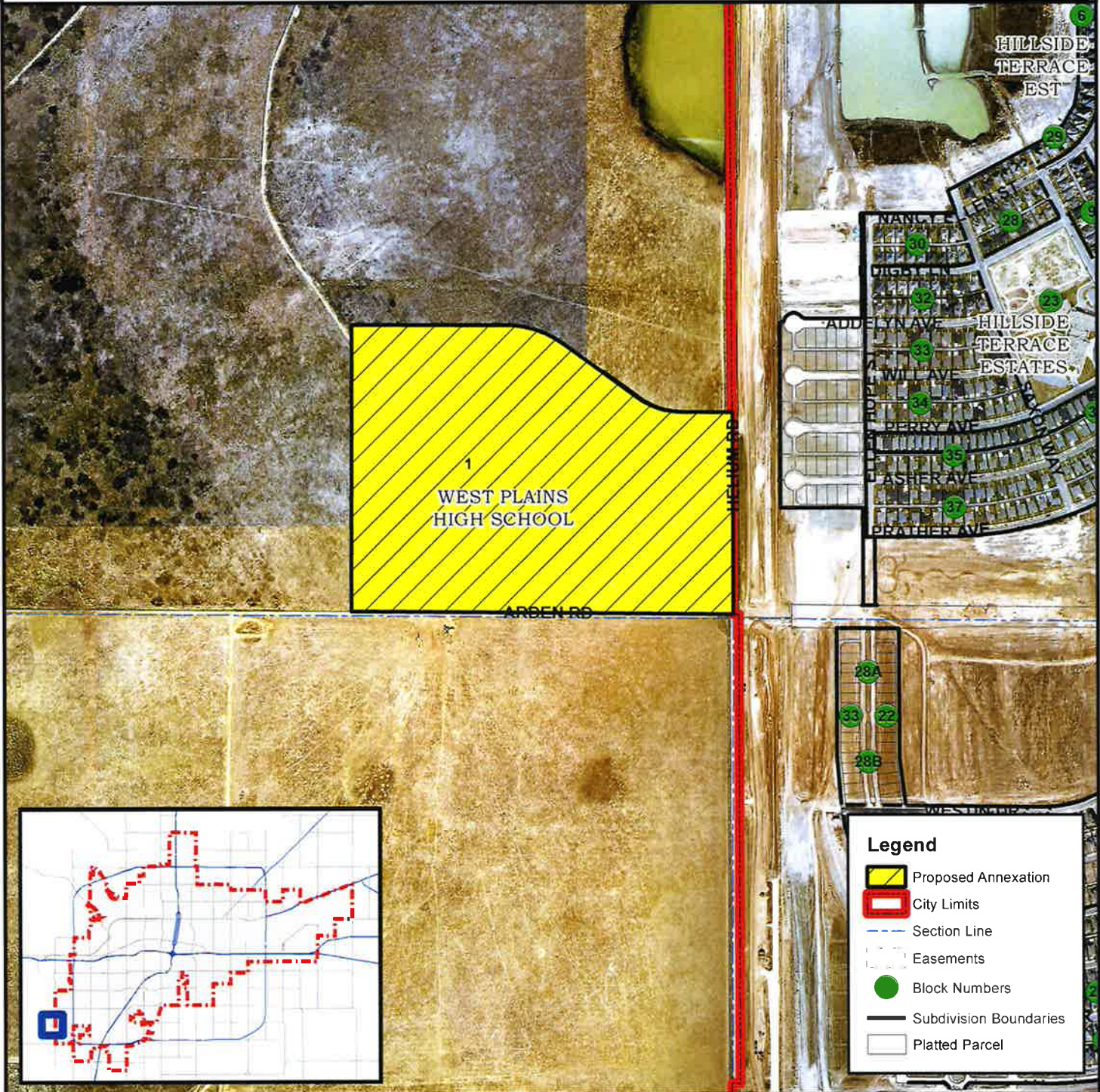
ATTEST:

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Stephanie Coggins, City Secretary

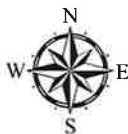


# PROPOSED ANNEXATION OF 77.29 ACRES



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

**Scale: 1 inch = 800 feet**  
**Date: 12/1/2021**  
**Case No: A-19-03**



**Annexation of a 77.29 acre tract of unplatted land in Section 73, Block 9, B.S.&F. Survey, Randall County, Texas**

**Applicant: Canyon Independent School District and Helium Hope Development, LLC**

**Vicinity: Arden Road and Helium Road.**

**AP: G-16**

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**The City of Amarillo  
Agreed Service Plan  
West Plains High  
School Annexation  
and adjacent  
unplatted land.**

**AREA TO BE ANNEXED: 77.29 Acres**

**Property Description: See Attached**

**Introduction:**

**This Agreed Service plan has been prepared in accordance with V.T.C.A. Local Government Code Section 43.0672, as indicated by the signatures below, is agreed to by the annexation petitioners. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City of Amarillo at the following levels and in accordance with the following schedule:**

**FIRE**

*Existing Services:* None

*Services to be Provided:* Fire suppression, prevention, and first response Emergency Medical Services (EMS) will be available to the area upon annexation. Primary fire response will be provided by Fire Station No. 2, located at 9000 SW 34th Ave. Fire prevention and fire inspection activities will be provided by the Fire Marshal's office as needed.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

**POLICE**

*Existing Services:* None

*Services to be Provided:* Upon annexation, the City of Amarillo Police Department will extend routine patrols and response to calls for service to the area. Police Department activities to serve the area upon annexation can be afforded to the annexed area within current budget appropriation.

Upon the opening of the West Plains High School, one police officer and vehicle will be provided for the site through a MOU with Canyon Independent School District.

As the City experience growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of the additional officers and patrol units.

**BUILDING SAFETY**

*Existing Services:* The Department of Building Safety has provided plan review and inspection services as development warranted per the executed Interlocal Agreement between the City of Amarillo and Canyon Independent School District. This includes issuing building, electrical, mechanical, and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Amarillo.



*Services to be Provided:* Upon annexation, the Department of Building Safety will provide plan review and inspection services as development warrants for the areas to be annexed adjacent to the Canyon Independent School District site as well as the Canyon Independent School District site to be annexed as needed. This includes issuing building, electrical, mechanical, and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Amarillo.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

### **PLANNING AND ZONING**

*Existing Services:* The West Plains High School site was regulated under the requirements of the City of Amarillo's Subdivision and Site Plan Ordinance per the executed Interlocal Agreement between the City of Amarillo and Canyon Independent School District.

*Services to be Provided:* The Planning and Zoning Department's responsibility for regulating future land use, through the administration of the City of Amarillo's Zoning Ordinance, will extend to the area outside of the West Plains High School site within the area to be annexed on the effective date of the annexation.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

### **PARKS & RECREATION**

*Existing Services:* None

*Services to be Provided:* There are no public parks or recreational facilities being proposed within the annexed area. As such, no services will be provided from the Parks and Recreation Department.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

### **LIBRARY**

*Existing Services:* None

*Services to be Provided:* Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. Department activities can be afforded to the annexed area within current budget appropriation.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## **ENV. HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services: None*

*Services to be Provided:* The Amarillo Area Public Health District will continue to provide all programs currently offered to the District (Sanitary nuisances, OSSF, Food Hygiene, Rec. Water, Group Care). The department will implement the control of vectors (mosquito control) upon annexation.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## **ANIMAL MANAGEMENT AND WELFARE SERVICES**

*Existing Services: None*

*Services to be Provided:* Animal Management and Welfare services will be provided to the area upon annexation.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## **PUBLIC RIGHT-OF-WAY**

*Existing Services: None*

*Services to be Provided:* Streets and alleys are to be provided by the developers at their own expense. Construction of all streets and alleys shall comply fully with City of Amarillo Street Standard Specifications. Maintenance to any current and future street and alley facilities within the area to be annexed will be provided by the City upon acceptance of that street or alley by the City at the completion of the required warranty period.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

## **STORM WATER MANAGEMENT**

*Existing Services: None*

*Services to be Provided:* Storm water drainage has been and will be provided by the developer at their own expense. Storm water drainage facilities that are to be designated as public facilities will be jointly inspected by the Capital Projects and Public Works Department at time of completion. Construction of all public storm water drainage facilities shall comply fully with City of Amarillo Specifications. The City will then maintain the public drainage facilities upon approval.

The developer has been and will be responsible for the acquisition of any offsite easements required to serve the development at the time of development.

The developer has been and will be responsible for any offsite playa excavation necessary to provide drainage to the development.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

### **STREET LIGHTING**

*Existing Services:* None

*Services to be Provided:* Street lighting has been and will be provided by the developer. The City of Amarillo Transportation Department will coordinate any request for improved street lighting with the local electric provider in accordance with City of Amarillo Lighting Standards.

Department activities can be afforded to the annexed area within current budget appropriation.

Maintenance of the above street lighting will be the responsibility of the City once installed and accepted according to City Standards.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

### **TRAFFIC ENGINEERING**

*Existing Services:* None

*Services to be Provided:* A traffic impact analysis (TIA) will be required to help determine level of service required for development within the proposed annexation. The TIA will be completed by the City after annexation and will be used to help determine proportionality in regards to financial obligation for construction of arterials and related infrastructure such as traffic signals and signage.

After annexation, the City of Amarillo Transportation Department will provide additional traffic control devices deemed necessary by that Department.

Traffic signing will be placed as development occurs and at appropriate locations. Signing will include Stops, Yields, Do Not Enter, 1-Way, and Speed Limit as required.

Future traffic patterns could warrant traffic signal installation. The City will work in conjunction with other relevant entities to ensure that signalization warrants are met at that time.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

### **WATER SERVICE**

*Existing Services:* Water service is currently being provided to the Canyon Independent School District site with a 20-inch and 12-inch water main per the executed Interlocal Agreement between the City of Amarillo Canyon Independent School District. The unplatted tract of land along Loop 335 does not have City water service but is considered served by the same 20-inch and 12-inch water main and can utilize such main upon annexation for service.

*Services to be Provided:* As development occurs, the Developer/s are responsible for the construction of additional water mains, if needed, within the area to be annexed. Maintenance of any public water mains will be provided by the City upon acceptance and completion of the required warranty period.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

#### **SANITARY SEWER SERVICE**

*Existing Services:* Sanitary sewer service is currently being provided to the Canyon Independent School District site with an eight-inch sanitary sewer main per the executed Interlocal Agreement between the City of Amarillo and Canyon Independent School District. The unplatted tract of land along Loop 335 does not have City sewer service but is considered served by the same eight-inch sewer main and can utilize such main upon annexation for service.

*Services to be Provided:* As development occurs, the Developer/s are responsible for the construction of additional sanitary sewer mains, if needed, within the area to be annexed. Maintenance of any public sanitary sewer mains will be provided by the City upon acceptance and completion of the required warranty period.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

#### **SOLID WASTE SERVICES**

*Existing Services:* None

*Services to be Provided:* With the area to be annexed being proposed to develop with non-residential development, the Solid Waste Department will provide service if requested by the developer/s.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

The City will be responsible for the cost of additional resources if needed.

#### **TRANSIT**

*Existing Services:* None

*Services to be Provided:* There are no plans for fixed route service within the area proposed for annexation.

#### **AMARILLO AREA OFFICE OF EMERGENCY MANAGEMENT**

*Existing Services:* The area proposed for annexation already has outdoor warning siren system coverage from an existing outdoor warning siren installed at the southeast corner of the property.

As the City experiences growth, additional resources may need to be addressed in order to maintain levels of services.

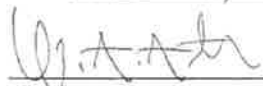
The City will be responsible for the cost of additional resources if needed.

**MISCELLANEOUS**

All other applicable municipal services will be provided to the area in accordance with the City of Amarillo's established policies governing extension of municipal services to newly annexed areas.

  
\_\_\_\_\_  
Darryl Flusche, Superintendent  
Canyon Independent School District

Date: March 11, 2022

  
\_\_\_\_\_  
W.A. Attebury, Manager  
Helium Hope Development, LLC

Date: 3/21/2022

\_\_\_\_\_  
Jared Miller, City Manager  
City of Amarillo, Texas

Date: \_\_\_\_\_

# Amarillo City Council

## Agenda Transmittal Memo



E

|              |                                         |                  |                           |
|--------------|-----------------------------------------|------------------|---------------------------|
| Meeting Date | April 12, 2022                          | Council Priority | Infrastructure Initiative |
| Department   | Water Utilities                         |                  |                           |
| Contact      | Jonathan Gresham, Director of Utilities |                  |                           |

**Agenda Caption**

CONSIDERATION OF RESOLUTION NO. 04-12-22-8

This item considers a resolution approving the 2022 Water Conservation Plan, a five-year plan to serve as a comprehensive approach to water conservation within the city of Amarillo.

**Agenda Item Summary**

Approval of the 2022 Water Conservation Plan – A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, every five years (per Texas Administrative Code, Title 30, Chapter 288, Subchapter A).

**Requested Action**

Consider and approve the City of Amarillo’s 2022 Water Conservation Plan.

**Funding Summary**

N/A

**Community Engagement Summary**

N/A

**Staff Recommendation**

City staff is recommending approval.



RESOLUTION NO. 04-12-22-8

A RESOLUTION OF THE AMARILLO CITY COUNCIL AMENDING THE WATER CONSERVATION PROGRAM FOR THE CITY OF AMARILLO, ORIGINALLY ADOPTED IN 2002 AND LAST AMENDED IN 2017; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE: PROVIDING A SAVINGS CLAUSE.

WHEREAS, in 2002, by Resolution No. 11-21-00-2 the City of Amarillo City Council adopted a Water Conservation Program for the City, and updated it in 2007 by Resolution No. 10-02-07-1; and updated it again in 2012 by Resolution No. 10-9-12-2; and updated it again in 2017 by Resolution No. 10-24-17-4.

WHEREAS, water continues to be a precious and valuable resource to the City and the State of Texas;

WHEREAS, water conservation continues to be an integral part of long-term water supply management;

WHEREAS, the City of Amarillo Utilities Division has the responsibility for the management and control of the water and sewer systems of the City;

WHEREAS, said responsibility includes the acquiring of adequate water resources for the future and the protection and conservation of these water resources;

WHEREAS, it continues to be the desire of the City to ensure a safe and dependable water supply for its inhabitants;

WHEREAS, the Water Conservation Program prepared by the Utilities Division is comprehensive and will help secure the City's future water supply;

WHEREAS, implementation of additional or modified conservation practices will further assure continued reliable short- and long-term supplies of high quality, reasonably priced water;

WHEREAS, the City desires to continue meeting the requirements of the Texas Water Development Board in which a Water Conservation Program is a prerequisite to financing water development projects within the State;

WHEREAS, the adoption of a Water Conservation Program is required by the Canadian River Municipal Water Authority as a prerequisite to exporting water from its jurisdiction under the Authority's Water Production Plan;

WHEREAS, the promotion of water conservation represents an immediate and long-term benefit to the public so that it is in the public interest to adopt a Water Conservation Program and to revise it periodically; and

WHEREAS, the City is authorized and now desires to amend its Water Conservation Program as indicated in the amended plan which is attached to this resolution;

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

SECTION 1. The City of Amarillo Water Conservation Program is hereby amended and approved in accordance with the document attached to this Resolution as the general, long-term conservation policy for the City.

SECTION 2. This amended Water Conservation Program shall take effect and be in full force from the date of adopting this resolution and forward.

SECTION 3. The City Manager, Director of Utilities, and their respective designees are hereby authorized to take all reasonable and necessary actions to implement the provisions of the amended Water Conservation Program and otherwise to give effect to this Resolution.

SECTION 4. All water supply or wastewater treatment agreements between the City of Amarillo and any other entity shall provide for said entities to adopt a conservation program similar to that which Amarillo has in effect at any given time.

SECTION 5. All resolutions or parts thereof that conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 6. In the event this resolution or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the resolution. and such remaining portions shall continue to be in full force and effect.

SECTION 7. 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 12th day of April 2022.

---

Ginger Nelson, Mayor

**ATTEST:**

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Stephanie Coggins, City Secretary

**APPROVED TO FORM**

---

Bryan McWilliams, City Attorney