AGENDAS

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, MARCH 21, 2017 AT 4:00 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 5:00 P.M., CITY HALL, 509 SOUTHEAST 7th AVENUE, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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

WORK SESSION

A. City Council will discuss or receive reports on the following current matters or projects.
   (1) Review agenda items for regular meeting and attachments;
   (2) Update on Inn of Amarillo;
   (3) Report from Subcommittee on Chapter 4-2 of the Amarillo Municipal Code - Signs; and
   (4) Consider future Agenda items and request reports from City Manager.

B. Section 551.074 - Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee, in accordance with the Texas Open Meetings Act.
   (a) Consider appointments to Boards and Commissions:
   Amarillo Economic Development Corporation
   Amarillo Hospital District Board of Managers
   Amarillo-Potter Events Venue District

REGULAR MEETING ITEMS

INVOCATION: Greg Dowell, Amarillo Central Church of Christ

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

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

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

A. Minutes:
Approval of the City Council minutes of the regular meeting held on March 14, 2017.

B. Award – Hillside Terrace Estates 30" Sewer Replacement Contract 2 (Project No. 521943):
Spiess Construction Company, Inc. -- $8,655,030.00 (Alignment 2)
This item is to approve the contract for construction services for Spiess Construction Company, Inc. to install a new 30-inch sewer pipeline.

C. Award – Topping Off Motor Fuel Annual Contract:
Award to Davidson Oil -- $618,505.55 (estimated)
This award is to approve a contract for the purchase of the Topping Off Motor Fuel annual contract.

D. Award – Agriculture Fertilizer Annual Contract:

Harrell's LLC	$ 53,173.10
BWI Companies, Inc.	$ 54,959.00
Pro Chem Co.	$ 52,110.00
Total Award:	$160,242.10

This award is to approve an annual contract for the purchase of agriculture fertilizer for the City of Amarillo.

E. Approval – Purchase Agreement for Easement for Project No. 521943 -- $444,640.00:
This item is to approve the purchase agreement between P Dub Investments, Ltd. and the City of Amarillo.

F. Approval – Amendment Number Four to the Existing Lease for Wonderland Park:
This amendment between the City of Amarillo and Wonderland Park amends the term of the lease an additional ten-years with a lease expiration of December 31, 2040, and adds an additional 0.46 acre tract of land on the west boundary of the current lease park property, north of the large existing parking lot. The expansion will allow for additional covered seating for group outings and concrete pad placement for two additional future amusement rides.

G. Approval – Dedication of Right-of-Way:
This declaration dedicates the right-of-way for the future expansion of 34th Avenue from Grand Street to Eastern Street as well as the future expansion of Eastern Street from 34th Avenue approximately one-mile south.

H. Aviation Clear Zone Easement:
Aviation Clear Zone Easement being 4,600 feet above mean sea level above the plat of Dremmel Addition Unit No. 2, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 152, Block 2, AB&M Survey, Randall County, Texas from Doug Morris.

NON-CONSENT AGENDA

2. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7660**:
This is the first reading of an ordinance rezoning Lot 28, Mays Ranches Unit No. 21, in Section 228, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 (MF-1) and Light Industrial (L-1) to General Retail (GR).

3. **RESOLUTION – PUBLIC HEARING**:
This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 205 North Fairmont Street.

4. **RESOLUTION – PUBLIC HEARING**:
This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 3719 Rio Grande Street.

5. **CONSIDER APPOINTMENTS TO BOARDS AND COMMISSIONS**:
This item is for discussion and consideration of appointments to vacant and expiring positions on Boards and Commissions:

Advisory Committee for People with Disabilities
Amarillo Economic Development Corporation
Amarillo Hospital District Board of Directors
Amarillo-Potter Events Venue District
Bi-City-County Health District Board
Texas Panhandle Centers
Traffic Advisory Board

MISCELLANEOUS

1. Planning and Zoning Commission, minutes of February 27, 2017.
2, Boards and Commission – needed appointments as listed on attached.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (Southeast 7th Avenue) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3013 or the City TDD number at 378-4229.

Posted this 17th day of March 2017.

Amarillo City Council meetings stream live on Cable Channel 110 and are available online at:
www.amarillo.gov/granicus
Archived meetings are also available.

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Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	03/21/17	Council Priority	Community Appearance

Department	Planning Department

Agenda Caption

This is a work session item regarding an ordinance to consider amending the Amarillo Municipal Code, Chapter 4-2, Signs, to provide revisions of sign definitions and temporary sign regulations.

Agenda Item Summary

Ordinance 7201 was passed in December 2009 and amended the City's sign ordinance. Within the new sign ordinance were regulations for temporary signs. Portable temporary signs were allowed either by:

- a property owner obtaining a "limited temporary" sign permit for 30 days;
- an "annually renewable temporary" sign permit, which allowed a portable sign to be displayed for three 60 day periods but had to be taken down for a period of at least 30 days between each 60 day period; and,
- A "banner permit" allowed the display of a banner for 365 days.

These amendments are being proposed as a result of numerous complaints from business owners who use temporary signs and who have commented that the current process of permitting and displaying temporary signs is very burdensome and unenforceable. City staff has commented as well on the arduous permitting and/or inspection process for such signs and believe that changes are necessary.

As a result, Planning staff last year discussed the issue with numerous business owners, sign companies, and City staff regarding the specific issues with the current process and believe that the proposed amendments address the current permitting and display problems while still attempting to maintain the original intent of the specific temporary sign regulations and the adopted sign ordinance as a whole.

An itemization of the changes encompassed within this series of amendments is listed below:

1. Definitions – a new term, "feather flag", is defined in this amendment, while the definition for "portable sign" is modified to include "feather flag"; also, the definition for "temporary sign" is modified, to clarify that portable signs and banners are types of temporary signs.
2. Non-conforming Signs – this section is modified to allow upgrades to operational components of existing non-conforming EMC signs without requiring the entire sign be updated to currently adopted standards.
3. Temporary Signs, Applicability – this section is modified to add a third category of applicability for flags, streamers and pennants associated with a promotion or special event.
4. Categories of Temporary Sign Permits – this section is modified to remove banners from sign types requiring permits, as they would be included within the annually renewable temporary sign permit.
5. Time Limitations – this section is modified to change the maximum time allowed for placement of a temporary sign with required permit from 60 days (240 days aggregate) to 365 days. Also, the maximum time allowed for placement of a "limited" temporary sign (a new classification) is

30 days. Both would require permits, and shall be removed once the permit has expired, if not renewed.

6. Banner Time Limitations – this section is modified to remove the existing time limitation of one year for banners, and renumbers item d as item c in its place.
7. Temporary Signs, Renewable Annually – this section is modified to remove reference to what a temporary sign is (to avoid conflict with the term as defined in Section 4-2-2); to remove reference to a legal business (simply relocated to the following section); and, revising 3) to refer to "temporary signs that are permitted on an annual basis", necessary because in these revisions, a "limited" temporary sign is treated differently.
8. Temporary Sign Standards – this section is modified to:
    a. **relocate the language mentioned in Item 7 above on "legal business",**
    b. **to apply existing size limitation specifically to banners,**
    c. **to increase the number of signs allowed per business *from*: 1 temporary (not to exceed 2 per development, or for developments with more than 300 linear feet of street frontage, 1 per business not to exceed 4) *to* 1 portable and 1 banner (not to exceed 2 of each type per development, or for developments with more than 300 linear feet of street frontage, 4 of each type),**
    d. **to require banners to be affixed to a building, but not allowing them to be affixed to any other permanent or temporary structure, motor vehicle, or fixture,**
    e. **to add size limitations for feather flags, and**
    f. **to allow alternative securing methods of portable signs.**

Furthermore, this section is rearranged in order to address general standards for temporary signs, then additional restrictions specific to portable signs, and lastly, additional restrictions specific to banners.

Requested Action

Direction and/or approval of the proposed amendments.

Funding Summary

N/A

Community Engagement Summary

Public comments on this subject have been solicited and received over the past two years. Staff has solicited comments, specifically on the temporary sign permitting and display regulations, from small businesses, large retail businesses, and sign companies. Planning staff has also solicited comments from Building Safety staff which are responsible for permitting and enforcing temporary sign permits.

Most recently, a subcommittee to examine the temporary sign issue was created at the direction of Mayor Harpole and Councilmember Burkett in July of 2016. The subcommittee met four times (twice in July, once in August), ending with a final meeting in January. The subcommittee specifically discussed various aspects of temporary signs and the permitting process.

The subcommittee included the following members:

- Kenny Bentley and Page Butler, local temporary/portable sign company;
- Jentee Patel, local hotelier;
- Chris Fluhman, local temporary/portable sign company;
- Denise Blanchard, AISD;
- Michael Goff, local sign company;
- Tony Freeman, local printing company;
- Mayor Harpole, City Council; and,
- Councilmember Burkett, City Council.

One focus of discussion was the inadequacy of the current regulations pertaining to feather flag signs. Another major focus of discussion was the confusion created by the current regulations and the minimum standards for both the display of signs and the time between display periods – creating frustration for customers and staff alike. The final focus of discussion was the difficulty of administering the current regulations and the recognition by the subcommittee that any proposed changes would need to be enforceable.

City Manager Recommendation

The subcommittee, by consensus, **recommends approval** of the amendments. Staff has prepared the draft ordinance and transmittal memo based on the content of their proposed amendments.

The city staff review is as follows:

1. Regarding change 1, staff agrees clarification and the addition of the term "feather flag", is advisable and **concurs with the subcommittee.**
2. Regarding change 2, staff does acknowledge the possibility that this amendment would increase the lifespan of the current non-conforming signs and provides opportunity for transitioning non-functional signs to an updated, fully functional, sign, and **concurs with the subcommittee.**
3. **Regarding change 3,** staff agrees the added clarification addressing this third category is needed for signs exempted and **concurs with the subcommittee.**
4. Regarding change 4, staff agrees the added clarification is needed to avoid confusion between temporary signs, portable signs, and banners, and **concurs with the subcommittee**.
5. Regarding change 5, staff recognizes the probability of a business owner simply renewing their annual permit every year, resulting in a sign which may be represented as "temporary", but in practice, is actually "permanent" in nature with only a temporary permit. First, the existing sign regulations already allow a wide variety of permanent signage, with generous allowances for size. Essentially, this amendment would allow additional permanent signage by skirting the existing limitations, therefore increasing the visually cluttered environment which the ordinance was created to address. Second, the purpose of Amarillo's sign ordinance – as stated in Section 4-2-1 - is to promote safety, the efficient transfer of information, and the enhancement of appearance and economic values of the landscape; creating the ability to continuously add to signage already located in and around the city arguably works at cross purposes with these adopted purpose statements. As such, staff **expresses concern with the subcommittee's recommendation**.

6. Regarding change 6, staff has the same concerns as in change 5, and staff **expresses concern with the subcommittee's recommendation**.
7. Regarding change 7, staff understands the need for clarity and **concurs with the subcommittee** on the proposed changes with the exception of the proposed change to item 3), for which staff **expresses concern with the subcommittee's recommendation**, as it directly relates to the concerns articulated in changes 5 & 6.
8. Regarding change 8, staff **concurs with the subcommittee** on a, b, d, e, and f. Staff **expresses concern with the subcommittee's recommendation** on c, for the same reasons articulated for changes 5 and 6.

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STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th day of March 2017, the Amarillo City Council met at 4:30 p.m. for a work session and then at 5:00 p.m. for the regular session in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

ELISHA DEMERSON	COUNCILMEMBER NO. 1
LISA BLAKE	COUNCILMEMBER NO. 2
RANDY BURKETT	COUNCILMEMBER NO. 3
MARK NAIR	COUNCILMEMBER NO. 4

Absent was Mayor Paul Harpole. Also in attendance were the following administrative officials:

JARED H. MILLER	CITY MANAGER
BOB COWELL	DEPUTY CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
GWEN GONZALES	BUILDING SAFETY MANAGER
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Pastor B.F. Roberts. Mayor Pro Tem Nair and Boy Scouts led the audience in the Pledge of Allegiance.

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

Jesse Pfrimmer, 5723 South Milam Street, inquired if the funding for Item 1E should be included in the operation budget for this service. Edith DiTommaso, 1613 Bowie Street #B, presented a petition to condemn acts of violence against houses of worship. Robert Goodrich, 4111 Stony Point, stated he would like to discuss the procedures followed for public comment. Mary London, 2012 Northwest 13th Avenue, stated problems with the public bus transportation. Kit Rudd, 6850 Grande Street, stated he had to disband the ice house camp yesterday. James Schenck, 6216 Gainsborough Street, stated more voice from the public was needed on the public forum process. He further inquired if Item 5, Tourism Public Improvement District was an additional tax. Mr. McKamie stated this item was a 2% assessment by the hotel owners. A board will be established on how those funds will be spent. Mr. Schenck also inquired as to the AEDC consultation group, and if citizens could give feedback. Mr. Cowell answered that the consultants were doing individual interviews. In order to assist the consultants, they were conducting focus group meetings with advisory groups, and the first community meeting would occur on March 30 at 6:00 p.m. Mr. Schenck further inquired as to who the advisory group members were. Councilmember Burkett also requested this information. Mr. Miller stated he would provide this information to Council. Alan Abraham, 7205 Southwest 35th Avenue, also inquired as to Item 5, Tourism PID. He asked if there were any market studies on the additional tax. He further suggested a new taxing district, a sports authority taxing district, like one in Midland. Mayor Pro Tem Nair stated the Tourism PID was up to a vote of the local hotel owners and will be managed by a board of hotel owners. Mr. McKamie stated there were only five cities in Texas that have a Tourism PID. Councilmember Burkett inquired if the funds could be used for other purposes. Mr. McKamie replied the funds would be collected and put into a separate account. There were no further comments.

ITEM 1: Mayor Pro Tem Nair presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Mayor Pro Tem Nair asked that the minutes be considered as a separate item. Motion was made by Councilmember Demerson to approve the minutes Item 1A; seconded by Councilmember Blake.

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Voting AYE were Councilmembers Blake, Demerson and Burkett; voting NO were none; Mayor Pro Tem Nair abstained; the motion carried by a 3:0:1 vote of the Council.

Motion was made by Councilmember Burkett to approval of the consent agenda Items B-F, seconded by Councilmember Demerson.

A. Minutes:
Approval of the City Council minutes of the regular meeting held on March 7, 2017.

B. Award – Panasonic Toughbook Computers for Police Department:
Rugged Depot -- $63,557.74
The purchase will replace 50 Panasonic Toughbook computers for the police department which have been in operation since 2010.

C. Award – Palo Alto Maintenance:
Solid Border -- $205,944.00
This purchase provides continued maintenance for the security solution that protects the City's IT systems and services.

D. Award of Agriculture Pesticides and Chemical Annual Contract:
Awarded to:

Harrell's LLC	$10,745.94
BWI Companies Inc.	6,741.39
Pro Chem Co.	11,582.56
Golf Enviro Systems LLC	16,506.00
Turf Care of Texas	3,864.00
Target Specialty Products	825.94
Winfield	3,596.02
Total Amount Awarded:	$53,861.85

This award is to approve an annual contract for the purchase of Agriculture Pesticides and Chemicals for the City of Amarillo.

E. Purchase – 3-yard and 8-yard Solid Waste Dumpsters:
Awarded by Competitive Bid:

Lot #1 – 3-Yard Dumpsters	
Roll Offs of America/USA	$69,300.00
Lot #2 – 8-Yard Dumpsters	
Pro Form	17,500.00
Total Award	$86,800.00

This item is the scheduled replacement of Solid Waste Dumpsters that have reached or exceeded their useable life. This award will be used by the City of Amarillo Solid Waste Division for daily operational requirements.

F. Approval – Water and Wastewater Cost of Service and Rate Study Contract:
Willdan Financial Services -- $68,980.00
This item is to approve the Water and Wastewater cost of Service and Rate Study Contract.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 2: Mayor Pro Tem Nair presented the second and final reading of an ordinance amending Chapter 8-2 (Animals and Fowl), Amarillo Municipal Code, amending 8-2-1 defining "rooster," changing 8-2-4 increasing trap deposits to $90.00, amending 8-2-9 requiring "current" rabies tag to be displayed, amending 8-2-10 limiting veterinarian offices in Potter and Randall Counties where a deemed dangerous animal can be sterilized and establishing an appeal bond, amending 8-2-55 to protect the personal identifying information for adopters, fosters, and rescue organizations to the extent allowed by law, and a new section prohibiting bestiality. Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final reading:

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ORDINANCE NO. 7656

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, PROVIDING FOR THE DEFINITION OF A ROOSTER; AMENDING TRAP DEPOSIT FEE; PROVIDING FOR A CURRENT RABIES TAG; PROVIDING FOR STERILIZATION AND APPEAL BOND CONCERNING DANGEROUS ANIMALS; PROVIDING FOR CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION; ADDING BEASTIALITY AS A CRIMINAL OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3: Mayor Pro Tem Nair presented a second and final reading of an ordinance rezoning Lots 7 and 8, Block 5, Amarillo Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Manufactured Home (MH) to Multiple Family 1 (MF-1). (Vicinity: Northwest 14 Avenue and North Harrison Street.) Motion was made by Councilmember Burkett, seconded by Councilmember Blake, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7657

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 14 AVENUE AND NORTH HARRISON STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 4: Mayor Pro Tem Nair presented a second and final reading of an ordinance amending the Code of Ordinances in two respects. (1) Section 2-2-1 is amended to remove reference to the beginning time of Regular Meetings of the City Council, to reflect current practice of the Council to adjust meeting time to best serve the public. (2) References throughout the Code of Ordinances that retain "City Commission" are changed to "City Council" in accordance with the City Charter, as amended November 5, 2013. Motion was made by Councilmember Blake, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7658

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, TITLE II, SECTION 2-2-1, TO REFLECT CURRENT PRACTICE AND TO AMEND LEGAL REFERENCES; AMENDING THE MUNICIPAL CODE OF ORDINANCES TO REPLACE ALL REFERENCES TO THE CITY COMMISSION TO THE CITY COUNCIL IN ACCORDANCE WITH THE CITY CHARTER, AS AMENDED NOVEMBER 5, 2013; PROVIDING FOR CONTINUATION OF PRIOR LAW; SEVERABILITY; REPEALER; PROVIDNG AN EFFECTIVE DATE.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 5: Mayor Pro Tem Nair presented a resolution supporting the proposed 2017 Legislation to amend Chapter 372, Local Government Code to enable the creation of a local Tourism Improvement District in Amarillo. Dan Quandt, 4719 Oregon Trail, stated this item was support for legislation. It seeks legislation approval and, if approved, as

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soon as September, the lodging association group will come before Council and also ask to adopt bylaws. Motion was made that the following captioned resolution be passed by Councilmember Demerson, seconded by Councilmember Burkett :

RESOLUTION NO. 03-14-17-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: SUPPORTING PROPOSED 2017 LEGISLATION TO AMEND CHAPTER 372, LOCAL GOVERNMENT CODE, TO ENABLE THE CREATION OF A LOCAL TOURISM IMPROVEMENT DISTRICT IN AMARILLO.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 6: Mayor Pro Tem Nair presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 1600 South Palo Duro Street. Mayor Pro Tem Nair closed the public hearing. Motion was made by Councilmember Demerson to table the vote on this issue for two weeks (March 28), to allow time to initiate a provisional permit and delay Council's deliberation of action; seconded by Councilmember Burkett:

RESOLUTION NO. 03-14-17

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

Randy Schuster, Deputy Building Official, Sam Silverman, and Hazel Smith were sworn in. Mr. Schuster stated the property at 1600 South Palo Duro Street consists of a fire damaged residential structure and accessory building which has recently collopased. There has been little effort to remove or repair this structure. There have been no recent applications for permits to abate the nuisance and demolition is recommended. The property is a nuisance to the community and creates an unsafe environment. There are $412.91 current taxes due and $2,162.98 in delinquent taxes due on the property. There has been no water service since December 2012. The City has liens in the amount of $686.27 due for mowing and cleanup. Mayor Pro Tem Nair asked if there was an owner, property owner or neighbor in attendance. Samuel Silverman stated he represented the Lender, Mr. Dodson. He was given notice from Mr. Dodgson about the proposed condemnation, but was not given instruction from his client on what he would like to do. Mr. Silverman stated the structure is in a foreclosure proceeding but it has not yet been recorded. Councilmember Demerson inquired if the City was notified of any construction inside the structure. Mr. Schuster stated there have not been any permits issued. Councilmember Burkett inquired if there are any cost estimates to rehab the structure. Hazel Smith, 407 North Georgia Street, stated she was interested in purchasing the property. Mr. McKamie advised Council that state law was applicable, and Council should complete this hearing. Council may postpone the vote, but additional testimony will not be allowed. There were no other comments.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

Mayor Pro Tem Nair advised that the meeting was adjourned.

ATTEST:

Frances Hibbs, City Secretary

Mark Nair, Mayor Pro Tem

B

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	3/21/2017	Council Priority	Infrastructure Initiative

Department	Capital Projects & Development Engineering

Agenda Caption

Award – Project No. 521943 - Hillside Terrace Estates 30" Sewer Replacement Contract 2– Spiess Construction Company, Inc. - $ 8,655,030.00 (Alignment 2)

This item is to approve the contract for construction services for Spiess Construction Company, Inc. to install a new 30-inch sewer pipeline.

Agenda Item Summary

Award of contract for construction services to: 1) install new, 30" sewer pipeline along future Arden Road and the perimeter of the Hillside Terrace Estates subdivision, as well as corresponding sewer main laterals, and 2) abandon the existing 30" sewer main. The project will secure continued sanitary sewer services, development in the area, and provide expansion capability towards the west.

Requested Action

Consider contract for approval and award to Spiess Construction Company, Inc. - $ 8,655,030.00 (Alignment 2)

Funding Summary

Funding for this project is available in the Project Budget Number 521943.17400.1091

Community Engagement Summary

This project will have modest impact to the neighborhood. City staff will continually update the public with press releases and public announcements through social media before and during the project. The Project Manager will send notifications to the property owners and will conduct a public meeting prior to construction for affected citizens.

Staff Recommendation

City Staff is recommending approval and award of the contract.

Bid No. 5652 Hillside Terrace Estates 30" sewer Replacement Contract 2
Opened 4:00 p.m., February 17, 2017

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Part A: Alignment 1 Bid (Items 1 through 37)										
Segment 1 - STA 1+00 (MH 27) to STA 15+40.53 (MH 23) - Open Cut Only										
Line 1a 30-inch FRP Wastewater Pipe by Open Cut, 0' - 20' Depth, per specifications										
183 lf										
Unit Price	$650.000		$969.00		$650.000		$300.00		$700.00	
Extended Price		118,950.00		177,327.00		118,950.00		54,900.00		128,100.00
Line 1b 30-inch FRP Wastewater Pipe by Open Cut, >20' to 30' Depth, per specifications										
258 lf										
Unit Price	$750.000		$969.00		$850.000		$400.00		$1,000.00	
Extended Price		193,500.00		250,002.00		219,300.00		103,200.00		258,000.00
Line 1c 30-inch FRP Wastewater Pipe by Open Cut, >30' Depth, per specifications										
1,000 lf										
Unit Price	$850.000		$969.00		$1,100.000		$600.00		$1,200.00	
Extended Price		850,000.00		969,000.00		1,100,000.00		600,000.00		1,200,000.00
Segment 2: STA 15+40.53 (MH 23) to STA 23+41.93 (MH 22) - Open Cut, Pilot Tube Auger Bore (PTAB) or Micro tunneling (MTMB)										
Line 2 30-inch FRP Wastewater Pipe by Open Cut, Micro tunnel (MTBM) or Pilot Tube Auger Bore (PTAB), per specifications										
801 lf										
Unit Price	$850.000		$1,069.00		$920.000		$1,300.00		$800.00	
Extended Price		680,850.00		856,269.00		736,920.00		1,041,300.00		640,800.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 3 30-inch FRP Wastewater Pipe by Micro tunnel (MTBM) or Pilot Tube Auger Bore (PTAB) , per										
3,287 lf										
Unit Price	$1,470.000		$1,395.00		$1,800.000		$1,600.00		$1,330.00	
Extended Price		4,831,890.00		4,585,365.00		5,916,600.00		5,259,200.00		4,371,710.00
Line 4 Allowance for Mobilization and Demobilization, insurance, bonds and related ancillary costs, a maximum of 5 percent of the Contract Amount, per specifications										
1 ls										
Unit Price	$320,000.000		$400,000.00		$500,000.000		$250,000.00		$500,000.00	
Extended Price		320,000.00		400,000.00		500,000.00		250,000.00		500,000.00
Line 5 Remove, Replace and Salvage Existing 6-ft FRP Manholes, All Depths, per specifications										
4 ea										
Unit Price	$3,000.000		$38,400.00		$35,000.000		$33,000.00		$3,900.00	
Extended Price		12,000.00		153,600.00		140,000.00		132,000.00		15,600.00
Line 6 New 6-ft FRP Manholes (Up to 20' deep), per specifications										
12 ea										
Unit Price	$40,000.000		$22,300.00		$34,000.000		$30,000.00		$3,690.00	
Extended Price		480,000.00		267,600.00		408,000.00		360,000.00		44,280.00
Line 7 New 6-ft FRP Manholes, Extra Depth (>20' deep), per specifications										
60 VF										
Unit Price	$200.000		$140.00		$600.000		$1,200.00		$500.00	
Extended Price		12,000.00		8,400.00		36,000.00		72,000.00		30,000.00
Line 8 Modified Manhole and STA 48+41.72, per specifications										
1 ea										
Unit Price	$5,000.000		$5,000.00		$6,000.000		$10,000.00		$4,000.00	
Extended Price		5,000.00		5,000.00		6,000.00		10,000.00		4,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 9 Drop Connections at New Manholes, per specifications										
4 ea										
Unit Price	$4,000.000		$1,300.00		$7,500.000		$2,500.00		$7,200.00	
Extended Price		16,000.00		5,200.00		30,000.00		10,000.00		28,800.00
Line 10 8-inch PVC Sewer by Open Cut, per specifications										
45 lf										
Unit Price	$100.000		$100.00		$200.000		$80.00		$370.00	
Extended Price		4,500.00		4,500.00		9,000.00		3,600.00		16,650.00
Line 11 18-inch Sewer by Open Cut, per specifications										
50 lf										
Unit Price	$200.000		$120.00		$300.000		$130.00		$370.00	
Extended Price		10,000.00		6,000.00		15,000.00		6,500.00		18,500.00
Line 12 Existing Manhole Survey, per specifications										
1 ls										
Unit Price	$5,000.000		$15,000.00		$8,000.000		$5,500.00		$22,600.00	
Extended Price		5,000.00		15,000.00		8,000.00		5,500.00		22,600.00
Line 13 Inspection/Sampling of Pipe (Between MH 27 and MH 23), per specifications										
6 ea										
Unit Price	$10,000.000		$18,700.00		$85,000.000		$5,000.00		$95,200.00	
Extended Price		60,000.00		112,200.00		510,000.00		30,000.00		571,200.00
Line 14 Abandon Existing 30-inch VCP pipe, per specifications										
1 ls										
Unit Price	$100,000.000		$57,000.00		$225,000.000		$185,000.00		$210,000.00	
Extended Price		100,000.00		57,000.00		225,000.00		185,000.00		210,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 15 Abandon Existing 6-ft FRP Manholes, per specifications										
8 ea										
Unit Price	$3,000.000		$4,500.00		$2,000.000		$5,000.00		$7,000.00	
Extended Price		24,000.00		36,000.00		16,000.00		40,000.00		56,000.00
Line 16 Remove and Salvage Existing 6-ft FRP Manholes, All Depths, per specifications										
1 ea										
Unit Price	$5,000.000		$2,500.00		$5,000.000		$7,000.00		$4,500.00	
Extended Price		5,000.00		2,500.00		5,000.00		7,000.00		4,500.00
Line 17 Special Manhole Abandonment at STA 42+98.86, per specifications										
1 ea										
Unit Price	$3,000.000		$3,100.00		$1,500.000		$10,000.00		$3,100.00	
Extended Price		3,000.00		3,100.00		1,500.00		10,000.00		3,100.00
Line 18 Bypass Pumping , per specifications										
1 ls										
Unit Price	$100,000.000		$100,000.00		$450,000.000		$75,000.00		$157,000.00	
Extended Price		100,000.00		100,000.00		450,000.00		75,000.00		157,000.00
Line 19 Furnish, Install, and Maintain Trench Safety System complying with OSHA rules and regulations, per specifications										
2,242 lf										
Unit Price	$1.000		$0.01		$1.000		$400.00		$22.00	
Extended Price		2,242.00		22.42		2,242.00		896,800.00		49,324.00
Line 20 Pipe Shoring, per specifications										
5,100 sf										
Unit Price	$2.000		$5.00		$2.000		$200.00		$1.00	
Extended Price		10,200.00		25,500.00		10,200.00		1,020,000.00		5,100.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 21 Trenchless Construction Shafts , per specifications										
11 ea										
Unit Price	$50,000.000		$54,000.00		$110,000.000		$125,000.00		$73,000.00	
Extended Price		550,000.00		594,000.00		1,210,000.00		1,375,000.00		803,000.00
Line 22 Geotechnical Instrumentation, per specifications										
1 ls										
Unit Price	$5,000.000		$6,300.00		$10,000.000		$70,000.00		$63,000.00	
Extended Price		5,000.00		6,300.00		10,000.00		70,000.00		63,000.00
Line 23 Storm Water Pollution Prevention Plan, per specifications										
1 ls										
Unit Price	$30,000.000		$7,500.00		$24,000.000		$60,000.00		$15,000.00	
Extended Price		30,000.00		7,500.00		24,000.00		60,000.00		15,000.00
Line 24 Temporary Odor Control, All Depths, per specifications										
1 ls										
Unit Price	$15,000.000		$5,000.00		$5,000.000		$15,000.00		$36,000.00	
Extended Price		15,000.00		5,000.00		5,000.00		15,000.00		36,000.00
Line 25 Traffic Control, per specifications										
1 ls										
Unit Price	$30,000.000		$40,000.00		$15,000.000		$50,000.00		$113,000.00	
Extended Price		30,000.00		40,000.00		15,000.00		50,000.00		113,000.00
Line 26 Pre-Construction Video, per specifications										
1 ls										
Unit Price	$10,000.000		$8,000.00		$5,000.000		$5,000.00		$6,100.00	
Extended Price		10,000.00		8,000.00		5,000.00		5,000.00		6,100.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 27 Sodding, per specifications										
750 sy										
Unit Price	$2.000		$10.00		$30.000		$12.00		$10.00	
Extended Price		1,500.00		7,500.00		22,500.00		9,000.00		7,500.00
Line 28 Hydromulch, per specifications										
6 ac										
Unit Price	$3,000.000		$4,800.00		$5,500.000		$6,000.00		$1,800.00	
Extended Price		16,500.00		26,400.00		30,250.00		33,000.00		9,900.00
Line 29 Pavement Replacement/Repair, per specifications										
1,300 sy										
Unit Price	$40.000		$20.50		$60.000		$640.00		$120.00	
Extended Price		52,000.00		26,650.00		78,000.00		832,000.00		156,000.00
Line 30 Sidewalk Replacement/Repair, per specifications										
4,150 sf										
Unit Price	$5.000		$8.25		$20.000		$20.00		$18.00	
Extended Price		20,750.00		34,237.50		83,000.00		83,000.00		74,700.00
Line 31 Additional Controlled Low-Strength Material (CLSM), per specifications										
160 cy										
Unit Price	$80.000		$75.00		$135.000		$250.00		$150.00	
Extended Price		12,800.00		12,000.00		21,600.00		40,000.00		24,000.00
Line 32 Additional Subsurface Utility Engineering Test Holes (Level A), Owner-Authorized, per specifications										
10 ea										
Unit Price	$500.000		$720.00		$3,900.000		$5,000.00		$3,900.00	
Extended Price		5,000.00		7,200.00		39,000.00		50,000.00		39,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 33 Additional rock for Trench Foundation Stabilization, Owner-Authorized, per specifications										
200 cy										
Unit Price	$20.000		$50.00		$75.000		$150.00		$80.00	
Extended Price		4,000.00		10,000.00		15,000.00		30,000.00		16,000.00
Line 34 Obstruction Removal, Owner-Authorized, per specifications										
1 ea										
Unit Price	$5,000.000		$45,000.00		$96,000.000		$15,000.00		$6,600.00	
Extended Price		5,000.00		45,000.00		96,000.00		15,000.00		6,600.00
Line 35 Owner's Allowance for Unanticipated Problems During Construction, Owner-Authorized, per specifications										
1 ls										
Unit Price	$100,000.000		$100,000.000		$100,000.000		$100,000.000		$100,000.000	
Extended Price		100,000.00		100,000.00		100,000.00		100,000.00		100,000.00
Line 36 Utility Coordination Allowance, Owner-Authorized, per specifications										
1 ls										
Unit Price	$50,000.000		$50,000.00		$50,000.000		$50,000.00		$50,000.00	
Extended Price		50,000.00		50,000.00		50,000.00		50,000.00		50,000.00
Line 37 Debris/Obstruction Removal as part of Pipe Abandonment, Owner-Authorized, per specifications										
2 ea										
Unit Price	$5,000.000		$45,000.00		$96,000.000		$4,000.00		$90,000.00	
Extended Price		10,000.00		90,000.00		192,000.00		8,000.00		180,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Miscellaneous Add/Deduct Part A: Alignment 1 Bid										
To be distributed proportionally to all items in Part A unless specific items are to receive the additions/deductions as listed below: Items: 1,2,3, per										
1 ea										
Unit Price	($1,000,000.000)		$45,000.00		$96,000.000		$4,000.00		$90,000.00	
Extended Price		(1,000,000.00)		45,000.00		96,000.00		4,000.00		90,000.00
SUBTOTAL PART A ALIGNMENT 1 BID ITEMS 1-37		7,761,682.00		9,109,372.92		12,460,062.00		12,997,000.00		10,035,064.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Part B: Alignment 2 Bid (Items 1 through 50)										
Segment 1 - STA 1+00 (MH 27) to STA 75+11.05 (MH 23)										
- Open Cut Only										
Line 1a 30-inch FRP Wastewater Pipe by open cut, 0'-20' Depth, per specifications										
1,015 lf										
Unit Price	$500.000		$959.00		$600.000		$300.00		$500.00	
Extended Price		507,500.00		973,385.00		609,000.00		304,500.00		507,500.00
Line 1b 30-inch FRP Wastewater Pipe by open cut, 20'-30' Depth, per specifications										
2,481 lf										
Unit Price	$650.000		$959.00		$800.000		$350.00		$1,400.00	
Extended Price		1,612,650.00		2,379,279.00		1,984,800.00		868,350.00		3,473,400.00
Line 1c 30-inch FRP Wastewater Pipe by open cut, >30' Depth, per specifications										
3,915 ls										
Unit Price	$750.000		$959.00		$1,000.000		$450.00		$1,600.00	
Extended Price		2,936,250.00		3,754,485.00		3,915,000.00		1,761,750.00		6,264,000.00
Line 2 30-inch FRP Wastewater Pipe by Micro tunnel (MTBM) or Pilot Tube Auger Bore (PTAB), per specifications										
952 lf										
Unit Price	$1,500.000		$1,370.00		$900.000		$2,100.00		$1,700.00	
Extended Price		1,428,000.00		1,304,240.00		856,800.00		1,999,200.00		1,618,400.00
Line 3 Allowance for Mobilization and Demobilization , insurance, bonds and related ancillary costs, a maximum of 5 percent of the Contract Amount, per specifications										
1 ls										
Unit Price	$360,000.000		$500,000.00		$500,000.000		$250,000.00		$800,000.00	
Extended Price		360,000.00		500,000.00		500,000.00		250,000.00		800,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 4 Remove, Replace and salvage Existing 6-ft FRP Manholes (up to 20' deep), per specifications										
4 ea										
Unit Price	$3,000.000		$38,400.00		$35,000.000		$32,000.00		$46,000.00	
Extended Price		12,000.00		153,600.00		140,000.00		128,000.00		184,000.00
Line 5 New 6-ft FRP Manholes (Up to 20' deep), per specifications										
19 ea										
Unit Price	$40,000.000		$22,700.00		$34,000.000		$30,000.00		$36,000.00	
Extended Price		760,000.00		431,300.00		646,000.00		570,000.00		684,000.00
Line 6 New 6-ft FRP Manholes, Extra Depth (>20' deep), per specifications										
125 VF										
Unit Price	$200.000		$140.00		$600.000		$1,500.00		$4,400.00	
Extended Price		25,000.00		17,500.00		75,000.00		187,500.00		550,000.00
Line 7 Modified Manhole at STA 76+75.51, per specifications										
1 ea										
Unit Price	$5,000.000		$5,000.00		$6,000.000		$10,000.00		$1,700.00	
Extended Price		5,000.00		5,000.00		6,000.00		10,000.00		1,700.00
Line 8 Drop Connections at New Manholes, per specifications										
8 ea										
Unit Price	$4,000.000		$1,300.00		$7,500.000		$2,500.00		$6,600.00	
Extended Price		32,000.00		10,400.00		60,000.00		20,000.00		52,800.00
Line 9 21-inch PVC Sewer by Other-Than-Open-Cut, per specifications										
180 lf										
Unit Price	$1,000.000		$780.00		$910.000		$1,300.00		$1,700.00	
Extended Price		180,000.00		140,400.00		163,800.00		234,000.00		306,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 10 8-inch PVC Sewer by Open Cut, per specifications										
1,445 lf										
Unit Price	$100.000		$119.00		$115.000		$45.00		$110.00	
Extended Price		144,500.00		171,955.00		166,175.00		65,025.00		158,950.00
Line 11 15-inch PVC Sewer by Open Cut , per specifications										
100 lf										
Unit Price	$200.000		$130.00		$230.000		$60.00		$140.00	
Extended Price		20,000.00		13,000.00		23,000.00		6,000.00		14,000.00
Line 12 18-inch PVC Sewer PVC by Open Cut, per specifications										
50 lf										
Unit Price	$200.000		$120.00		$295.000		$80.00		$140.00	
Extended Price		10,000.00		6,000.00		14,750.00		4,000.00		7,000.00
Line 13 8-inch PVC Sewer Extensions along Ellen Hope Street, per specifications										
7 ea										
Unit Price	$1,000.000		$775.00		$10,000.000		$2,000.00		$100.00	
Extended Price		7,000.00		5,425.00		70,000.00		14,000.00		700.00
Line 14 8-inch PVC Water Pipe by Open Cut, per specifications										
1,730 lf										
Unit Price	$80.000		$70.00		$80.000		$55.00		$200.00	
Extended Price		138,400.00		121,100.00		138,400.00		95,150.00		346,000.00
Line 15 12-inch PVC Water Pipe by Open Cut, per specifications										
182 lf										
Unit Price	$100.000		$85.00		$100.000		$60.00		$1,200.00	
Extended Price		18,200.00		15,470.00		18,200.00		10,920.00		218,400.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 16 Removal of Existing Water Main, per specifications										
1,087 lf										
Unit Price	$10.000		$6.00		$25.000		$30.00		$17.00	
Extended Price		10,870.00		6,522.00		27,175.00		32,610.00		18,479.00
Line 17 Furnish and Install Fire Hydrant, Owner-Authorized, per specifications										
1 ea										
Unit Price	$5,000.000		$4,200.00		$3,500.000		$4,000.00		$7,200.00	
Extended Price		5,000.00		4,200.00		3,500.00		4,000.00		7,200.00
Line 18 Relocate and Reinstall Fire Hydrant, per specifications										
3 ea										
Unit Price	$7,000.000		$2,400.00		$3,500.000		$1,400.00		$3,700.00	
Extended Price		21,000.00		7,200.00		10,500.00		4,200.00		11,100.00
Line 19 Install New 8-inch Gate Valve, Owner-Authorized, per specifications										
2 ea										
Unit Price	$1,500.000		$2,400.00		$1,700.000		$2,800.00		$900.00	
Extended Price		3,000.00		4,800.00		3,400.00		5,600.00		1,800.00
Line 20 Install New 12-inch Gate Valve, Owner-Authorized, per specifications										
2 ea										
Unit Price	$2,000.000		$3,100.00		$2,500.000		$4,000.00		$1,800.00	
Extended Price		4,000.00		6,200.00		5,000.00		8,000.00		3,600.00
Line 21 Salvage and Reinstall Existing 8" & 12" Gate Valves, per specifications										
17 ea										
Unit Price	$1,500.000		$1,500.00		$2,600.000		$1,500.00		$7,800.00	
Extended Price		25,500.00		25,500.00		44,200.00		25,500.00		132,600.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 22 Remove/Salvage Existing Storm Inlets, Extend Existing Storm Drains along Ellen Hope Street, per										
2 ea										
Unit Price	$3,000.000		$37,000.00		$24,000.000		$1,700.00		$1,800.00	
Extended Price		6,000.00		74,000.00		48,000.00		3,400.00		3,600.00
Line 23 Existing Manhole Survey , per specifications										
1 ls										
Unit Price	$5,000.000		$15,000.00		$8,000.000		$5,500.00		$2,700.00	
Extended Price		5,000.00		15,000.00		8,000.00		5,500.00		2,700.00
Line 24 Inspection/Sampler of Pipe (Between MH 27 and MH 23), per specifications										
6 ea										
Unit Price	$10,000.000		$18,700.00		$95,000.000		$5,000.00		$15,000.00	
Extended Price		60,000.00		112,200.00		570,000.00		30,000.00		90,000.00
Line 25 Abandon Existing 30-inch VCP Sewer, per specifications										
1 ls										
Unit Price	$100,000.000		$57,000.00		$400,000.000		$150,000.00		$191,000.00	
Extended Price		100,000.00		57,000.00		400,000.00		150,000.00		191,000.00
Line 26 Abandon existing 6-ft FRP Manholes, per specifications										
8 ea										
Unit Price	$3,000.000		$4,500.00		$2,000.000		$5,000.00		$6,400.00	
Extended Price		24,000.00		36,000.00		16,000.00		40,000.00		51,200.00
Line 27 Remove and Salvage Existing 6-ft FRP Manholes, All Depths, per specifications										
1 ea										
Unit Price	$5,000.000		$2,500.00		$5,000.000		$7,000.00		$36,000.00	
Extended Price		5,000.00		2,500.00		5,000.00		7,000.00		36,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 28 Special Manhole Abandonment at STA 2+58 on 8-inch Lateral, per specifications										
1 ea										
Unit Price	$3,000.000		$3,100.00		$1,500.000		$10,000.00		$6,200.00	
Extended Price		3,000.00		3,100.00		1,500.00		10,000.00		6,200.00
Line 29 Remove Existing 30" Sewer Line, per specifications										
410 lf										
Unit Price	$30.000		$52.00		$30.000		$75.00		$1,140.00	
Extended Price		12,300.00		21,320.00		12,300.00		30,750.00		467,400.00
Line 30 Bypass Pumping, per specifications										
1 ls										
Unit Price	$100,000.000		$100,000.00		$450,000.000		$50,000.00		$48,000.00	
Extended Price		100,000.00		100,000.00		450,000.00		50,000.00		48,000.00
Line 31 Furnish, Install and Maintain Trench Safety System complying with OSHA rules and regulations, per										
9,900 lf										
Unit Price	$1.000		$0.01		$1.000		$190.00		$1.00	
Extended Price		9,900.00		99.00		9,900.00		1,881,000.00		9,900.00
Line 32 Pipe Shoring, per specifications										
13,000 sf										
Unit Price	$2.000		$5.00		$2.000		$100.00		$1.00	
Extended Price		26,000.00		65,000.00		26,000.00		1,300,000.00		13,000.00
Line 33 Trenchless Construction Shafts, per specifications										
6 ea										
Unit Price	$50,000.000		$54,000.00		$25,000.000		$125,000.00		$27,600.00	
Extended Price		300,000.00		324,000.00		150,000.00		750,000.00		165,600.00

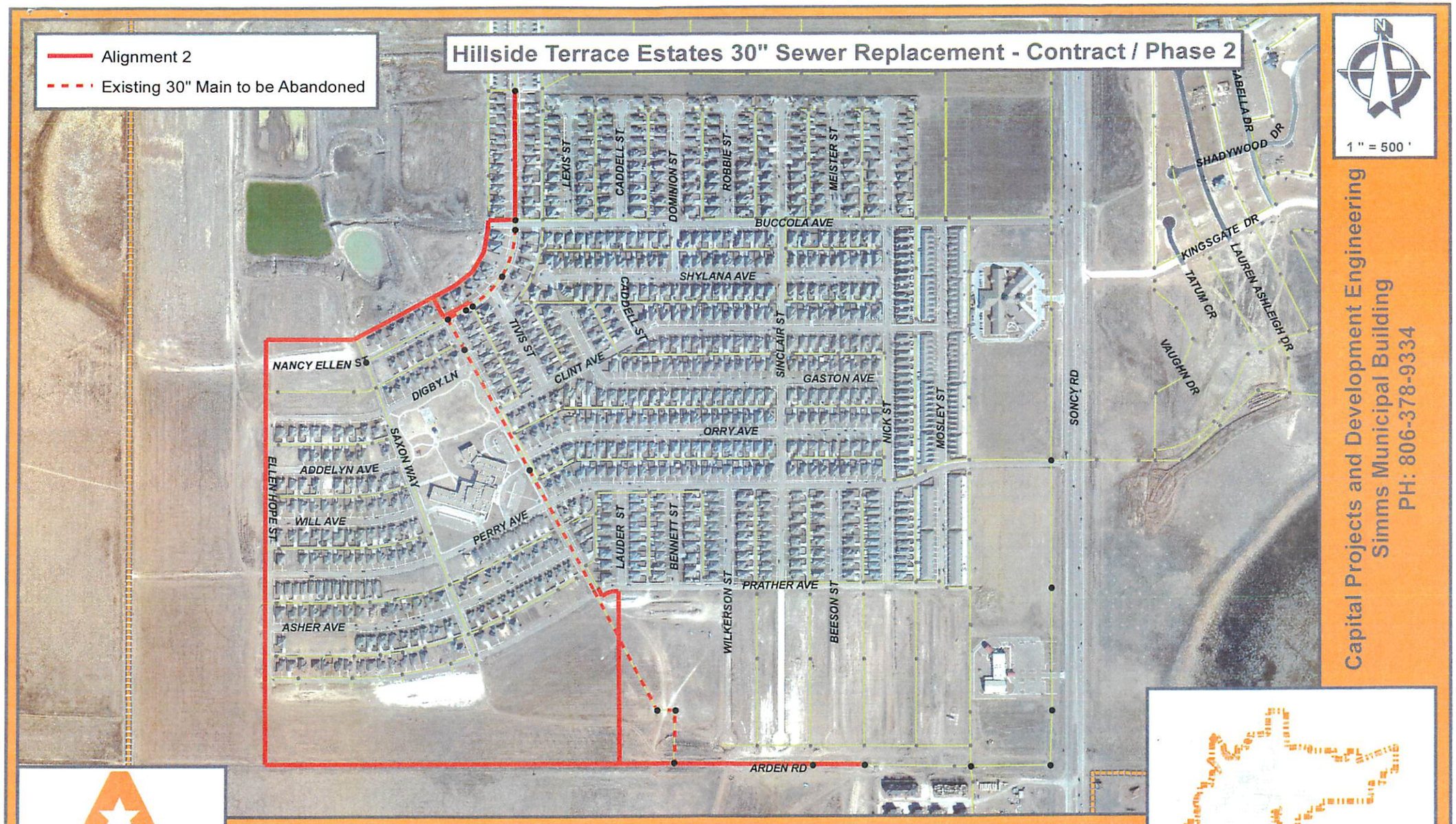
To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 34 Geotechnical Instrumentation, per specifications										
1 ls										
Unit Price	$5,000.000		$4,000.00		$10,000.000		$70,000.00		$10,100.00	
Extended Price		5,000.00		4,000.00		10,000.00		70,000.00		10,100.00
Line 35 Storm Water Pollution Prevention Plan, per specifications										
1 ls										
Unit Price	$30,000.000		$24,000.00		$24,000.000		$55,000.00		$30,500.00	
Extended Price		30,000.00		24,000.00		24,000.00		55,000.00		30,500.00
Line 36 Temporary Odor Control, per specifications										
1 ls										
Unit Price	$15,000.000		$5,000.00		$5,000.000		$15,000.00		$102,000.00	
Extended Price		15,000.00		5,000.00		5,000.00		15,000.00		102,000.00
Line 37 Traffic Control Plan, per specifications										
1 ls										
Unit Price	$30,000.000		$53,000.00		$15,000.000		$40,000.00		$69,000.00	
Extended Price		30,000.00		53,000.00		15,000.00		40,000.00		69,000.00
Line 38 Pre-Construction Video, per specifications										
1 ls										
Unit Price	$10,000.000		$10,000.00		$5,000.000		$5,000.00		$6,000.00	
Extended Price		10,000.00		10,000.00		5,000.00		5,000.00		6,000.00
Line 39 Sodding, per specifications										
1,630 sy										
Unit Price	$2.000		$10.00		$30.000		$12.00		$10.00	
Extended Price		3,260.00		16,300.00		48,900.00		19,560.00		16,300.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 40 Hydromulch , per specifications										
18 ac										
Unit Price	$3,000.000		$4,800.00		$5,500.000		$6,000.00		$1,600.00	
Extended Price		54,000.00		86,400.00		99,000.00		108,000.00		28,800.00
Line 41 Pavement Replacement/Repair, per specifications										
1,820 sy										
Unit Price	$30.000		$20.50		$60.000		$600.00		$170.00	
Extended Price		54,600.00		37,310.00		109,200.00		1,092,000.00		309,400.00
Line 42 Pavement Resonation along Ellen Hope Street (West Side), per specifications										
1,270 sy										
Unit Price	$30.000		$20.50		$60.000		$500.00		$170.00	
Extended Price		38,100.00		26,035.00		76,200.00		635,000.00		215,900.00
Line 43 Sidewalk Replacement/Repair, per specifications										
4,600 sf										
Unit Price	$5.000		$8.25		$20.000		$20.00		$16.00	
Extended Price		23,000.00		37,950.00		92,000.00		92,000.00		73,600.00
Line 44 Additional Controlled Low-Strength Material (CLSM), Owner-Authorized, per specifications										
900 cy										
Unit Price	$80.000		$75.00		$135.000		$250.00		$90.00	
Extended Price		72,000.00		67,500.00		121,500.00		225,000.00		81,000.00
Line 45 Additional Subsurface Utility Engineering Test Holes (Level A), Owner-Authorized, per specifications										
22 ea										
Unit Price	$500.000		$720.00		$3,900.000		$5,000.00		$900.00	
Extended Price		11,000.00		15,840.00		85,800.00		110,000.00		19,800.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 46 Additional Rock for Trench Foundation Stabilization, Owner-Authorized, per specifications										
350 cy										
Unit Price	$20.000		$50.00		$75.000		$150.00		$100.00	
Extended Price		7,000.00		17,500.00		26,250.00		52,500.00		35,000.00
Line 47 Obstruction Removal, Owner-authorized, per specifications										
1 ea										
Unit Price	$5,000.000		$45,000.00		$96,000.000		$15,000.00		$6,000.00	
Extended Price		5,000.00		45,000.00		96,000.00		15,000.00		6,000.00
Line 48 Owner's Allowance for Unanticipated Problems During Construction, owner-Authorized, per specifications										
1 ls										
Unit Price	$100,000.000		$100,000.00		$100,000.000		$100,000.00		$100,000.00	
Extended Price		100,000.00		100,000.00		100,000.00		100,000.00		100,000.00
Line 49 Utility Coordination Allowance, Owner-Authorized, per specifications										
1 ls										
Unit Price	$50,000.000		$50,000.00		$50,000.000		$50,000.00		$50,000.00	
Extended Price		50,000.00		50,000.00		50,000.00		50,000.00		50,000.00
Line 50 Debris/Obstruction Removal as part of Pipe Abandonment, Owner-Authorized, per specifications										
2 ea										
Unit Price	$5,000.000		$45,000.00		$96,000.000		$4,000.00		$82,000.00	
Extended Price		10,000.00		90,000.00		192,000.00		8,000.00		164,000.00

To be awarded as one lot	Spiess Construction Co Inc	SJ Louis Construction of Texas LTD	Utility Contractors of America Inc	Kajacs Contractors Inc	BRH-Garver Construction LP
Miscellaneous Add/Deduct Part B: Alignment 2					
To be distributed proportionally to all items in Part A unless specific items are to receive the additions/deductions as listed below: Items 1,2, per specifications					
1 ea					
Unit Price	($780,000.000)	$50,000.00	$50,000.000	$50,000.00	$50,000.00
Extended Price	(780,000.00)	50,000.00	50,000.00	50,000.00	50,000.00
SUBTOTAL PART B: ITEMS 1-50	8,655,030.00	4,495,866.00	5,874,450.00	10,673,415.00	7,568,729.00
Bid Total	16,416,712.00	9,109,372.92	12,460,062.00	12,997,000.00	10,035,064.00
Award by Vendor	8,655,030.00				

Hillside Terrace Estates 30" Sewer Replacement - Contract / Phase 2



CITY OF AMARILLO
CAPITAL PROJECTS & DEVELOPMENT ENGINEERING

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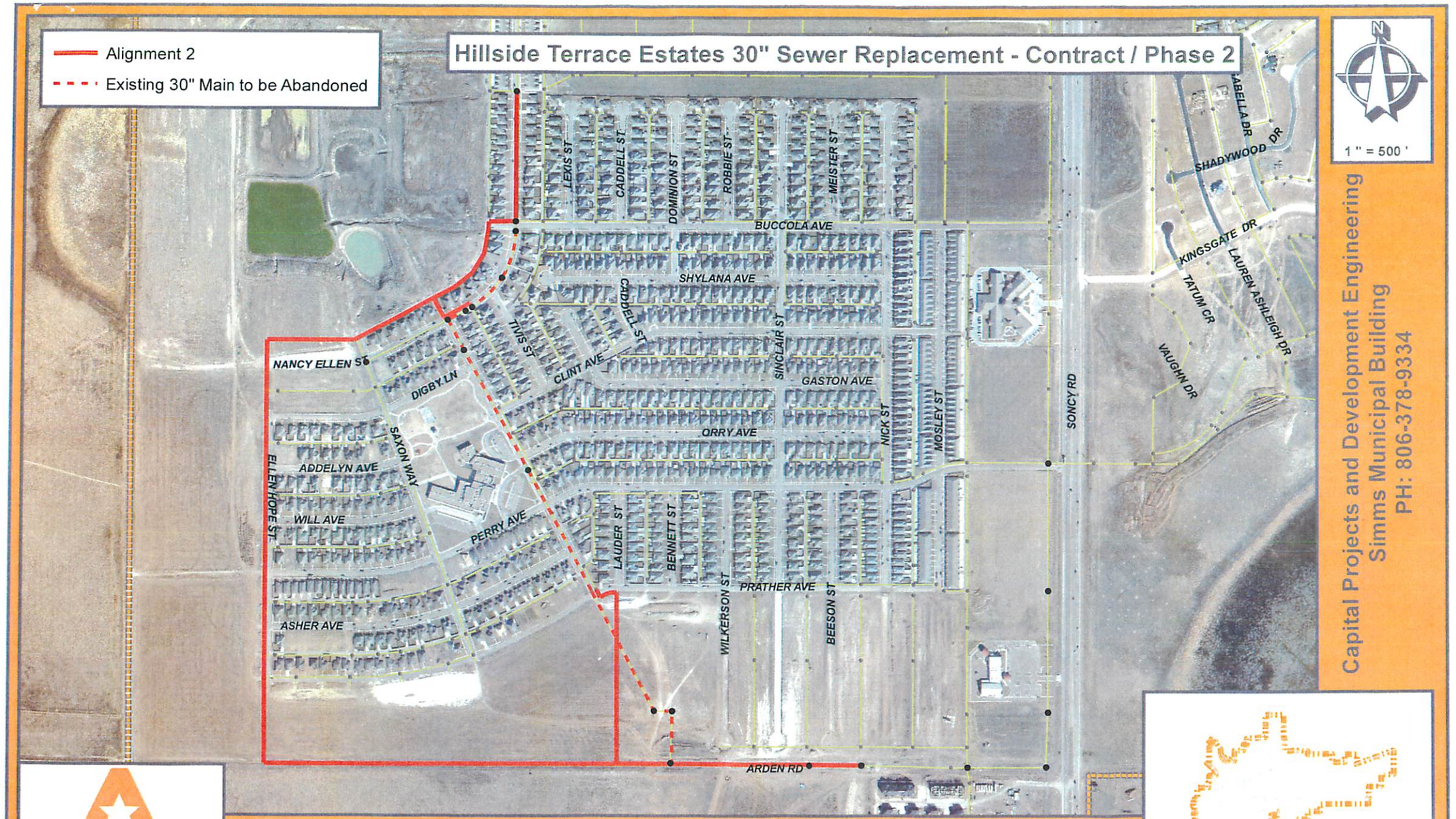
Path:(\\cityfile1\DRIVE_M\CP&DE\Projects\521751-521999\521943 -Emergency Repair for Hillside Terrace Sewer\CONTRACT 2\Design\GIS\521943_Phase II.mxd) on 3/9/2017 at 2:49:18 PM

Hillside Terrace Estates 30" Sewer Replacement - Contract / Phase 2



Capital Projects and Development Engineering
Simms Municipal Building
PH: 806-378-9334

CITY OF AMARILLO
CAPITAL PROJECTS & DEVELOPMENT ENGINEERING

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Site Map

Path:(\\cityfile1\DRIVE_M\CP&DE\Projects\521751-521999\521943 -Emergency Repair for Hillside Terrace Sewer\CONTRACT 2\Design\GIS\521943_Phase II.mxd) on 3/9/2017 at 2:49:18 PM

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	March 21, 2017	Council Priority	N/A

Department	Various City Departments

Agenda Caption

Award – Topping off Motor Fuel Annual Contract

Award to Davidson Oil for an estimated amount of $618,505.55

This award is to approve a contract for the purchase of the Topping Off Motor Fuel Annual Contract. The City purchases fuel based off of Oil Price Information Service (OPIS) Vendors summit pricing back to the City based on a markup the vendor charges on the a gallon of fuel. The City pays the vendor for the fuel and the markup for the fuel. This award is for a markup price of $ 59,944.68 for all of the fuel. Based on the price of a gallon of fuel today the total amount to be spent on for all fuel on this contract would be $618,505.55. This contract has a provision allowing both Potter and Randall Counties to utilize to purchase their fuel for them. Both Counties will order and pay for their own delivery of fuel. This allows both the City and the Counties a better price in obtaining fuel.

Agenda Item Summary

Award of the Topping Off Motor Fuel Annual Contract to be used by various City Departments

Requested Action

Consider approval and award for the Topping Off Motor Fuel Annual Contract.

Funding Summary

Funding for this award is available in the Fire, Airport, Ross Rogers, Comanche, Parks, Hollywood Road, River Road 51800 department's motor fuel account

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval and award of the contract.

Bid No. 5668 Motor Fuel Topping Off Annual Contract
Opened 4:00 p.m. February 23, 2017

To be awarded as one lot	Davidson Oil		Centergas Fuels Inc	
Line 1 Fuel Oil, Diesel--Airport				
8,500 ga				
Unit Price	$0.180		$0.18	
Extended Price		1,530.00		1,530.00
Line 2 Gasoline, Automotive--Airport				
133,013 ga				
Unit Price	$0.180		$0.18	
Extended Price		23,942.34		23,942.34
Lot 1 Total		25,472.34		25,472.34
Line 3 Fuel Oil, Diesel--Potter County				
4,000 ga				
Unit Price	$0.180		$0.18	
Extended Price		720.00		720.00
Line 4 Gasoline, Automotive--Potter County				
750 ga				
Unit Price	$0.180		$0.18	
Extended Price		135.00		135.00
Lot 2 Total		855.00		855.00
Line 5 Gasoline, Automotive--various locations City of Amarillo				
15,728 ga				
Unit Price	$0.180		$0.18	
Extended Price		2,831.04		2,831.04

Bid No. 5668 Motor Fuel Topping Off Annual Contract
Opened 4:00 p.m. February 23, 2017

To be awarded as one lot	Davidson Oil	Centergas Fuels Inc

To be awarded as one lot Davidson Oil Centergas Fuels Inc

Lint 6 Fuel Oil, Diesel--various locations City of Amarillo				
74,026 ga				
Unit Price	$0.180		$0.18	
Extended Price		13,324.68		13,324.68
Lot 3 Total		16,155.72		16,155.72
Line 7 Gasoline, Automotive--Randall County				
30,128 ga				
Unit Price	$0.180		$0.18	
Extended Price		5,423.04		5,423.04
Line 8 Fuel Oil, Diese--Randall County				
66,881 ga				
Unit Price	$0.180		$0.18	
Extended Price		12,038.58		12,038.58
Lot 4 Total		17,461.62		17,461.62
Bid Total		59,944.68		59,944.68
Award by Vendor		59,944.68		

Tie Bid - Awarded by Purchasing Policy to resolve a Tie Bid

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	March 21, 2017	Council Priority	N/A

Department	Park & Golf Maintenance

Agenda Caption

Award of Agriculture Fertilizer Annual Contract to the following:

Harrell's LLC – $53,173.10
BWI Companies Inc - $54,959.00
Pro Chem Co - $52,110.00

Total Amount Awarded: $160,242.10

This award is to approve an annual contract for the purchase of Agriculture Fertilizer for the City of Amarillo.

Agenda Item Summary

Award of annual Agriculture Fertilizer Annual Contract for use by City departments in performing daily job duties.

Requested Action

Consider approval and award for the City annual contract for Agriculture Fertilizer Annual Contract.

Funding Summary

Funding for this award is available in the Botany and Agriculture Fertilizer and Botany and Agriculture – Ag Accounts: 1861.51458, 1811.51450, 1812.51450

Community Engagement Summary

N/A

Staff Recommendation

City staff is recommending approval and award of the contract.

Bid No. 5646 Fertilizer Annual Contract
Opened 4:00 p.m., January 19, 2017

To be awarded by line item	Harrells LLC	Pro Chem Sales	BWI Companies inc	Target Specialty Products	Justin Seed Co	Turf Care of Texas	Siteone Landscape Supply	Humphries Farm Turf Supply	Golf Enviro Systems Inc	Spra Green Inc
Line 1 Fertilizer and Soil Conditioners, 50 LB bag (11-0-14)+ 11% FE, to be coated infused with Acelepryn 0.067 Plus , per specifications										
1,040 bc										
Unit Price	$34.500	$32.48	$0.000	$0.00	$0.00	$0.000	$0.00	$0.000	$32.500	$15.99
Extended Price	35,880.00	33,779.20	-	-	-	-	-	-	33,800.00	16,629.60
										Does Not Meet Specifications
Line 2 Fertilizers and Soul Conditioners, 50 LB bags all season (19-6-12) with Polyon 43, Slow Release, per specifications										
1,000 bc										
Unit Price	$19.500	$12.96	$0.000	$0.00	$0.00	$0.000	$0.00	$0.000	$14.300	$16.21
Extended Price	19,500.00	12,960.00	-	-	-	-	-	-	14,300.00	16,210.00
Line 3 Fertilizers and Soil conditioners, 50 LB bags Micro Green 10 (10-4-16) plus 3% Iron, per specifications										
200 bc										
Unit Price	$30.000	$33.08	$0.000	$0.00	$0.00	$0.000	$48.31	$0.000	$33.800	$16.22
Extended Price	6,000.00	6,616.00	-	-	-	-	9,662.00	-	6,760.00	3,244.00
										Does Not Meet Specifications
Line 4 Fertilizers and Soil Conditioners, 16-4-8 Lebanon country Club Greens Grade, 50 LB bags (or equal), per specifications										
80 bc										
Unit Price	$18.750	$22.65	$21.230	$0.00	$0.00	$0.000	$0.00	$0.000	$25.800	$14.46
Extended Price	1,500.00	1,812.00	1,698.40	-	-	-	-	-	2,064.00	1,156.80
										Does Not Meet Specifications
Line 5 Fertilizers and Soil Conditioners, 10-10-10 (.067 Acelepryn) 1000 LB bags Nitrogen source to Ammonium Sulfate and Potassium source to be Sulfate of Potash, per specifications										
54 bc										
Unit Price	$730.000	$741.19	$744.950	$0.00	$0.00	$0.000	$0.00	$0.000	$612.000	$0.00
Extended Price	39,420.00	40,024.26	40,227.30	-	-	-	-	-	33,048.00	-
									Does Not Meet Specifications	
Line 6 Fertilizers and Soil Conditioners, 21-0-0 1000 LB bags, per specifications										
60 ea										
Unit Price	$0.000	$309.73	$153.500	$0.00	$217.59	$0.000	$398.67	$0.000	$344.000	$225.50
Extended Price	-	18,583.80	9,210.00	-	13,055.40	-	23,920.20	-	20,640.00	13,530.00

To be awarded by line item	Harrells LLC	Pro Chem Sales	BWI Companies inc	Target Specialty Products	Justin Seed Co	Turf Care of Texas	Siteone Landscape Supply	Humphries Farm Turf Supply	Golf Enviro Systems Inc	Spra Green Inc
Line 7 Fertilizer and Soil Conditioners, The Classic (18-3-6) 2.5 gallon jug, per specifications										
70 JG										
Unit Price	$35.000	$33.30	$37.750	$37.95	$0.00	$75.000	$0.00	$0.000	$38.200	$0.00
Extended Price	2,450.00	2,331.00	2,642.50	2,656.50	-	5,250.00	-	-	2,674.00	-
		Does Not Meet Specifications								
Line 8 Fertilizers and Soil Conditioners, Green Speed Si (0-2-5) 2.5 gallon jug, per specifications										
35 jg										
Unit Price	$43.660	$48.55	$48.450	$48.82	$0.00	$90.000	$0.00	$0.000	$54.800	$0.00
Extended Price	1,528.10	1,699.25	1,695.75	1,708.70	-	3,150.00	-	-	1,918.00	-
Line 9 Fertilizers and Soil conditioners, Worm Power 55 gallon drum Aqua Aid, per specifications										
7 dr										
Unit Price	$0.000	$949.60	$875.000	$1,054.95	$0.00	$0.000	$0.00	$0.000	$880.000	$0.00
Extended Price	-	6,647.20	6,125.00	7,384.65	-	-	-	-	6,160.00	-
Line 10 Fertilizers and Soil Conditioners, Cal-Tech, 2.5 gallon jug, per specifications										
35 jg										
Unit Price	$35.000	$41.90	$41.800	$42.15	$0.00	$80.000	$0.00	$0.000	$44.800	$0.00
Extended Price	1,225.00	1,466.50	1,463.00	1,475.25	-	2,800.00	-	-	1,568.00	-
Line 11 Fertilizers and Soil Conditioners, Micrel Totals 5-0-0, 2.5 gallon jug, per specifications										
35 jg										
Unit Price	$30.000	$64.00	$64.900	$65.42	$0.00	$110.000	$0.00	$0.000	$68.250	$0.00
Extended Price	1,050.00	2,240.00	2,271.50	2,289.70	-	3,850.00	-	-	2,388.75	-
Line 12 Fertilizers and Soil Condtioners, Verde Cal Greens Grade 50 LB bag Aqua Aid or equal, per specifications										
80 bc										
Unit Price	$0.000	$15.85	$19.900	$0.00	$0.00	$0.000	$0.00	$0.000	$21.200	$0.00
Extended Price	-	1,268.00	1,592.00	-	-	-	-	-	1,696.00	-
Line 13 Fertilizers and Soil Conditioners, Ferrous Sulfate 50 LB bag Crown or equal, per specifications										
120 bc										
Unit Price	$15.480	$14.01	$16.750	$0.00	$0.00	$0.000	$0.00	$0.000	$16.500	$0.00
Extended Price	1,857.60	1,681.20	2,010.00	-	-	-	-	-	1,980.00	-
Line 14 Fertilizers and Soil Conditioners 21-0-0 sprayable 50 LB bag or equal, per specifications										
80 bc										
Unit Price	$0.000	$7.78	$8.400	$0.00	$0.00	$0.000	$13.06	$0.000	$11.400	$0.00
Extended Price	-	622.40	672.00	-	-	-	1,044.80	-	912.00	-

To be awarded by line item	Harrells LLC	Pro Chem Sales	BWI Companies inc	Target Specialty Products	Justin Seed Co	Turf Care of Texas	Siteone Landscape Supply	Humphries Farm Turf Supply	Golf Enviro Systems Inc	Spra Green Inc
Line 15 Fertilizers and soil conditioners 16-4-8 Ammonium sulfate Blended Fertilizer with 5% Iron, per specifications										
100 bc										
Unit Price	$585.000	$514.11	$354.000	$0.00	$427.08	$0.000	$0.00	$0.000	$516.000	$590.00
Extended Price	58,500.00	51,411.00	35,400.00	-	42,708.00	-	-	-	51,600.00	59,000.00
Line 16 Fertilizers and Soil Conditioners 16-4-8 Ammonium sulfate Bended Fertilizer with 5% Iron, 50 LB bags , per specifications										
480 bc										
Unit Price	$14.650	$12.87	$8.800	$0.00	$12.04	$0.000	$0.00	$0.000	$12.900	$14.46
Extended Price	7,032.00	6,177.60	4,224.00	-	5,780.98	-	-	-	6,192.00	6,940.80
Line 17 Fertilizers and Soil Conditioners 20-20-20 25 LB bags Primera Multipurpose Water Soluble Fertilizer, per specifications										
80 bc										
Unit Price	$27.500	$22.49	$24.950	$0.00	$0.00	$0.000	$0.00	$26.980	$33.600	$30.13
Extended Price	2,200.00	1,799.20	1,996.00	-	-	-	-	2,158.40	2,688.00	2,410.40
Bid Total	178,142.70	191,118.61	111,227.45	15,514.80	61,544.38	15,050.00	34,627.00	2,158.40	190,388.75	119,121.60
Award by Vendor	53,173.10	52,110.00	54,959.00							

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	3/21/2017	Council Priority	Infrastructure Initiative

Department	Capital Projects & Development Engineering

Agenda Caption

Approval – Purchase Agreement for Easement for Project No. 521943- $ 444,640.00

This item is to approve the Purchase Agreement between P Dub Investments, Ltd. and the City of Amarillo.

Agenda Item Summary

Approval of the attached Purchase Agreement. Easement acquisition is necessary for the sewer replacement for Job No. 521943.

Requested Action

Consider and approve Purchase Agreement.

Funding Summary

Funding for this Purchasing Agreement is available in the Project Budget Number 521943.17400.1000

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval of the Purchase Agreement.

PURCHASE AGREEMENT FOR EASEMENTS

DATE: ~~February~~ March 9, 2017

SELLER: P Dub Investments, Ltd.

ADDRESS: P.O. Box 30206
Amarillo, Texas 79120-0206

BUYER: City of Amarillo, Texas

ADDRESS: P.O. Box 1971
Amarillo, Texas 79105-1971

EASEMENTS: 1) Four (4) Public Utility Easements across Section 64, Block 9, BS&F Survey, Randall County, Texas as more particularly shown in Exhibit "A" (to the Purchase Agreement) attached hereto and made part hereof;

2) Three (3) Temporary Construction Easements across Section 64, Block 9, BS&F Survey, Randall County, Texas as more particularly shown in Exhibit "A" (to the Purchase Agreement) attached hereto and made part hereof.

PURCHASE PRICE: For the Easements and the Temporary Construction Easements, a Purchase Price of $444,640.00. The price of the Easements are based on the fact that the easements required by Buyer will result in the net loss of four (4) residential lots, 23,000 square feet of commercial space to Seller's planned development of Section 64 as evidenced by Sellers master plan for the subdivision to be located on said property and two (2) storm sewer inlets are to be furnished and installed for future development in Ellen Hope Street. The parties have agreed that the four (4) lost lots have a market value of $140,000.00 (4 x $35,000.00 = $140,000.00), that the 23,000 square feet of commercial space have a market value of $276,000.00 (23,000 sf x $12.00 = $276,000.00) and the two (2) storm sewer inlets and appurtenances will cost $28,640.000 (2 x $14,320.00).

TITLE: Seller will execute and deliver the Easements and Temporary Construction Easements to be provided to the Buyer. The Easements shall be in the form of the easement attached hereto as Exhibit "A" attached hereto and made a part hereof.

SPECIAL CONDITIONS: 1) This Purchase Agreement for Easements is subject to the approval of the Amarillo City Council.

2) Seller warrants and represents that there are no legal actions, suits, or other legal or administrative proceedings pending or threatened, which affect the EASEMENTS or any portion thereof.

MISCELLANEOUS: This Agreement and the Exhibits attached hereto contains the entire understanding of the parties as to the subject matter described herein. This Agreement and the rights of the parties hereunder shall be governed by and interpreted in accordance with the laws of the State of Texas. This Contract may not be changed orally but only by an instrument in writing signed by both parties.

The failure of any party to exercise any right or power given hereunder, or to insist upon strict compliance by the other party with its obligations as set forth herein, shall not constitute a waiver by such party of its rights to demand strict compliance with the terms and provisions of this Agreement. Titles and captions have been inserted for convenience only and in no way define, limit, extend, or describe the scope of intent of this Agreement. If either party shall bring suit against the other as a result of an alleged breach or failure by the other party to perform any obligations under this Agreement or shall seek declaratory relief with respect to any provision hereof, then the prevailing party in such action shall, in addition to any other relief granted or awarded by the court, be entitled to judgment for reasonable attorneys' fees incurred by reason of such action and all costs of suit and those incurred in preparation thereof at both trial and appellate levels.

AGREEMENT: Seller agrees to sell, and Buyer agrees to purchase the Easements for the Purchase Price which will be in cash to Seller and subject to any conditions expressed in this Agreement.

Each signatory warrants that he/she is duly and legally authorized to accept the above terms of sale and to execute this Agreement on behalf of his/her self or entity.

ATTEST:

By: _____
Frances Hibbs, City Secretary

CITY OF AMARILLO

By: _____
Bob Cowell, Deputy City Manager

P DUB INVESTMENTS LIMITED
By: P.G. Williams Leasors, Inc., General Partner

By: Perry Williams, President

Printed Name: Perry Williams

Title: President of P.G. Williams Leasing, Inc., General Partner for P Dub Investments, Ltd.

Exhibit "A"
(To Purchase Agreement for Easements)

EASEMENTS

GRANTOR:	P Dub Investments, Ltd.
GRANTOR'S Mailing Address:	P.O. Box 30206 Amarillo, Texas 79120-0206
GRANTEE:	City of Amarillo, Texas
GRANTEE'S Mailing Address:	P.O. Box 1971 Amarillo TX 79105-1971
Considerations:	One Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged
PROPERTY:	Tract 1: A Public Utility Easement being a 4.15 acre tract of land out of Section 64, Block 9, BS&F Survey, Randall County, Texas as described in Exhibit "A" attached hereto and made a part hereof;

Tract 2: A Public Utility Easement being a 1.02 acre tract of land out of Section 64, Block 9, BS&F Survey, Randall County, Texas as described in Exhibit "A" attached hereto and made a part hereof;

Tract 3: A Public Utility Easement being a 3.69 acre tract of land out of Section 64, Block 9, BS&F Survey, Randall County, Texas as described in Exhibit "A" attached hereto and made a part hereof;

Tract 4: A Public Utility Easement being a 1.28 acre tract of land out of Section 64, Block 9, BS&F Survey, Randall County, Texas as described in Exhibit "A" attached hereto and made a part hereof;

Temporary Construction Easement 1: A Temporary Construction Easement being a 2.11 acre tract of land out of Section 64, Block 9, BS&F Survey, Randall County, Texas as described in Exhibit "A" attached hereto and made a part hereof.

Temporary Construction Easement 2: A Temporary Construction Easement being a 1.76 acre tract of land out of Section 64, Block 9, BS&F Survey, Randall County, Texas as described in Exhibit "A" attached hereto and made a part hereof.

Temporary Construction Easement 3: A Temporary Construction Easement being a 2.46 acre tract of land out of Section 64, Block 9, BS&F Survey, Randall County, Texas as described in Exhibit "A" attached hereto and made a part hereof.

GRANTOR for the consideration grants, sells, and conveys to GRANTEE, its successors and assigns the following:

a. Four (4) Public Utility Easements ("Easements") for the purpose of installing, constructing, maintaining, operating, extending/repairing, removing, replacing and upgrading public utilities and appurtenances (hereinafter called "Utilities"), at GRANTEE'S sole cost, upon, over, under and across the PROPERTY, together with the right of ingress and egress over, along and across the PROPERTY for said purposes.

b. Three (3) Temporary Construction Easements ("Temporary Easements") for the purpose of installing, constructing, extending/repairing, removing, replacing and upgrading the Utilities, at GRANTEE'S sole cost, upon, over, under and across the PROPERTY, together with the right of ingress and egress over, along and across the PROPERTY for said purposes.

During the initial construction of the Utilities, GRANTEE shall have the temporary right to use the Temporary Easements for ingress and egress, parking and storage of equipment and machinery, and for all other purposes related to the construction of the Utilities. Within 30 days after the completion of the construction of the Utilities or until December 31, 2018, whichever occurs first, all rights of GRANTEE in and to the Temporary Easements shall terminate.

The Easements and the Temporary Easements are subject to all existing easements, rights-of-way, encumbrances and restrictions of record. The surface disturbed by GRANTEE will be restored to as near the original condition as is practical. GRANTEE shall avoid cutting, damaging, or destroying trees within the Easements, unless GRANTEE determines it is reasonably necessary to do so.

The Utilities constructed shall remain the property of GRANTEE. GRANTEE shall have the right to inspect, rebuild, repair, improve, and make such changes, alterations, additions to or extensions of its Utilities within the boundaries of the PROPERTY as GRANTEE deems necessary. All construction, maintenance, equipment and facilities shall comply with all applicable laws, ordinances, codes and regulations.

GRANTOR, its successors and assigns, may use said PROPERTY for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with the safe and efficient construction, operation or maintenance of the Utilities and further provided that such use is not inconsistent with any laws, ordinances or codes pertaining to the construction, operation or maintenance of the Utilities and to which the GRANTOR is subject. GRANTOR will not erect or maintain any buildings or other structures or obstructions on or over the PROPERTY except by written permission from GRANTEE.

TO HAVE AND TO HOLD the above-described PROPERTY, together with all and singular the rights and appurtenances thereto in anywise belonging unto GRANTOR and GRANTOR'S heirs, successors and assigns, forever. GRANTOR do hereby bind itself and its heirs, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the PROPERTY unto GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

EXECUTED this ___ day of February, 2017.

P Dub Investments, Ltd.
(GRANTOR)

By: _____
(Name & Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF RANDALL §

This instrument was acknowledged before me on the 7th day of ~~February~~ March, 2017, by Perry Williams President of P Dub Investments, Ltd., on behalf of said company.

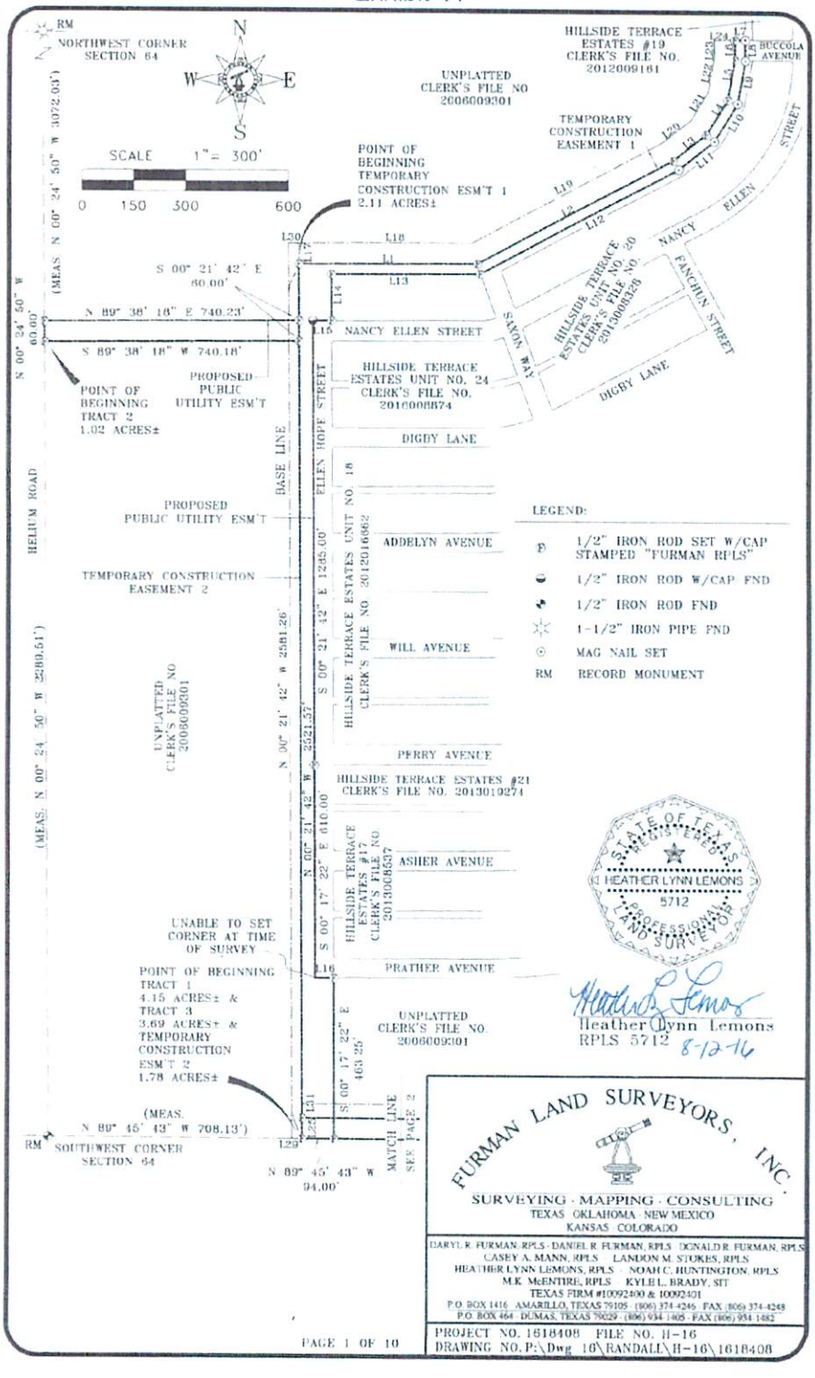
Suzanne DeMont
Notary Public, State of Texas

My commission expires: _____

SUZANNE DEMONT
MY COMMISSION EXPIRES
February 10, 2019

(To Easements)

Exhibit "A"

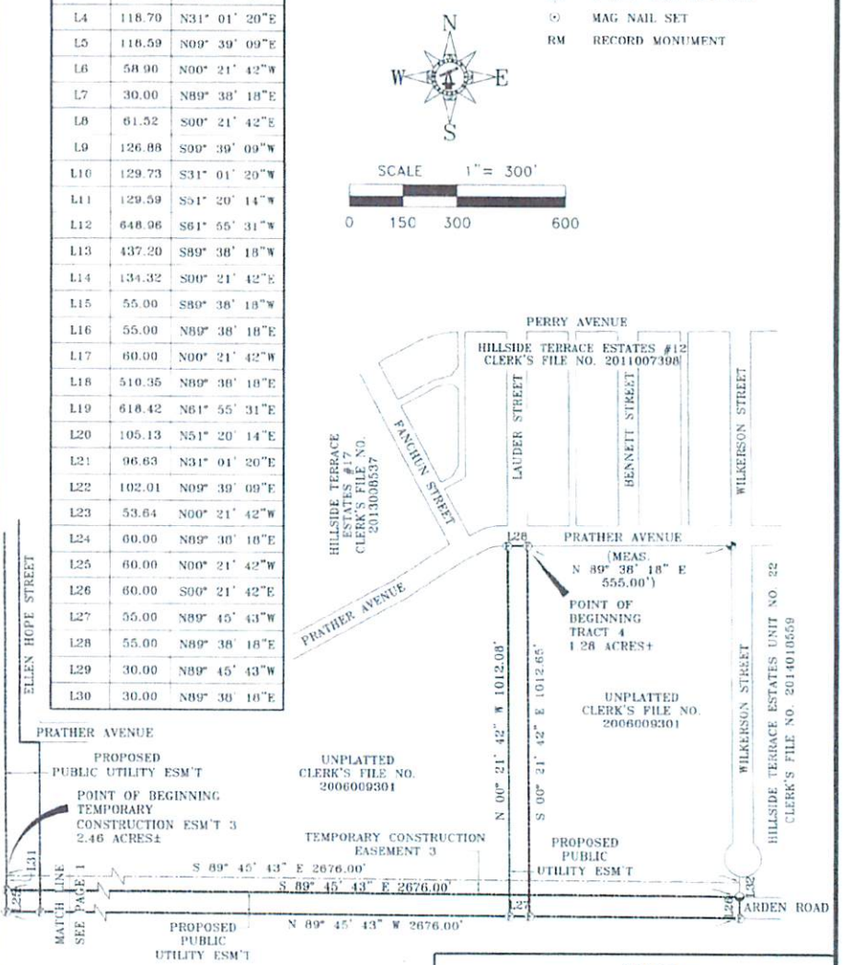


Line Table		
Line #	Length	Direction
L1	525.15	N89° 38' 18"E
L2	636.78	N61° 55' 31"E
L3	121.44	N51° 20' 14"E
L4	118.70	N31° 01' 20"E
L5	116.59	N09° 39' 09"E
L6	58.90	N00° 21' 42"W
L7	30.00	N89° 38' 18"E
L8	61.52	S00° 21' 42"E
L9	126.88	S09° 39' 09"W
L10	129.73	S31° 01' 20"W
L11	129.59	S51° 20' 14"W
L12	648.96	S61° 55' 31"W
L13	437.20	S89° 38' 18"W
L14	134.32	S00° 21' 42"E
L15	55.00	S89° 38' 18"W
L16	55.00	N89° 38' 18"E
L17	60.00	N00° 21' 42"W
L18	510.35	N89° 38' 18"E
L19	618.42	N61° 55' 31"E
L20	105.13	N51° 20' 14"E
L21	96.63	N31° 01' 20"E
L22	102.01	N09° 39' 09"E
L23	53.64	N00° 21' 42"W
L24	60.00	N89° 38' 18"E
L25	60.00	N00° 21' 42"W
L26	60.00	S00° 21' 42"E
L27	55.00	N89° 45' 43"W
L28	55.00	N89° 38' 18"E
L29	30.00	N89° 45' 43"W
L30	30.00	N89° 38' 18"E

Line Table		
Line #	Length	Direction
L31	40.00	N00° 21' 42"W
L32	40.00	S00° 21' 42"E

LEGEND:

- 1/2" IRON ROD SET W/CAP STAMPED "FURMAN RPLS"
- 1/2" IRON ROD W/CAP FND
- 1/2" IRON ROD FND
- 1-1/2" IRON PIPE FND
- MAG NAIL SET
- RM RECORD MONUMENT



STATE OF TEXAS REGISTERED HEATHER LYNN LEMONS 5712 PROFESSIONAL LAND SURVEYOR

Heather Lynn Lemons
RPLS 5712 8-12-16

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
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TEXAS FIRM #10092400 & 10092401
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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 hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2016.

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.

DESCRIPTION

PROPOSED PUBLIC UTILITY EASEMENT (TRACT 1)

A 4.15 acre± tract of land situated in Section 64, Block 9, B.S. & F. Survey, Randall County, Texas and being a portion of a 542.26 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2006009301 of the Official Public Records of Randall County, Texas, said 4.15 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 17, 2016 and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South line of said Section 64, same point being the Southwest corner of this tract of land, from whence a 1/2 inch iron rod found as called for at the Southwest corner of said Section 64, same point being the Southwest corner of said 542.26 acre tract of land, bears North 89° 45' 43" West, 738.13 feet;

THENCE North 00° 21' 42" West, base line, a distance of 2521.57 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the most Westerly Northwest corner of this tract of land;

THENCE North 89° 38' 18" East, 525.15 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 61° 55' 31" East, 638.78 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set.

THENCE North 51° 20' 14" East, 121.44 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set.

THENCE North 31° 01' 20" East, 118.70 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set.

THENCE North 09° 39' 09" East, 118.59 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set.

THENCE North 00° 21' 42" West, 58.90 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the most Northerly Northwest corner of this tract of land;

THENCE North 89° 38' 18" East, at 25.00 feet passing the Northwest corner of Buccola Avenue right-of-way as dedicated by the plat of Hillside Terrace Estates Unit No. 19, an addition to the City of Amarillo, being a replat of Lot 1, Block 6, an alley, Hillside Terrace Estates Unit No. 10, and an unplatted tract of land in said Section 64, according to the map or plat thereof recorded under Clerk's File No. 2012009161 of the Official Public Records of Randall County, Texas, a total distance of 30.00 feet to a mag nail set at the intersection of said North right-of-way line of Buccola Avenue with a 20 foot wide north-south alley as dedicated by the plat of Hillside Terrace Estates Unit No. 10, an addition to the City of Amarillo, according to the map or plat thereof recorded under Clerk's File No. 2011002586 of the Official Public Records of Randall County, Texas, same point being the most Northerly Northeast corner of this tract of land;

STATE OF TEXAS
REGISTERED
HEATHER LYNN LEMONS
5712
PROFESSIONAL
LAND SURVEYOR

Heather Lynn Lemons
RPLS 5712
8-12-16

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PROJECT NO. 1618408 FILE NO. H-16
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DESCRIPTION - CONTINUED
PROPOSED PUBLIC UTILITY EASEMENT (TRACT 1)

THENCE South 00° 21' 42" East, 61.52 feet to a mag nail set at the intersection of the South right-of-way line of said Buccola Avenue with a 20 foot wide alley as dedicated by the plat of Hillside Terrace Estates Unit No. 20, an addition to the City of Amarillo, being a replat of Hillside Terrace Estates Unit No. 14, according to the map or plat thereof recorded under Clerk's File No. 2013008328 of the Official Public Records of Randall County, Texas;

THENCE along the Westerly and Northwesterly lines of said 20 foot wide alley as dedicated by said Hillside Terrace Estates Unit No. 20, the following four courses:

South 09° 39' 09" West, 126.08 feet to a mag nail set;

South 31° 01' 20" West, 129.73 feet to a mag nail set;

South 51° 20' 14" West, 129.59 feet to a mag nail set;

South 61° 55' 31" West, 648.96 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the Westerly right-of-way line of Saxon Way as dedicated by said plat of Hillside Terrace Estates Unit No. 20, same point being the most Westerly Northwest corner of said Hillside Terrace Estates Unit No. 20;

THENCE South 89° 38' 18" West, 437.20 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 00° 21' 42" East, 134.32 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the North right-of-way line of Nancy Ellen Street as dedicated by the plat of Hillside Terrace Estates Unit No. 24, an addition to the City of Amarillo, according to the map or plat thereof recorded under Clerk's File No. 2016008874 of the Official Public Records of Randall County, Texas;

THENCE South 89° 38' 18" West along the said North right-of-way line of Nancy Ellen Street, a distance of 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" found at the Northwest corner of said Hillside Terrace Estates Unit No. 24;

THENCE South 00° 21' 42" East along the West right-of-way line of Ellen Hope Street as dedicated by the plat of said Hillside Terrace Estates Unit No. 24 and Hillside Terrace Estates Unit No. 18, an addition to the City of Amarillo, according to the map or plat thereof recorded under Clerk's File No. 2012016662 of the Official Public Records of Randall County, Texas, a total distance of 1285.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 00° 17' 22" East, continuing along the West right-of-way line of Ellen Hope Street as dedicated by the plat of Hillside Terrace Estates Unit No. 17, an addition to the City of Amarillo, according to the map or plat thereof recorded under Clerk's File No. 2013008537 of the Official Public Records of Randall County, Texas, a total distance of 610.00 feet to the intersection of said West right-of-way line of Ellen Hope Street with the South right-of-way line of Prather Avenue as dedicated by said plat of Hillside Terrace Estates Unit No. 17;

THENCE North 89° 38' 18" East along the said South right-of-way line of Prather Avenue, a distance of 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 00° 17' 22" East, 463.25 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South line of said Section 64 at the most Southerly Southeast corner of this tract of land;

THENCE North 89° 45' 43" West along the South line of said Section 64, a distance of 94.00 feet to the PLACE OF BEGINNING and containing a computed area of 4.15 acres of land, more or less.

STATE OF TEXAS
REGISTERED
HEATHER LYNN LEMONS
5712
PROFESSIONAL
LAND SURVEYOR

Heather Lynn Lemons
RPLS 5712
8-12-16

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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.

DESCRIPTION
PROPOSED PUBLIC UTILITY EASEMENT (TRACT 2)

A 1.02 acre± tract of land situated in Section 64, Block 9, B.S. & F. Survey, Randall County, Texas and being a portion of a 542.26 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2006009301 of the Official Public Records of Randall County, Texas, said 1.02 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 17, 2016 and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the West line of said Section 64 at the Southwest corner of this tract of land, from whence a 1/2 inch iron rod found as called for at the Southwest corner of said Section 64, same being the Southwest corner of said 542.26 acre tract of land, bears South 00° 24' 50" East, 2289.51 feet;

THENCE North 00° 24' 50" West along the West line of said Section 64, a distance of 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the Northwest corner of this tract of land, from whence a 1-1/2 inch iron pipe found as called for at the Northwest corner of said Section 64 bears North 00° 24' 50" West, 3072.03 feet;

THENCE North 89° 38' 18" East, 740.23 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the Northeast corner of this tract of land;

THENCE South 00° 21' 42" East, base line, 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the Southeast corner of this tract of land;

THENCE South 89° 38' 18" West, 740.18 feet to the PLACE OF BEGINNING and containing a computed area of 1.02 acres of land, more or less.

STATE OF TEXAS
REGISTERED
HEATHER LYNN LEMONS
5712
PROFESSIONAL
LAND SURVEYOR

Heather L Lemons
Heather Lynn Lemons
RPLS 5712 8-12-16

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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

DESCRIPTION
PROPOSED PUBLIC UTILITY EASEMENT (TRACT 3)

A 3.69 acre± tract of land situated in Section 64, Block 9, B.S. & F. Survey, Randall County, Texas and being a portion of a 542.26 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2006009301 of the Official Public Records of Randall County, Texas, said 3.69 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 17, 2016 and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South line of said Section 64, same point being the Southwest corner of this tract of land, from whence a 1/2 inch iron rod found as called for at the Southwest corner of said Section 64, same point being the Southwest corner of said 542.26 acre tract of land, bears North 89° 45' 43" West, 738.13 feet;

THENCE North 00° 21' 42" West, base line, 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the Northwest corner of this tract of land;

THENCE South 89° 45' 43" East, at 60.00 feet from and parallel with the South line of said Section 64, a total distance of 2676.00 feet to a 1/2 inch iron rod with cap stamped "HH" found at the Northwest corner of Arden Road right-of-way as dedicated by plat of Hillside Terrace Estates Unit No. 22, an addition to the City of Amarillo, according to the plat or map thereof recorded under Clerk's File No. 2014018559 of the Official Public Records of Randall County, Texas, same point being the Southwest corner of Lot 184, Block 15 of said Hillside Terrace Estates Unit No. 22 and also being the Northeast corner of this tract of land;

THENCE South 00° 21' 42" East, 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South line of said Section 64 at the Southeast corner of this tract of land;

THENCE North 89° 45' 43" West along the South line of said Section 64, a total distance of 2676.00 feet to the PLACE OF BEGINNING and containing a computed area of 3.69 acres of land, more or less.

STATE OF TEXAS
REGISTERED
HEATHER LYNN LEMONS
5712
PROFESSIONAL
LAND SURVEYOR

Heather Lynn Lemons
RPLS 5712 8-23-16

FURMAN LAND SURVEYORS, INC.
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CASEY A. MANN, RPLS LANDON M. STOKES, RPLS
HEATHER LYNN LEMONS, RPLS NOAH C. HUNTINGTON, RPLS
M.K. McENTIRE, RPLS KYLE L. BRADY, SIT
TEXAS FIRM #10092400 & 10092401
P.O. BOX 1416 · AMARILLO, TEXAS 79105 · (806) 374-4246 · FAX (806) 374-4248
P.O. BOX 464 · DUMAS, TEXAS 79029 · (806) 934-1405 · FAX (806) 934-1482

PROJECT NO. 1618408 FILE NO. H-16
DRAWING NO. P:\Dwg 16\RANDALL\H-16\1618408

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 hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2016.

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.

DESCRIPTION
PROPOSED PUBLIC UTILITY EASEMENT (TRACT 4)

A 1.28 acre± tract of land situated in Section 64, Block 9, B.S. & F. Survey, Randall County, Texas and being a portion of a 542.26 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2006009301 of the Official Public Records of Randall County, Texas, said 1.28 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 17, 2016 and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South right-of-way line of Prather Avenue at the intersection of said right-of-way with the projected East right-of-way line of Lauder Street, both right-of-ways being dedicated by the plat of Hillside Terrace Estates Unit No. 12, an addition to the City of Amarillo, according to the map or plat thereof recorded under Clerk's File No. 2011007398 of the Official Public Records of Randall County, Texas, same point being the Northeast corner of this tract of land, from whence a 1/2 inch iron rod found at the intersection of said South right-of-way line of Prather Avenue with the West right-of-way line of Wilkerson Street, same point being the Northwest corner of Hillside Terrace Estates Unit No. 22, an addition to the City of Amarillo, according to the map or plat thereof recorded under Clerk's File No. 2014018559 of the Official Public Records of Randall County, Texas, bears North 89° 38' 18" East, 555.00 feet;

THENCE South 00° 21' 42" East, base line, 1012.65 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South line of said Section 64;

THENCE North 89° 45' 43" West along the South line of said Section 64, a distance of 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the Southwest corner of this tract of land;

THENCE North 00° 21' 42" West, 1012.08 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South right-of-way line of said Prather Avenue at the Northwest corner of this tract of land;

THENCE North 89° 38' 18" East along the South right-of-way line of said Prather Avenue, a distance of 55.00 feet to the PLACE OF BEGINNING and containing a computed area of 1.28 acres of land, more or less.

STATE OF TEXAS
REGISTERED
HEATHER LYNN LEMONS
5712
PROFESSIONAL
LAND SURVEYOR

Heather Lynn Lemons
RPLS 5712
8-12-16

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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.

DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT 1

A 2.11 acre± tract of land situated in Section 64, Block 9, B.S. & F. Survey, Randall County, Texas and being a portion of a 542.26 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2006009301 of the Official Public Records of Randall County, Texas, said 2.11 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 17, 2016 and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the Southwest corner of this tract of land, same point being the most Westerly Northwest corner of a 4.11 acre± tract of land designated as a proposed public utility easement and as surveyed by this firm on June 17, 2016, from whence a 1/2 inch iron rod found as called for at the Southwest corner of said Section 64 bears South 00° 21' 42" East, base line, 2521.57 feet and North 89° 45' 43" West, 738.13 feet;

THENCE North 00° 21' 42" West, 60.00 feet to the most Westerly Northwest corner of this tract of land;

THENCE North 89° 38' 18" East, 510.35 feet to a point;

THENCE North 61° 55' 31" East, 618.42 feet to a point;

THENCE North 51° 20' 14" East, 105.13 feet to a point;

THENCE North 31° 01' 20" East, 96.63 feet to a point;

THENCE North 09° 39' 09" East, 102.01 feet to a point;

THENCE North 00° 21' 42" West, 53.64 feet to the most Northerly Northwest corner of this tract of land;

THENCE North 89° 38' 18" East, 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the most Northerly Northwest corner of said 4.11 acre± tract and also being the most Northerly Northeast corner of this tract of land;

THENCE South 00° 21' 42" East, 58.90 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 09° 39' 09" West, 118.59 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 31° 01' 20" West, 118.70 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 51° 20' 14" West, 121.44 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 61° 55' 31" West, 638.78 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 89° 38' 18" West, 525.15 feet to the PLACE OF BEGINNING and containing a computed area of 2.11 acres of land, more or less.

STATE OF TEXAS REGISTERED HEATHER LYNN LEMONS 5712 PROFESSIONAL LAND SURVEYOR

Heather Lynn Lemons
RPLS 5712
8-12-16

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PROJECT NO. 1618408 FILE NO. H-16
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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.

DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT 2

A 1.78 acre± tract of land situated in Section 64, Block 9, B.S. & F. Survey, Randall County, Texas and being a portion of a 542.26 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2006009301 of the Official Public Records of Randall County, Texas, said 4.15 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 17, 2016 and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South line of said Section 64, same point being the Southwest corner of this tract of land and also being the Southwest corner of a 4.11 acre± tract of land designated as a proposed public utility easement and as surveyed by this firm on June 17, 2016, from whence a 1/2 inch iron rod found as called for at the Southwest corner of said Section 64, same point being the Southwest corner of said 542.26 acre tract of land, bears North 89° 45' 43" West, 738.13 feet;

THENCE North 89° 45' 43" West along the South line of said Section 64, a distance of 30.00 feet to the Southwest corner of this tract of land;

THENCE North 00° 21' 42" West, 2581.26 feet to the Northwest corner of this tract of land;

THENCE North 89° 38' 18" East, 30.00 feet to the Northeast corner of this tract of land;

THENE South 00° 21' 42" East, base line, at 60.00 feet passing a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the most Westerly Northwest corner of said 4.11 acre± tract of land, a total distance of 2581.57 feet to the PLACE OF BEGINNING and containing a computed area of 1.78 acres of land, more or less.

STATE OF TEXAS REGISTERED HEATHER LYNN LEMONS 5712 PROFESSIONAL LAND SURVEYOR

Heather Lynn Lemons
RPLS 5712 8-12-16

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PROJECT NO. 1618408 FILE NO. H-16
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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.

DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT 3

A 2.46 acre± tract of land situated in Section 64, Block 9, B.S. & F. Survey, Randall County, Texas and being a portion of a 542.26 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2006009301 of the Official Public Records of Randall County, Texas, said 2.46 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 17, 2016 and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South line of said Section 64, same point being the Southwest corner of a 3.69 acre± tract of land designated as a proposed public utility easement and as surveyed by this firm on June 17, 2016, from whence a 1/2 inch iron rod found as called for at the Southwest corner of said Section 64, same point being the Southwest corner of said 542.26 acre tract of land, bears North 89° 45' 43" West, 738.13 feet.

THENCE North 00° 21' 42" West, base line, 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the Northwest corner of said 3.69 acre± tract of land, same point being the Southwest and BEGINNING CORNER of the herein described tract of land;

THENCE North 00° 21' 42" West, 40.00 feet to the Northwest corner of this tract of land;

THENCE South 89° 45' 43" East, at 100.00 feet from and parallel with the South line of said Section 64, a total distance of 2676.00 feet to a point in a Westerly line of Hillside Terrace Estates Unit No. 22, an addition to the City of Amarillo, according to the plat or map thereof recorded under Clerk's File No. 2014018559 of the Official Public Records of Randall County, Texas;

THENCE South 00° 21' 42" East, 40.00 feet to a 1/2 inch iron rod with cap stamped "HH" found at the Northwest corner of Arden Road right-of-way as dedicated by said plat of Hillside Terrace Estates Unit No. 22, same point being the Southwest corner of Lot 184, Block 15 of said Hillside Terrace Estates Unit No. 22, the Northeast corner of said 3.69 acre± tract of land and also being the Southeast corner of this tract of land;

THENCE North 89° 45' 43" West, at 60.00 feet from and parallel with the South line of said Section 64, a total distance of 2676.00 feet to the PLACE OF BEGINNING and containing a computed area of 2.46 acres of land, more or less;

STATE OF TEXAS REGISTERED HEATHER LYNN LEMONS 5712 PROFESSIONAL LAND SURVEYOR

Heather Lynn Lemons
RPLS 5712 8-12-16

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HEATHER LYNN LEMONS, RPLS · NOAH C. HUNTINGTON, RPLS
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PROJECT NO. 1618408 FILE NO. H-16
DRAWING NO. P:\Dwg 16\RANDALL\H-16\1618408

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	3/21/17	Council Priority	N/A

Department	Parks & Recreation

Agenda Caption

Approval of Amendment Number Four to the existing lease for Wonderland Park.

Agenda Item Summary

Amendment Number 4 between the City of Amarillo and Wonderland Park amends the term of the lease an additional ten years with a new lease expiration of December 31st, 2040 and adds an additional 0.46 acre tract of land on the west boundary of the current lease park property, north of the large existing parking lot. The expansion will allow for additional covered seating for group outings and concrete pad placement for two additional future amusement rides.

Requested Action

Approval of Amendment Number Four to the lease Agreement between the City of Amarillo and Wonderland Park.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of the amendment to extend the term of the lease and increase the current lease property of Wonderland Park to allow for further expansion and to capitalize on investment.

03/09/17 BSM_____

ADDENDUM NUMBER FOUR

TO WONDERLAND PARK LEASE

RECITALS

1) The City of Amarillo by Lease dated February 25, 1992 as changed by Addendum dated October 26, 1992, Amendment Number One dated January 19, 1989, Amendment Number Two dated May 14, 1999, Addendum dated July 9, 2004, and Addendum Number Three dated January 9th, 2007, leased a portion of Section 167, Block 2, AB & M Survey Potter County, Texas to Wonderland Amusements, Inc. for use as an amusement concession.
2) The City of Amarillo now desires to change said lease by adding additional property to the lease for use by Wonderland Amusement Inc. in furtherance of its amusement concession.
3) Whereas the term of said lease is set to expire on the 31st day of December of 2030 and the City of Amarillo now desires to extend said lease to the 31st day of December of 2040.

NOW THEREFORE The City of Amarillo and Wonderland Amusements Inc. hereby agree to change the above referenced Wonderland Parks Lease by amending the term of said lease to expire the 31st day of December 2040 and adding to said Lease a 0.46 acre tract of land out of the east half of Section 167, Block 2, A. B. & M. Survey, Potter County, Texas and more particularly described in Exhibits A and B attached hereto and by reference made a part of hereof.

This Addendum and Lease is made on the express condition that Paul Borchardt shall remain personally liable for compliance with all of the terms and provisions of this lease agreement and all addendums through the extended period of this lease to December 31st, 2040; and Paul Borchardt shall show his consent to this obligation by his signature below.

Except as specifiable changed herein all other terms, conditions, obligations, rights, and privileges of the above described Wonderland Park Lease as changed by the above described Addendum and Amendments shall remain in full force and affect.

Signed this ____ day of _____, 2017.

ATTEST:

LESSOR
City Of Amarillo

_____ By:_____
Frances Hibbs, City Secretary

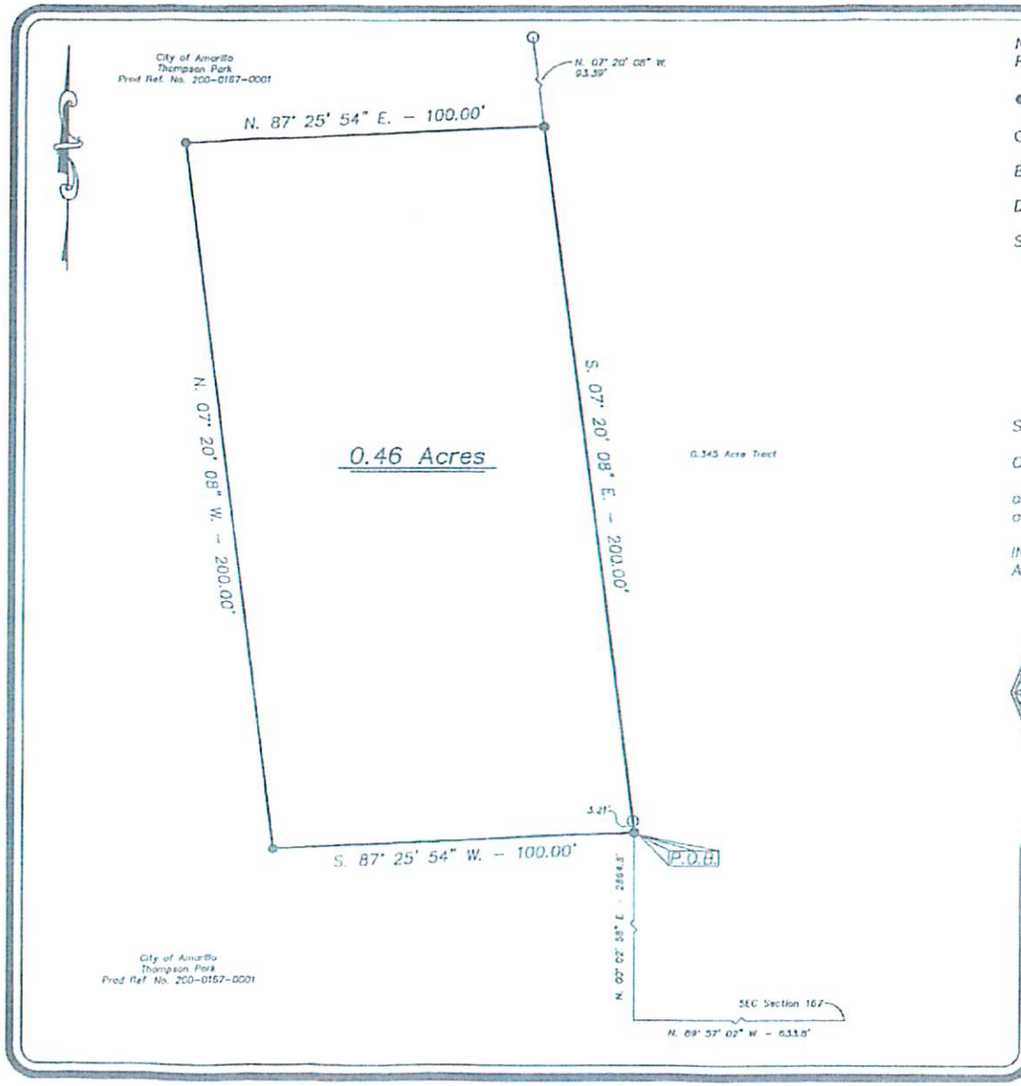
Jared Miller, City Manager

ATTEST:

LESSEE
Wonderland Amusements, Inc.

Paula Borchardt By: _____
Corporate Secretary

Printed Name: PAUL BORCHARDT
Title: PRESIDENT
WONDERLAND AMUSEMENT INC.



NOTE:
P.O.B. = POINT OF BEGINNING.

● = 1/2" iron rod w/yellow cap inscribed "RPLS 4263" set.

O = 1/2" iron rod w/yellow cap inscribed "RPLS 4263" found.

Bearings based on U.S. State Plane of 1983 – Texas North.

Distances shown are ground distance.

Scale Factor: 1.0002507.

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF COLLINGSWORTH : that I, Richard E. Johnson, Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the tract of land shown on this plat, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 14th day of February, A.D., 2017.

STATE OF TEXAS REGISTERED RICHARD E. JOHNSON 4263 PROFESSIONAL LAND SURVEYOR

Richard E. Johnson
Registered Professional
Land Surveyor #4263

A Plat of a 0.46 acre tract of land out of the east half of Section 167, Block 2, A. B. & M. Survey, Potter County, Texas

SCALE: 1" = 30'	Firm No. 10090900	DRAWN BY: TW
DATE: Feb. 14, 2017		FILE NAME:
OJD Engineering, L.P. Consulting Engineers & Surveyors		806-447-2503 P.O. Box 543 Wellington, Texas 79095
		DRAWING NUMBER

FIELD NOTES for a 0.46 acre tract of land out of the east half of Section 167, Block 2, A. B. & M. Survey, Potter County, Texas, and more particularly described as follows:

BEGINNING at a 1/2" iron rod with a yellow cap inscribed "RPLS 4263" (such type cap and rod hereafter referred to as an OJD Cap) set which bears N. 89° 57' 02" W. a distance of 633.8 feet and N. 00° 02' 58" E. a distance of 2864.8 feet from the calculated southeast corner of said Section 167 for the southeast corner of this tract.

THENCE S. 87° 25' 54" W. a distance of 100.00 feet to an OJD Cap set for the southwest corner of this tract.

THENCE N. 07° 20' 08" W. a distance of 200.00 feet to an OJD Cap set for the northwest corner of this tract.

THENCE N. 87° 25' 54" E. a distance of 100.00 feet to an OJD Cap set for the northeast corner of this tract.

THENCE S. 07° 20' 08" E. a distance of 200.00 feet to the place of BEGINNING and containing 0.46 acres of land.

* * * * * * * * * * * * * * *

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS, that I, Richard E. Johnson, Registered

COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the above described tract of land, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 14th day of February, A.D., 2017.

STATE OF TEXAS REGISTERED RICHARD E. JOHNSON 4263 PROFESSIONAL LAND SURVEYOR

Richard E. Johnson
Registered Professional
Land Surveyor #4263

OJD ENGINEERING, LP • WELLINGTON, TX • FIRM NO. 10090900

E Chaparral Rd
Horseshoe Ln
200
100
ATM
Wonderland Amusement Park
Dumas Dr
Ponderosa
Balsam
Google
Imagery ©2017 Google, Map data ©2017 Google
Terms
Send feedback
100 ft
1:21 PM
1/27/2017

SCALE 1" = 30'

NORTH

WONDERLAND AT THOMPSON PARK-
REQUEST TO ADD AREA TO LEASE AGREEMENT

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	March 21, 2017	Council Priority	Infrastructure Initiative

Department	Capital Projects & Development Engineering

Agenda Caption

Approval–Dedication of Right-of-Way :

This declaration dedicates the right of way for the future expansion of 34th Avenue from Grand Street to Eastern Street as well as the future expansion of Eastern Street from 34th Avenue approximately one mile south.

Agenda Item Summary

City staff is recommending approval of the Dedication of Right-of-Way to facilitate Project # 410968: Reconstruction of 34th Avenue from Grand Street to Eastern Street Future Arterial. The proposed Right-of-Way is a 7.22 acre tract of land out of Section 121, Block 2, AB&M Survey, Randall County, Texas. The City of Amarillo owns the property and is dedicating the property for the expansion and reconstruction of SE 34th Avenue from Grand Street to Eastern Street; and for the future construction of Eastern Street from 34th Avenue approximately one mile south.

Requested Action

Consider approval of Dedication of Right-of-Way

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval of Dedication of Right-of-Way

DECLARATION OF RIGHT OF WAY

DECLARANT: City of Amarillo

GRANTOR'S Mailing Address: P. O. Box 1971
Amarillo TX 79105-1971

PROPERTY OWNER: City of Amarillo, Texas

RIGHT OF WAY: Right-of-Way being a 7.22 acre tract of land out of Section 121, Block 2, AB &M Survey, Randall County, Texas; as described in Exhibits "A" and "B" attached hereto and made a part hereof.

DECLARANT, a home-rule municipal corporation, hereby establishes Right-of-Ways over, under and across DECLARANT'S property to be used for public use and purposes including but not limited to using the Right-of-Ways for streets, sidewalks, curb, gutter, utilities, drainage, and other public structures or facilities and to maintain, repair and replace same.

EXECUTED this 27 day of February, 2017.

City of Amarillo
(DECLARANT)

Bob Cowell, Deputy City Manager

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF POTTER §

This instrument was acknowledged before me on the 27 day of February, 2017, by Bob Cowell, Deputy City Manager on behalf of said municipality.

Frances Hibbs
Notary Public, State of Texas
My commission expires: 8/19/2019

FRANCES HIBBS
NOTARY PUBLIC,
STATE OF TEXAS
My Commission Expires 08-19-2019

Exhibit "A"

FIELD NOTES for a 7.22 acre tract of land out of Section 121, Block 2, A. B. & M. Survey, Randall County, Texas, and more particularly described as follows:

BEGINNING at a 1/2" iron rod set with a yellow cap on the south right-of-way line of Southeast 34th Avenue which bears S. 89° 55' 31" E. a distance of 1328.43 feet and S. 00° 04' 07" W. a distance of 20.16 feet from a railroad spike found at the northwest corner of said Section 121 for the northwest corner of this tract.

THENCE S. 89° 55 31" E., along said south right-of-way line, a distance of 3929.18 feet to a 1/2" iron rod set with a yellow cap at the intersection of said south right-of-way line and the west right-of-way line of South Eastern Street for the northeast corner of this tract.

THENCE S. 00° 05' 47" W., along said west right-of-way line, a distance of 5273.98 feet to a 1/2" iron rod set with a yellow cap on said west right-of-way line which bears N. 89° 45' 11" W. a distance of 30.00 feet from a 1/2" iron pipe found at the southeast corner of said Section 121 for the southeast corner of this tract.

THENCE N. 89° 45' 11" W. a distance of 30.00 feet to a 1/2" iron rod set with a yellow cap for the most southerly southwest corner of this tract.

THENCE N. 00° 05' 47" E. a distance of 5208.89 feet to a 1/2" iron rod set with a yellow cap for an angle corner of this tract.

THENCE N. 44° 54' 52" W. a distance of 35.35 feet to a 1/2" iron rod set with a yellow cap for an angle corner of this tract.

THENCE N. 89° 55' 31" W. a distance of 3874.17 feet to a 1/2" iron rod set with a yellow cap for the most westerly southwest corner of this tract.

Exhibit "A"

THENCE N. 00° 04′ 07″ E. a distance of 40.00 feet to the place of BEGINNING and containing 7.22 acres (314,498 square feet) of land.

* * * * * * * * * * * * * * * *

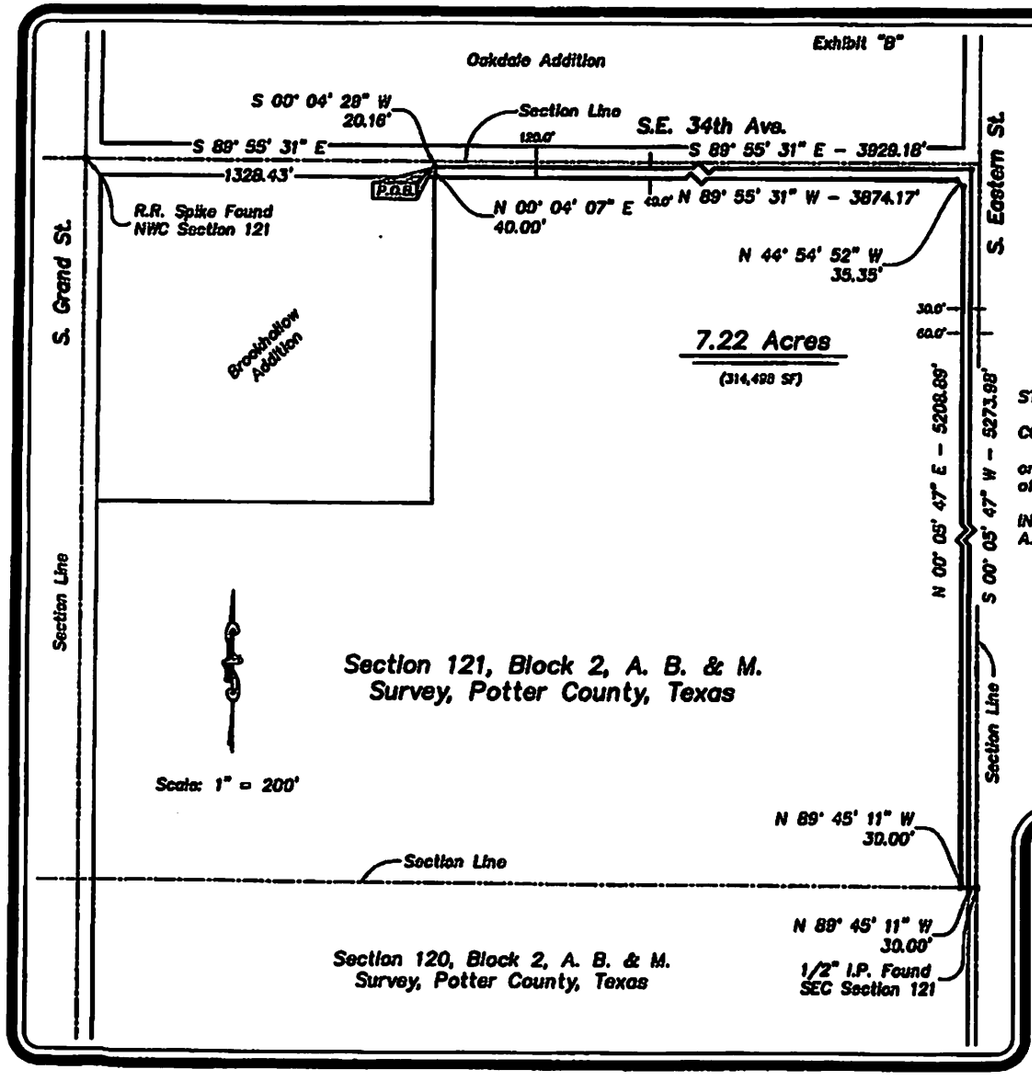
STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS, that I, Richard E. Johnson, Registered

COUNTY OF COLLINGSWORTH : Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the above described tract of land, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 15th day of February, A.D., 2017.

STATE OF TEXAS
REGISTERED
RICHARD E. JOHNSON
4263
PROFESSIONAL
LAND SURVEYOR

Richard E. Johnson
Registered Professional
Land Surveyor #4263



All corners are 1/2" iron rods set with yellow caps unless otherwise noted.

Bearings are based on the City of Amarillo "Williams–Stackhouse" Coordinate System.

Distances shown are ground distances.

Grid to ground scale factor: 1.0002507

• • • • • • • • • • •

STATE OF TEXAS : KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF COLLINGSWORTH : that I, Richard E. Johnson, Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the tract of land shown on this plat, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 15th day of February, A.D., 2017.

STATE OF TEXAS
RICHARD E. JOHNSON
4263
REGISTERED
LAND SURVEYOR

Richard E. Johnson
Registered Professional
Land Surveyor #4263

A Plat of a 7.22 Acre tract of land out of Section 121, Block 2, A. B. & M. Survey, Randall County, Texas

SCALE 1" = 400'	Firm No. 10095900	DRAWN BY: JA
DATE: February 2017		FILE NAME:
OJD Engineering, LP Consulting Engineers & Surveyors	806-447-2503 P.O. Box 543 Wellington, Texas 79095	DRAWING NUMBER

H

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	March 21, 2017	Council Priority	Infrastructure

Department	Planning

Agenda Caption

Aviation Clear Zone Easement, being 4,600 feet above mean sea level above the plat of Dremmel Addition Unit No. 2, an suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 152, Block 2, AB&M Survey, Randall County, Texas from Doug Morris.

Agenda Item Summary

The above referenced Aviation Clear Zone Easement is being requested by the City of Amarillo and is associated with the plat Dremmel Addition Unit No. 2.

Requested Action

Planning and Legal 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 ACZ-17-02.

AVIATION CLEAR ZONE EASEMENT

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

WHEREAS, Douglas V. Morris, 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 4,600 feet above mean sea level above the plat of Dremmel Addition Unit No. 2, an suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 152, Block 2, AB&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 assigned, 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 assigned, 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 4,600 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 4,600 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 10th day of March, 2017.

Douglas V. Morris

THE STATE OF TEXAS §

COUNTY OF RANDALL §

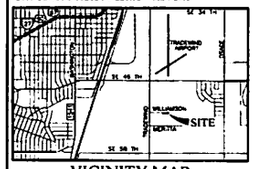
This instrument was acknowledged before me on this the 10th day of March, 2017, by Douglas V. Morris.

NATALIE PHILLIPS
NOTARY PUBLIC
STATE OF TEXAS
ID# 130863660
EXPIRES 10-17-2020

Natalie Phillips

Notary Public, State of Texas

2010 CENSUS TRACT # 220.02 A.P. O-15



VICINITY MAP

NOT TO SCALE

SCALE 1"= 30'

0 15 30 60

DESCRIPTION

A 0.94 acre± tract of land being all of that certain tract of land as described in that certain instrument recorded in Volume 1224, Page 303 of the Deed Records of Randall County, Texas, said 0.94 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on January 13, 2017 and being more particularly described by metes and bounds as follows

COMMENCING at a 1/2 inch iron pipe found for the Southwest corner of said Section 152.

THENCE N. 00° 02' 13" E. (Base Line bearing per recorded plat of Tradewind Square Unit No. 1 recorded under Clerk's File No. 2016014260) 2903.17 feet along the West line of said Section 152 to a point, same point being the Northwest corner of that certain tract of land deeded to Jackie and Brenda Smith (Smith tract) described in that certain instrument recorded under Clerk's File No. 03 12440 of the Official Public Records of Randall County, Texas,

THENCE S. 89° 57' 47" E., at 50.00 feet pass a 3/8 inch iron found, for a total distance of 968.73 feet along the North line of said Smith tract to a 1/2 inch iron found for the Southeast corner of a 0.234 acre± tract of land described in that certain instrument recorded in Volume 916, Page 88 of the Deed Records of Randall County, Texas, same being the Southwest corner of said tract of land described in Volume 1224, Page 303, also being the Southwest and BEGINNING CORNER of the herein described tract of land.

DESCRIPTION (cont.)

THENCE N. 00° 05' 52" E. along the common line of said 0.234 acre± tract of land and said tract of land described in Volume 1224, Page 303 a distance of 102.00 feet to a 1/2 inch iron rod with cap (FURMAN) found in the South line of a private road commonly known as Williamson Trail for the Northeast corner of said 0.234 acre± tract of land and the Northwest corner of said tract of land described in Volume 1224, Page 303, same being the Northwest corner of this tract of land.

THENCE S. 89° 57' 47" E., 400.00 feet along the common line of said Williamson Trail and said tract of land described in Volume 1224, Page 303 to a 1/2 inch iron rod found for the Northeast corner of said tract of land described in Volume 1224, Page 303, same being the Northeast corner of this tract of land.

THENCE S. 00° 05' 52" W. along the East line of said tract of land described in Volume 1224, Page 303 a distance of 102.00 feet to a 1/2 inch iron rod found in the North line of said Smith tract for the Southeast corner of said tract of land described in Volume 1224, Page 303, same being the Southeast corner of this tract of land.

THENCE N. 89° 57' 47" W., 400.00 feet along the common line of said Smith tract and said tract of land described in Volume 1224, Page 303 to the PLACE OF BEGINNING and containing a computed area of 0.94 acres of land, more or less.

NOTES

1) THIS PLAT IS WITHIN THE AMARILLO ETJ

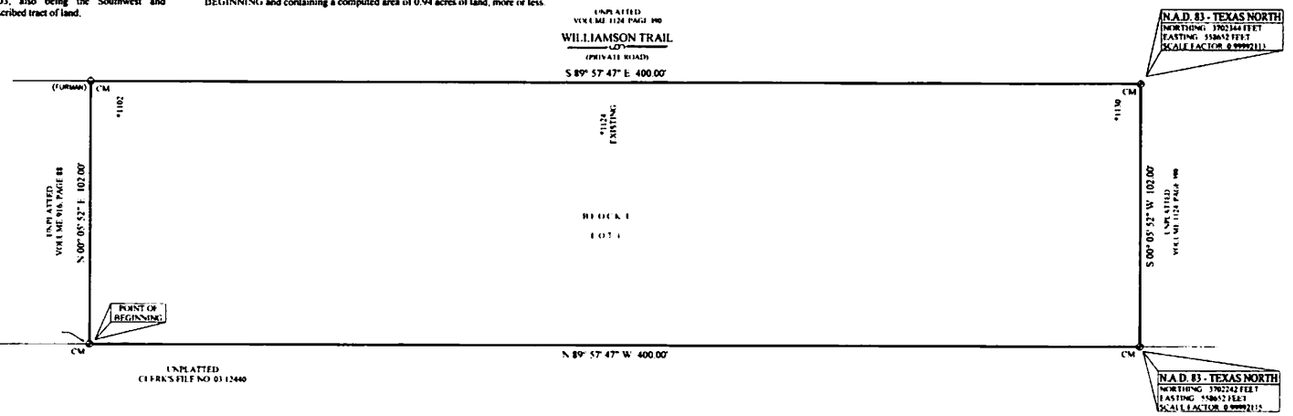
2) THIS PLAT DOES NOT LIE WITHIN A FLOOD HAZARD ZONE ACCORDING TO THE FEDERAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO 48381C0090E, DATED JUNE 4, 2010 USI. OF F.I.R.M. MAPS MUST NOT BE CONSTRUED AS A SPECIFIC SITE FLOOD ELEVATION BY THIS SURVEYOR

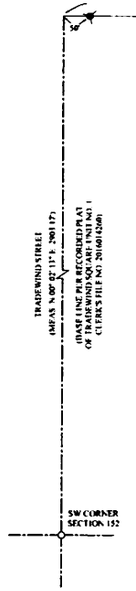
3) THERE IS HEREBY CREATED BY THIS PLAT A SANITARY CONTROL EASEMENT AROUND EACH APPROVED WATER WELL LOCATION WITH A 100-FOOT RADIUS WITHIN WHICH NO SUB-SURFACE SEWERAGE SYSTEM MAY BE CONSTRUCTED CONVERSELY, NO WATER WELL LOCATION WILL BE APPROVED THAT IS CLOSER THAN 100 FEET TO A SUB-SURFACE SEWERAGE SYSTEM. WATER WELL LOCATIONS WILL BE MADE ON AN INDIVIDUAL BASIS. THIS EASEMENT IS FOR THE SOLE PURPOSE OF SANITARY CONTROL AND DOES NOT PROHIBIT BUILDING ENCROACHMENTS. LOCATIONS OF EXISTING WATER WELLS AND SEWERAGE SYSTEMS ON OR ADJACENT TO THIS PROPERTY ARE UNKNOWN AND THEREFORE CANNOT BE SHOWN ON THIS SURVEY PLAT.

4) THIS PLAT IS IN ACCORDANCE WITH AVIATION HEIGHT RESTRICTIONS. THEREFORE, AN AVIATION CLEAR ZONE EASEMENT WITH A MAXIMUM BUILDING HEIGHT OF 4,600 FEET M.S.L. HAS BEEN FILED IN ACCORDANCE WITH THIS PLAT.

LEGEND

	3/8" IRON ROD FND
	1/2" IRON ROD W/CAP FND
	1/2" IRON ROD FND
CM	CONTROL MONUMENT
(XXXX)	NAME OR NUMBER IN ( ) INDICATES MONUMENT ORIGINATION
*XXXX	ADDRESS (PROVIDED BY CITY OF AMARILLO. SUBJECT TO CHANGE WITHOUT NOTICE)





OWNERS ACKNOWLEDGEMENT

THE STATE OF TEXAS

COUNTY OF RANDALL

KNOW ALL MEN BY THESE PRESENTS

THAT THE UNDERSIGNED, YOLANDA GLORIA MORRIS, BEING THE PRESENT OWNERS OF THE LAND SHOWN AND DESCRIBED ON THIS MAP AND PLAT HAVE CAUSED ALL OF SAID LANDS TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS DREMMEL ADDITION UNIT NO. 2, AN ADDITION TO THE CITY OF AMARILLO, TEXAS AND SO DECLARE THAT ALL OF THE STREET, ALLEYS, LANES AND EASEMENTS SHOWN UPON SUCH MAP AND PLAT ARE DEDICATED TO THE PUBLIC FOREVER TO BE USED AS SUCH.

EXECUTED THIS _____ DAY OF _____, 2017

_____

YOLANDA GLORIA MORRIS
1124 WILLIAMSON TRAIL
AMARILLO, TEXAS 79118

ATTEST

THE STATE OF TEXAS

COUNTY OF RANDALL

KNOW ALL MEN BY THESE PRESENTS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY YOLANDA GLORIA MORRIS

THIS _____ DAY OF _____, 2017

_____

NOTARY PUBLIC, STATE OF TEXAS

OWNERS ACKNOWLEDGEMENT

THE STATE OF TEXAS

COUNTY OF RANDALL

KNOW ALL MEN BY THESE PRESENTS

THAT THE UNDERSIGNED, DOUGLAS V. MORRIS, BEING THE PRESENT OWNERS OF THE LAND SHOWN AND DESCRIBED ON THIS MAP AND PLAT HAVE CAUSED ALL OF SAID LANDS TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS DREMMEL ADDITION UNIT NO. 2, AN ADDITION TO THE CITY OF AMARILLO, TEXAS AND SO DECLARE THAT ALL OF THE STREET, ALLEYS, LANES AND EASEMENTS SHOWN UPON SUCH MAP AND PLAT ARE DEDICATED TO THE PUBLIC FOREVER TO BE USED AS SUCH.

EXECUTED THIS _____ DAY OF _____ 2017

_____

DOUGLAS V. MORRIS
1124 WILLIAMSON TRAIL
AMARILLO, TEXAS 79118

ATTEST

THE STATE OF TEXAS

COUNTY OF RANDALL

KNOW ALL MEN BY THESE PRESENTS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY DOUGLAS V. MORRIS

THIS _____ DAY OF _____, 2017

_____

NOTARY PUBLIC, STATE OF TEXAS

APPROVAL

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF AMARILLO TEXAS

ON THIS _____ DAY OF _____ 2017

_____

CHAIRMAN

APPROVAL

APPROVED BY THE BI-CITY-COUNTY HEALTH DEPARTMENT.

ON THIS _____ DAY OF _____, 2017

_____

HEALTH OFFICER

DREMMEL ADDITION UNIT NO. 2

A SUBURBAN SUBDIVISION TO
THE CITY OF AMARILLO,
BEING AN UNPLATTED
TRACT OF LAND
IN SECTION 152, BLOCK 2,
AB&M SURVEY,
RANDALL COUNTY, TEXAS
0.94± ACRES

CERTIFICATE

I, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT IT WAS PREPARED FROM A PERIMETER SURVEY MADE ON THE GROUND BY ME OR BY OTHERS UNDER MY DIRECT SUPERVISION WITH MONUMENTS, SET OR FOUND AS INDICATED, AT ALL PERIMETER CORNERS ON THIS 13TH DAY OF JANUARY, 2017

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE. THIS DOCUMENT HAS BEEN RELEASED BY DARYL R. FURMAN RPLS 5374 FOR REVIEW PURPOSES ONLY

_____

DARYL R. FURMAN RPLS 5374
REGISTERED PROFESSIONAL LAND SURVEYOR

GRANTEE'S ADDRESS

CITY OF AMARILLO
P.O. BOX 1971
AMARILLO, TEXAS 79105-1971

RANDALL COUNTY ROAD DEPT
301 W. HIGHWAY 60
CANYON, TEXAS 79015

FILED OF RECORD

_____ (DATE) _____ RANDALL (COUNTY)

_____

CLERK'S DOCUMENT NO

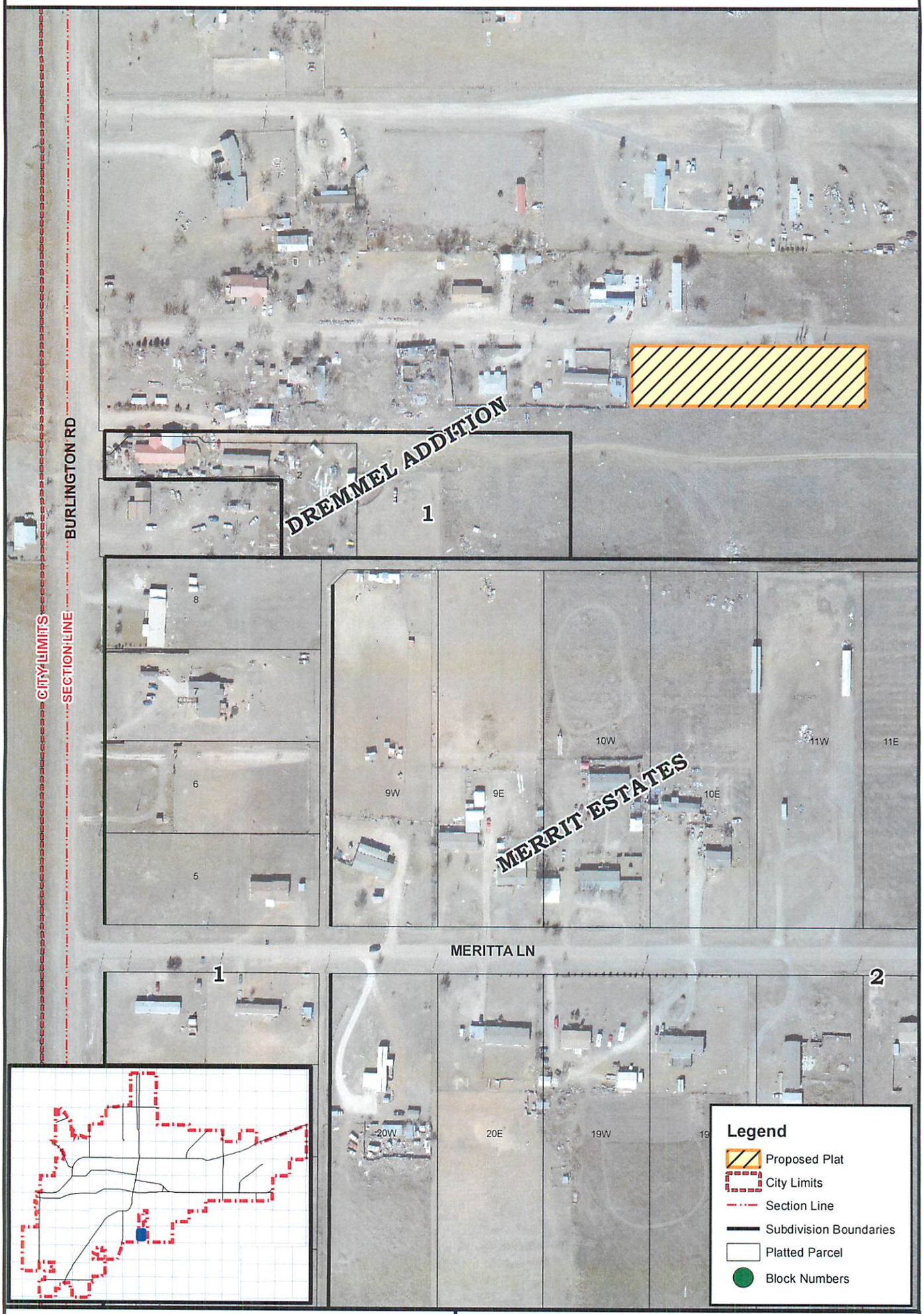
FURMAN LAND SURVEYORS, INC.

SURVEYING - MAPPING - CONSULTING
TEXAS OKLAHOMA NEW MEXICO
KANSAS COLORADO

DARYL R. FURMAN, RPLS - DANIEL R. FURMAN, RPLS - DONALD R. FURMAN, RPLS
CASEY A. MANN, RPLS LANDON M. STOKES, RPLS
HEATHER LYNN LEMONS, RPLS NOAH C. HUNTINGTON, RPLS
M.K. McENTIRE, RPLS KYLE L. BRADY, SIT
TEXAS FIRM #10092400 & 10092401
P.O. BOX 1436 AMARILLO, TEXAS 79107 (806) 376-4296 FAX (806) 374-9248
P.O. BOX 464 DUMAS, TEXAS 79029 (806) 934-1405 FAX (806) 934-1402

PROJECT NO. 1719887 FILE NO. O-15
DRAWING NO. P:\SUB 17\RANDALL\O-15\1719887\

CASE ACZ-17-02
AVIATION CLEAR ZONE



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1" = 200'
Date: 2-21-17

N
W E
S

Aviation Clear Zone Easement, being 4,600 feet above mean sea level above the plat of Dremmel Addition Unit No. 2, an suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 152, Block 2, AB&M Survey, Randall County, Texas.

Developer: Doug Morris

Vicinity: Tradewind St. & Williamson Trail

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.

2

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	March 21, 2017	Council Priority	Community Appearance

Department	Planning Department

Agenda Caption

Vicinity: Mays Ave. & S Virginia St.

Rezoning of Lot 28, Mays Ranches Unit No. 21, in Section 228, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 (MF-1) and Light Industrial (I-1) to General Retail (GR).

Agenda Item Summary

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

The future land use for this particular property is General Commercial. This entails a wide range of commercial retail and service uses, at varying scales and intensities depending on the site. It also includes office uses, public/institutional uses, and parks or public spaces. The characteristics of General Commercial are auto-oriented, which these can be offset by enhanced design, landscaping, reduced site coverage, and well designed signage to name a few. This applicant's request is consistent with General Commercial.

As for the Neighborhood Unit Concept that was adopted in the 1980s, this request does not follow the NUC per say but that is mainly because Interstate 27 (I-27) cuts right through this Section Map (L-14). This allows for the retail and commercial development patterns to follow along this interstate route while the rest of the section adheres to the NUC pattern. This property is in an area that follows the I-27 corridor. Therefore, staff believes this property is in compliance with the NUC development pattern.

The adopted Comprehensive Plan contains a number of action strategies that are to be followed when making decisions about land use, development, and other community elements. These include:

- Protection from Encroachment – neighborhood integrity (pg. 2.24)
- Compatibility of Neighborhood Commercial/Services Uses – restrict certain commercial uses that, by their very nature, should be not be permitted in close proximity to homes (pg. 2.25)

Currently the recently replatted property is split right down the middle with the northwest side of the property zoned Multiple Family District 1 (MF-1) and the southeastern side of the property zoned Light Industrial (I-1). The issue of how to proceed was discussed by staff with the applicant; simply put, this

rezoning will consolidate the property design standards under one set of rules while also creating a reasonable zoning district transition between residential and industrial districts as recommended by 4-10-104(b)(3) of the Zoning Ordinance.

In summary, the application is consistent with the FLUC map, the Neighborhood Unit Concept, the principles of the Comprehensive Plan, and the zoning & development patterns of the area - justifying a recommendation of approval.

Requested Action

The applicant is requesting the rezoning of 0.51 acre tract of land, previously zoned half Multiple Family District 1 (MF-1) and half Light Industrial District (I-1), to change to General Retail District (GR), in order to consolidate design standards on their property and create a reasonable zoning transition between residential and industrial zoning districts as recommended by staff.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 10 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request, either in favor of or in opposition to the request.

The item was recommended for approval by 5:0 vote of the Planning and Zoning Commission at its March 13, 2017 public meeting.

City Manager Recommendation

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

ORDINANCE NO. _____

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 MAYS AVENUE AND SOUTH VIRGINIA STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

Rezoning of Lot 28, Mays Ranches Unit No. 21, in Section 228, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 (MF-1) and Light Industrial District (I-1) to General Retail District (GR).

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

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

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

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

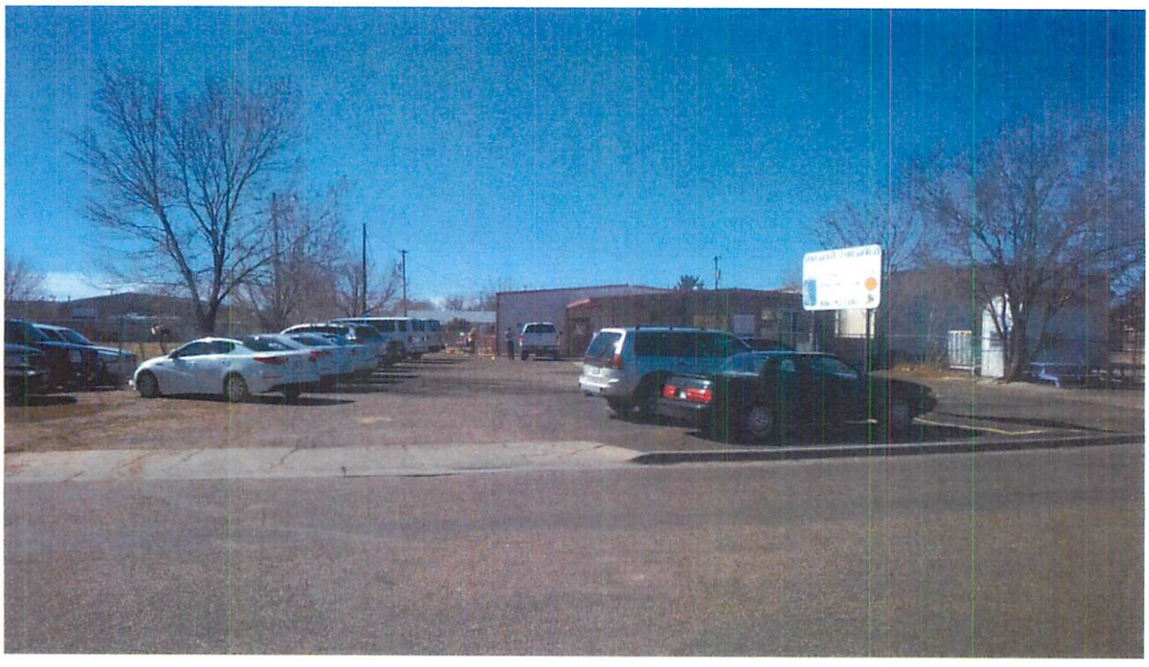
_____
Paul Harpole, Mayor

ATTEST:

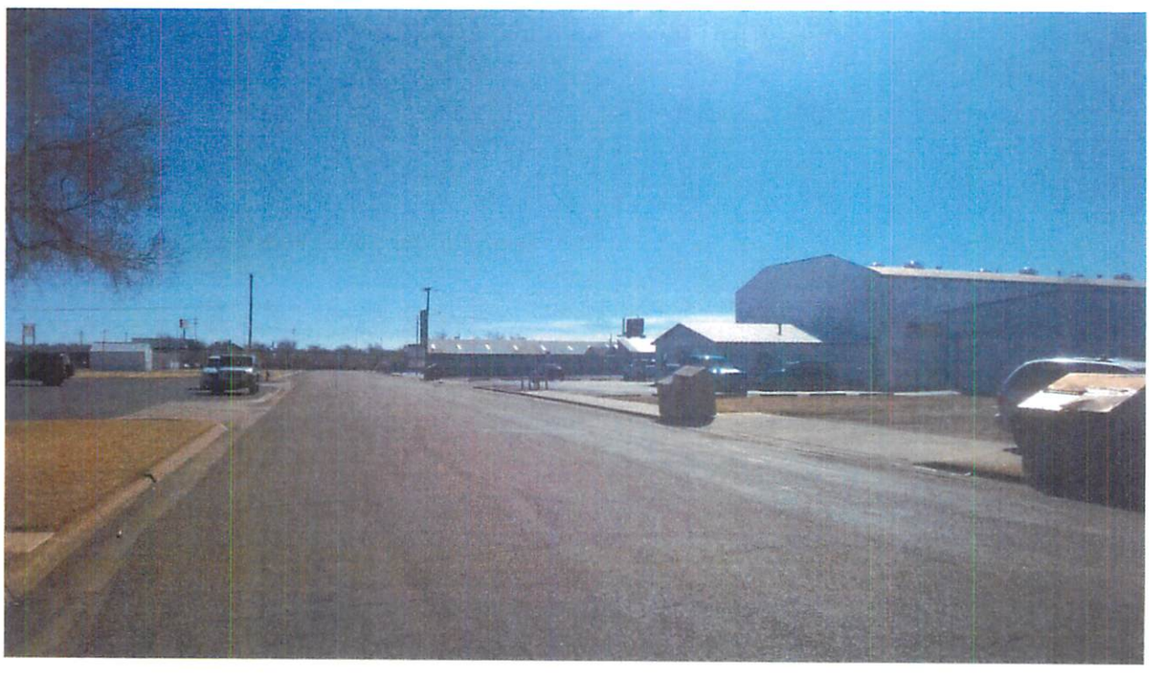
_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

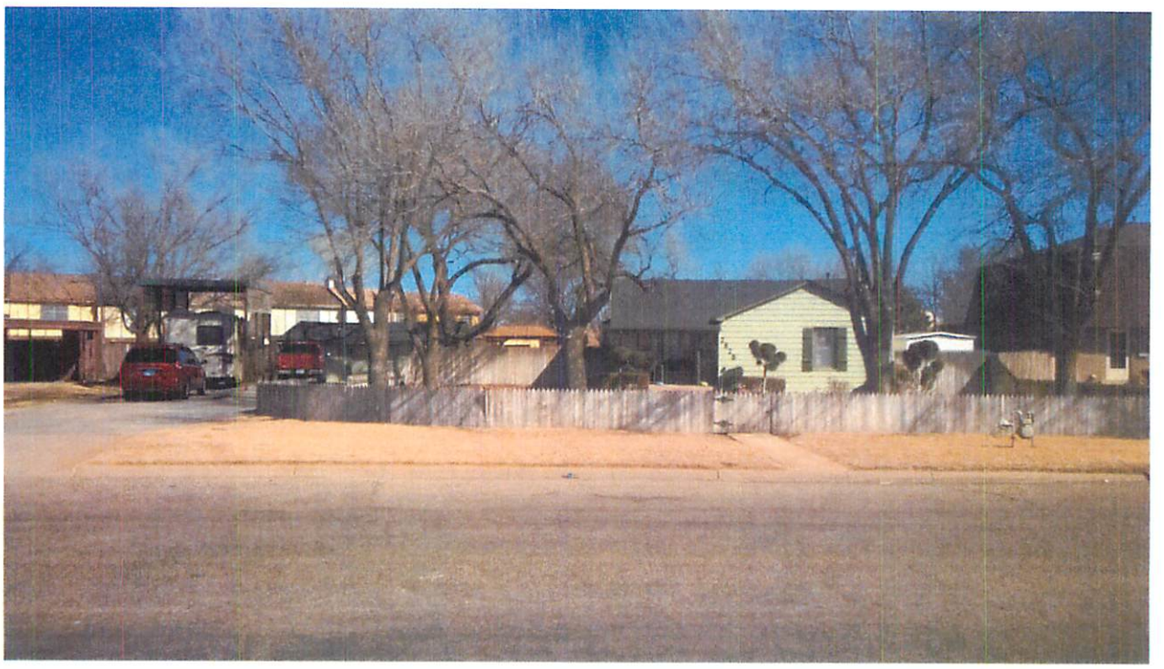
_____
William M. McKamie, City Attorney



Looking southwest from Mays Avenue at the property for consideration.

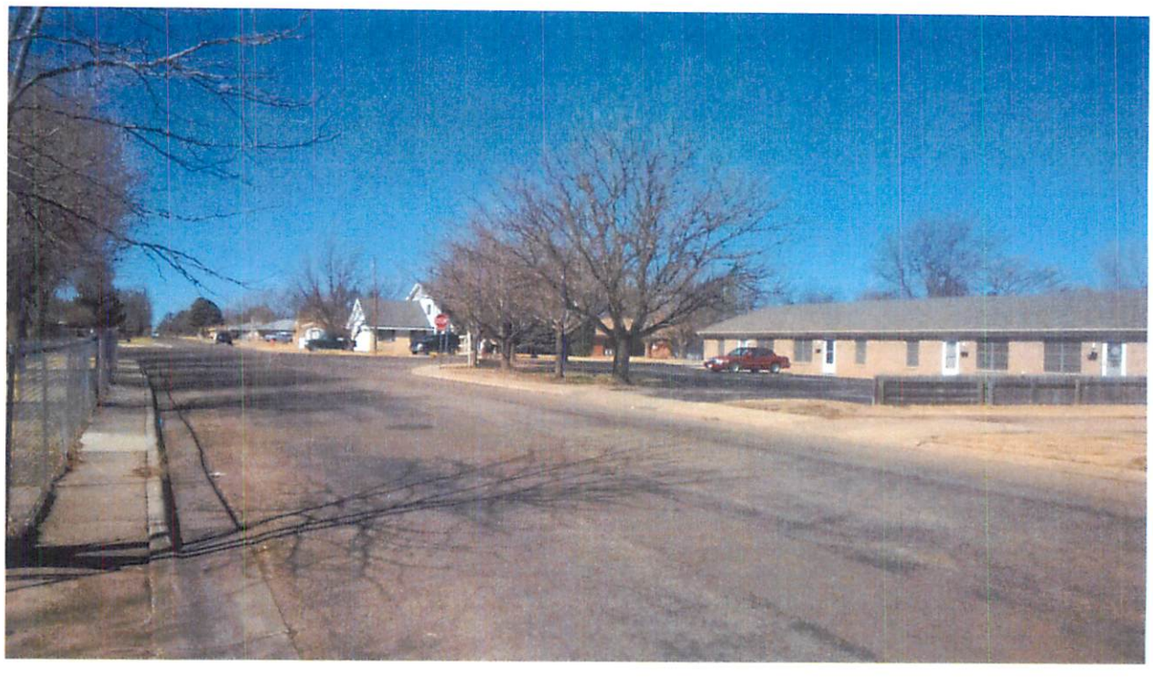


Looking southeast down Mays Avenue from the property for consideration.



Looking northeast across the street (Mays Avenue) from the property for consideration.

Looking north across the street (Mays Avenue) from the property for consideration.

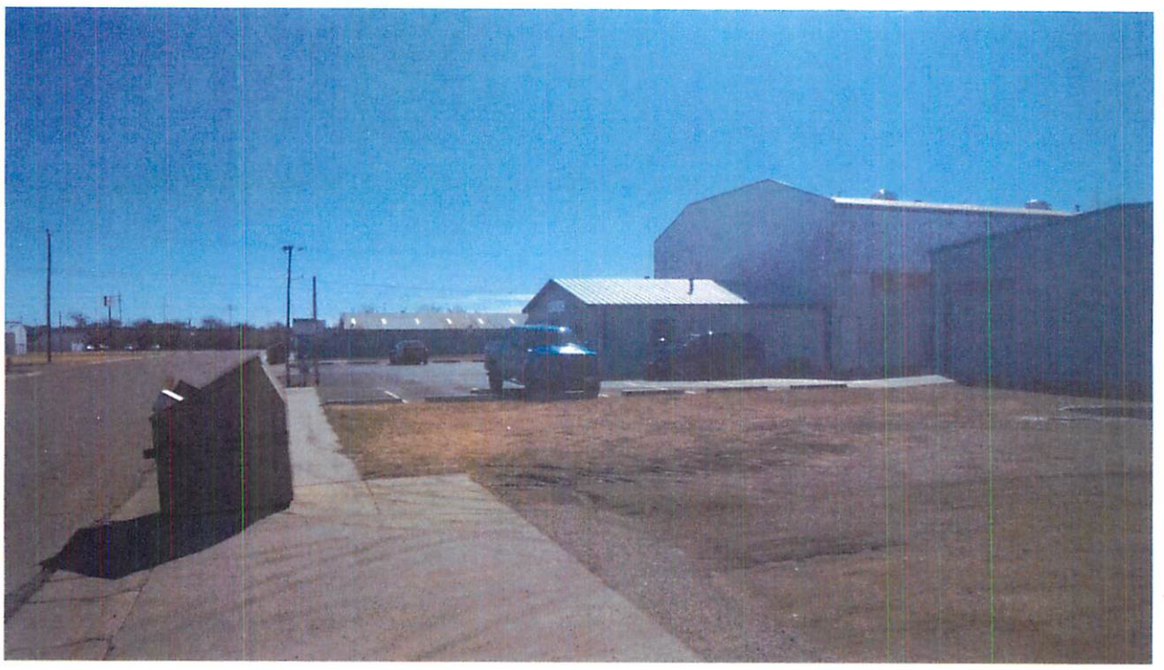


Looking northwest up Mays Avenue from the property of consideration.

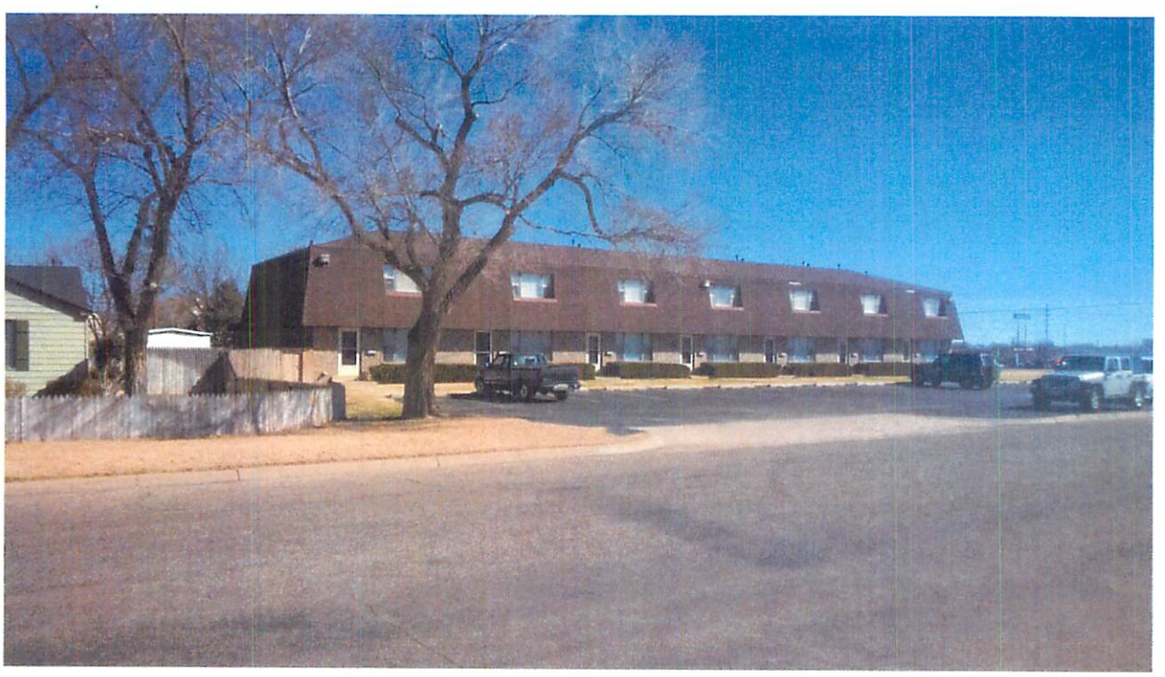
Looking southwest from the property of consideration (next door to the left in this photo).

Looking southeast down Mays Avenue from the property for consideration.

Looking southeast next door (Subject property is to the right), this is zoned Light Industrial (I-1).

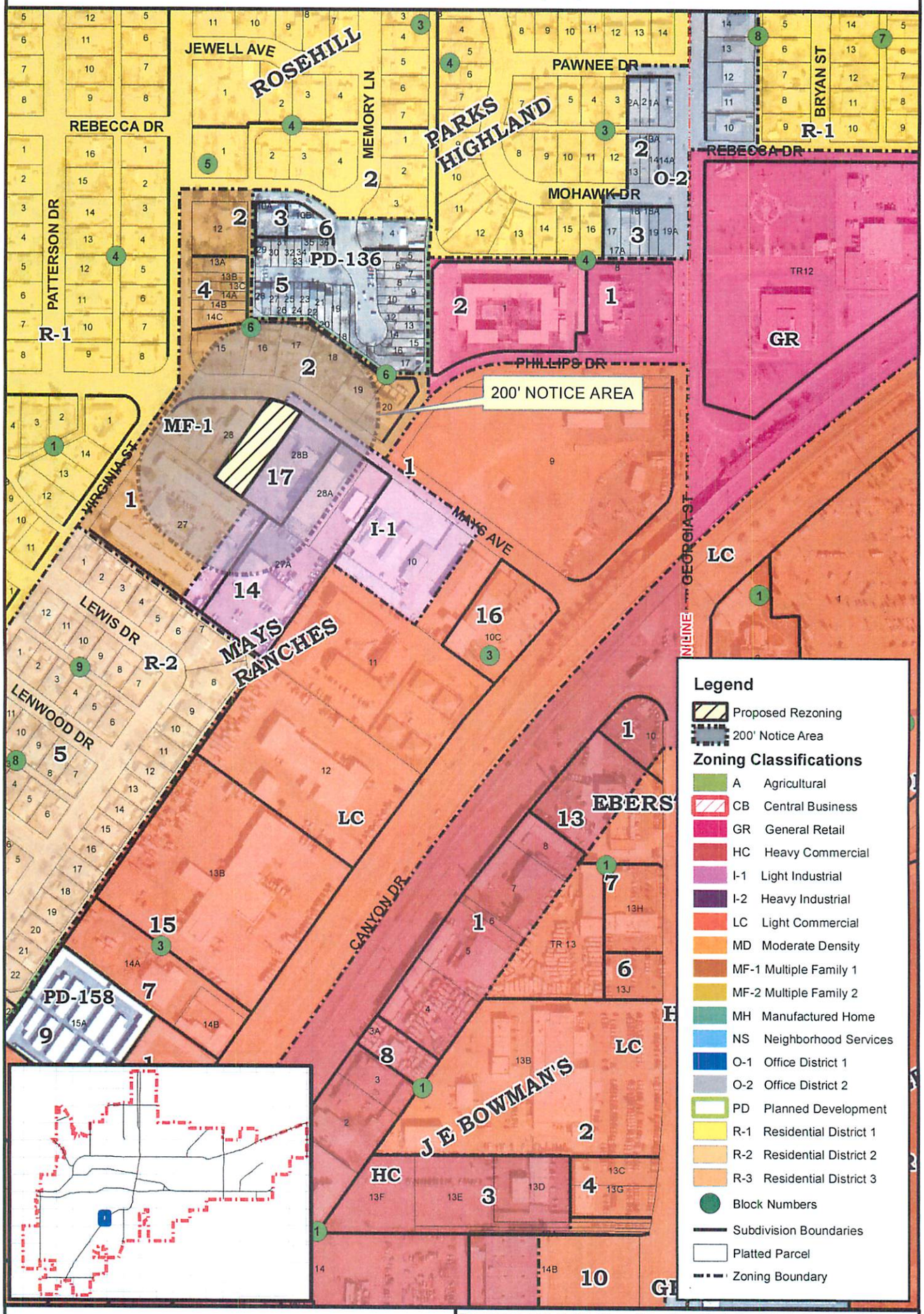


Looking southeast next door (Subject property is to the right), this is zoned Light Industrial (I-1).



Looking at the apartments across from Mays Avenue, northeast of the property for consideration (zoned MF-1).

CASE Z-17-09
REZONING FROM MULTIPLE FAMILY DISTRICT 1 (MF-1) AND LIGHT INDUSTRIAL (I-1) TO GENERAL RETAIL (GR)



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1" = 300'
Date: 2-21-17

N W E S

Rezoning of Lot 28, Mays Ranches Unit No. 21, in Section 228, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 (MF-1) and Light Industrial (I-1) to General Retail (GR).

Applicant: Daryl Furman

Vicinity: Mays Ave. & S. Virginia St.

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.

3

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	March 21, 2017	Council Priority	Community Appearance & Address Disadvantaged Areas of the Community

Department	Building Safety

Agenda Caption

A PUBLIC HEARING AND A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS:

This resolution and public hearing considers ordering the removal of substandard structures located at 205 N Fairmont Street.

Agenda Item Summary

This item is the public hearing to determine if the property at 205 N Fairmont Street which consists of a fire damaged residential structure, an accessory, an old foundation and an accumulation of solid waste constitutes a public nuisance and thereby declared as dangerous structures and order the removal of such structures and accumulations.

Requested Action

Adopt the resolution declaring that certain improvements described herein are a public nuisance, and requiring the taking down and removal of such improvements and accumulations.

Funding Summary

The property owner is responsible to pay all costs associated with the Dangerous Structure process and to abate any nuisances. The property owner will be billed for costs incurred. However, this property is in the Community Development Block Grant (CDBG) target area and if the owner qualifies, CDBG funding may be utilized to pay invoiced costs.

Community Engagement Summary

- Building Safety received a **citizen's** complaint.
- A Building Safety Inspector identified the dangerous structures and posted the property as unsafe.
- Initiated the Dangerous Structure process.
- The Amarillo Police Department has been called out to this location 2 times since the date of the fire.
- Safety and aesthetics of the community as identified through public meetings in the development of Amarillo's Comprehensive Plan.

Staff Recommendation

It is the staff's recommendation to adopt the resolution declaring certain improvements are public nuisances and requiring the taking down and removal thereof.

02/10/2017

RESOLUTION NO. _____

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

WHEREAS, on the 28th day of February 2017, this Council by resolution called a public hearing for the 21st day of March 2017 for the purpose of determining whether certain conditions constitute a public nuisance; and,

WHEREAS, this Council finds that all notices required by the Amarillo Municipal Code have been complied with and that notice of this hearing has been duly given as directed by this Council; and,

WHEREAS, this Council has listened to the evidence and arguments presented by all persons who appeared before it; and,

WHEREAS, this Council finds that the notice of the Building Official to make the structure safe either by repair or demolition and removal has not been complied with; and,

WHEREAS, this Council finds that the notice of the Building Official to remove rubbish, trash, solid waste and/or unsanitary matter has not been complied with;

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

SECTION 1. The City Council finds that the alleged nuisance condition, address thereof, the legal description of same, and the Interested Persons are as follows:

ADDRESS: 205 N Fairmont St

LEGAL: Lot: 3, Block: 153, San Jacinto Heights Addition to the City of Amarillo, Potter County, TX

INTERESTED PERSONS: Joe Don Wright, Geneva Carol Wright, 2200 SW 7th Ave Apt 506, Amarillo TX 79106-6775

NATURE OF NUISANCE: This property consists of a fire damaged residential structure, an accessory structure and an old foundation. The structures are unsecured and full of discarded items. Little effort has been made to abate the hazard. They are an attractive nuisance to the neighborhood and are considered to be fire, health and safety hazards.

SECTION 2. This Council hereby finds the Interested Persons failed, neglected, or refused to comply with the Initial Notice of violation to repair or rehabilitate; or to demolish the Dangerous Structure or portion thereof; or, to timely and substantially complete the terms of a Provisional Permit and determines that each of the improvements, buildings and structures described herein are dangerous structures, are structurally unsafe, constitute a fire hazard and are dangerous to human life, and their continued use will constitute a hazard to the safety, health and public welfare and each are hereby declared to be a public nuisance.

SECTION 3. This Council has deliberated its decision, giving due consideration to and weighing the following factors: validity of the violations as alleged by the Building Official; the severity of such violations and any corresponding danger to the public; due regard for private property rights; fair opportunity for the Interested Persons to have been notified of the problems and a corresponding opportunity to repair, remediate, or remove the defects or Dangerous Structure; weighing the private property interests of neighbors affected by further delay or deterioration of the subject property; and any other relevant consideration unique to the circumstances of this case which may materially affect due process and equal protection of involved persons.

SECTION 4. This Council now finds that a public nuisance exists, and has not been timely abated, and now issues the following order(s):

[Select one of the following for structural issues and/or go to next page for trash and weeds]

i____ the Structure is not a dangerous one or one marked by accumulation of vegetation, debris or trash, and ordering the matter be dismissed and City to dismiss the notice filed in the county real property records; or,

ii____ finding the Structure or any other improvement of any kind, or any part thereof, is dangerous and ordering its removal ten (10) days after notice of decision; or,

iii___ the Structure is a danger and ordering its removal ten (10) days after notice of decision, however, further finding that good cause exists to grant a reprieve on that order to allow the Interested Persons in the property to seek to qualify for and obtain a provisional permit during that period, and if obtained then the reprieve shall continue for the duration of such permit or successor permit, as provided in this Section. The reprieve granted under this subsection shall expire upon the later of the expiration of time to apply for and obtain a provisional permit or the expiration of such permit. If at expiration of the reprieve the Building Official finds that the defects that gave rise to the finding of a Dangerous Structure have been abated, then the prior order of the City Council to remove the structure is moot; or, if the defects remain, then the Building Official shall proceed to carry out the City Council's prior order to remove the Dangerous Structure; or,

iv____ good cause exists to defer the adjudication of the case and directing reinstatement or extension of a prior provisional permit, for a period of time determined by the City Council not exceeding sixty (60) days from date of the hearing. If at the end of the deferral period, the Building Official finds that there has been no substantial progress toward abatement of the defects, then such fact shall be reported to the City Manager who shall request the City Council to set a new hearing and proceed with an adjudication of whether the Structure is dangerous or not, in accordance with the procedures of the Amarillo Municipal Code Sec. 4-3-3 subsection (e).

[Use this option for trash, weeds, etc., either singly or in addition to one of the above]

v____ The Interested Persons of the Lot, Tract, or Parcel of land with accumulation of rubbish, trash, solid waste and/or unsanitary matter described in the notice of violation are hereby ordered to take down and/or remove the same from the premises within ten (10) days from this order.

SECTION 5. If the Interested Persons of the dangerous structures shall fail, neglect or refuse to comply with this resolution as herein directed, then the Building Official is hereby directed to proceed with the demolition of the various dangerous structures and/or removal of any and all rubbish, trash, solid waste and unsanitary matters described in this resolution, and he may prosecute the Interested Persons as a violator of the provisions of the International Building Code and the Amarillo Municipal Code.

SECTION 6. The Building Official is further directed to determine the cost of such demolition and/or removal and to levy such assessments against the real estate as may be provided by law.

SECTION 7. 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 8. 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 continue in effect.

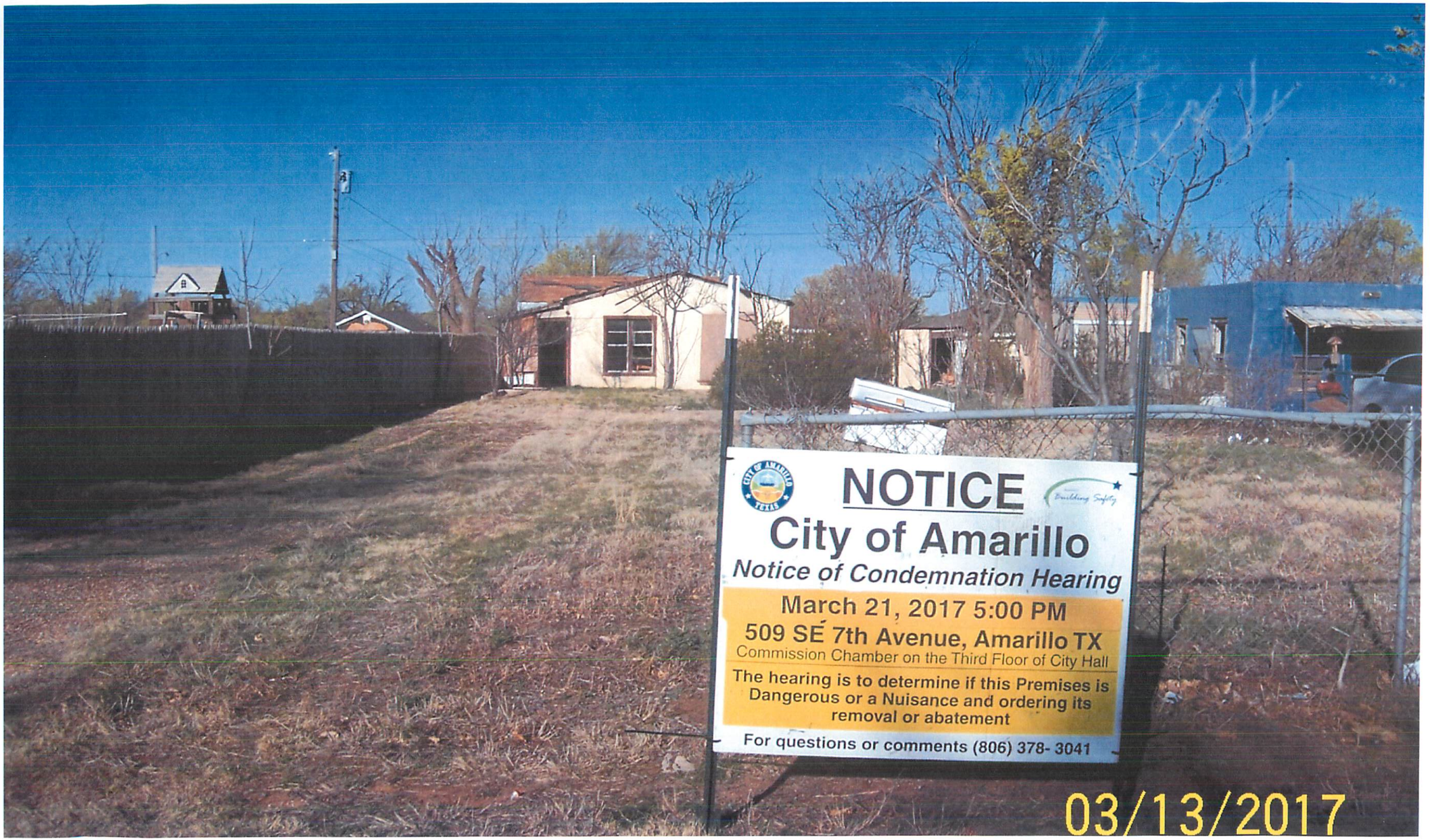
SECTION 9. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this _____ day of _____ 2017.

_____
Paul Harpole, Mayor

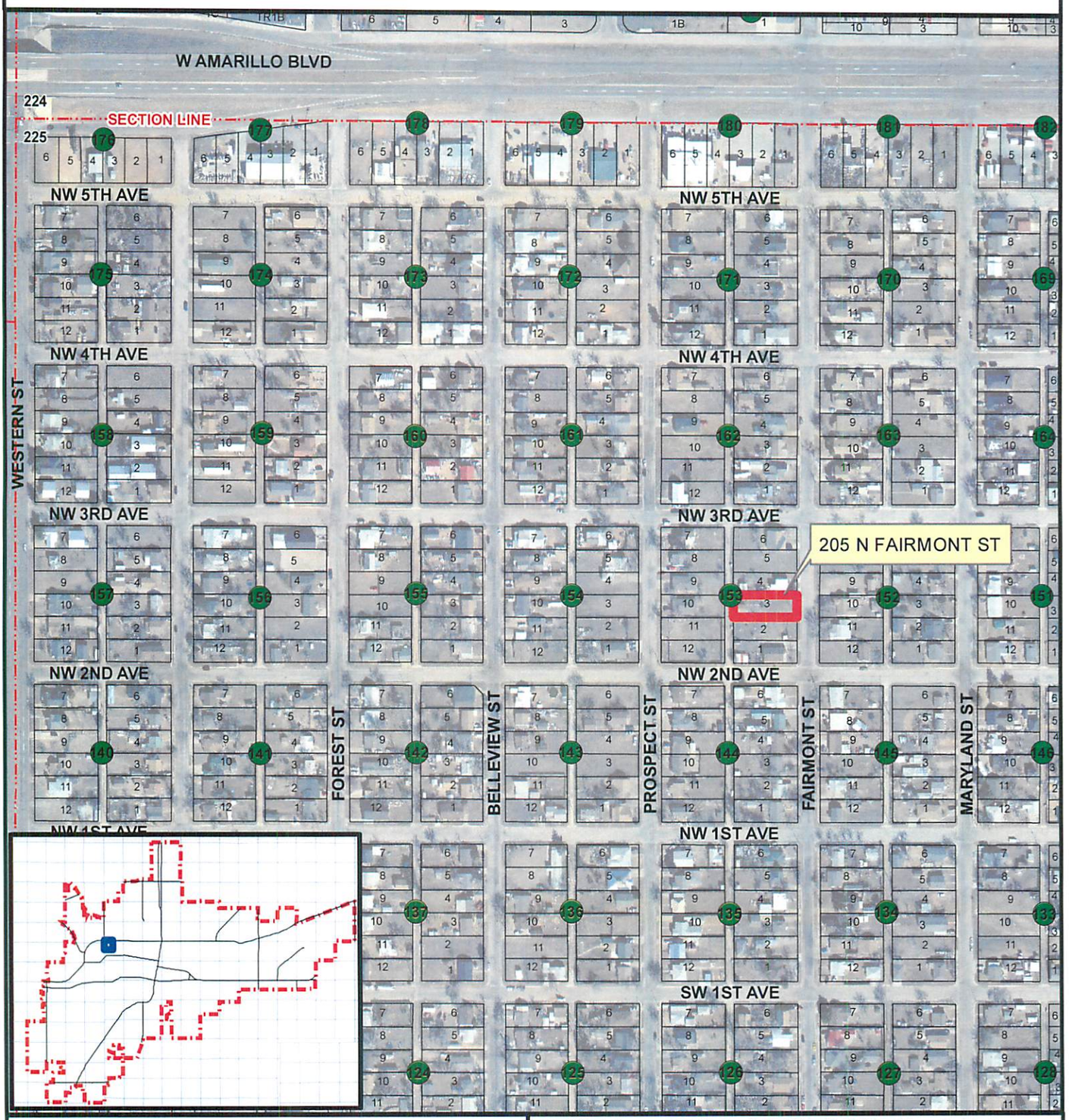
ATTEST:

_____
Frances Hibbs, City Secretary


NOTICE
City of Amarillo
Notice of Condemnation Hearing
March 21, 2017 5:00 PM
509 SE 7th Avenue, Amarillo TX
Commission Chamber on the Third Floor of City Hall
The hearing is to determine if this Premises is Dangerous or a Nuisance and ordering its removal or abatement
For questions or comments (806) 378- 3041
03/13/2017

03/13/2017

DANGEROUS STRUCTURE AT 205 N FAIRMONT ST



CITY OF AMARILLO
BUILDING SAFETY DEPARTMENT

205 N Fairmont St - Lot 3, Block 153, San Jacinto Heights Addition No. 1, Section 225, Block 2, AB&M Survey, Potter County, Texas.

Parcel # 069-1000-5736

Scale: 1" = 300'
Date: 2-20-17
Vicinity: NW 2nd Ave & N Fairmont St

N W E S

AP: L-11

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	March 21, 2017	Council Priority	Community Appearance & Address Disadvantaged Areas of the Community

Department	Building Safety

Agenda Caption

A PUBLIC HEARING AND A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS:

This resolution and public hearing considers ordering the removal of substandard structures located at 3719 Rio Grande Street.

Agenda Item Summary

This item is the public hearing to determine if the property at 3719 Rio Grande Street which consists of a partially collapsed structure and an accumulation of solid waste constitutes a public nuisance and thereby declared as dangerous structures and order the removal of such structures and accumulations.

Requested Action

Adopt the resolution declaring that certain improvements described herein are a public nuisance, and requiring the taking down and removal of such improvements and accumulations.

Funding Summary

The property owner is responsible to pay all costs associated with the Dangerous Structure process and to abate any nuisances. The property owner will be billed for costs incurred. However, this property is in the Community Development Block Grant (CDBG) target area and if the owner qualifies, CDBG funding may be utilized to pay invoiced costs.

Community Engagement Summary

- A Building Safety Inspector identified the dangerous structure while canvassing the neighborhood in the normal course of duties.
- Posted the property as unsafe.
- Initiated the Dangerous Structure process.
- Safety and aesthetics of the community as identified through public meetings in the development of Amarillo's Comprehensive Plan.

Staff Recommendation

It is the staff's recommendation to adopt the resolution declaring certain improvements are public nuisances and requiring the taking down and removal thereof.

02/10/2017

RESOLUTION NO. _____

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

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WHEREAS, this Council finds that all notices required by the Amarillo Municipal Code have been complied with and that notice of this hearing has been duly given as directed by this Council; and,

WHEREAS, this Council has listened to the evidence and arguments presented by all persons who appeared before it; and,

WHEREAS, this Council finds that the notice of the Building Official to make the structure safe either by repair or demolition and removal has not been complied with; and,

WHEREAS, this Council finds that the notice of the Building Official to remove rubbish, trash, solid waste and/or unsanitary matter has not been complied with;

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

SECTION 1. The City Council finds that the alleged nuisance condition, address thereof, the legal description of same, and the Interested Persons are as follows:

ADDRESS: 3719 Rio Grande St

LEGAL: Lot: 19, Block: 2, Industrial City Addition to the City of Amarillo, Potter County, TX

INTERESTED PERSONS: Gary Don Smith, c/o MRL, 99 S Taylor St, Amarillo TX 79101-1546

NATURE OF NUISANCE: This property consists of a partially collapsed accessory structure. The structure is in danger of fully collapsing onto the adjacent property. Little effort has been made to abate the hazard. It is an attractive nuisance to the neighborhood and is considered to be a fire, health and safety hazard.

SECTION 2. This Council hereby finds the Interested Persons failed, neglected, or refused to comply with the Initial Notice of violation to repair or rehabilitate; or to demolish the Dangerous Structure or portion thereof; or, to timely and substantially complete the terms of a Provisional Permit and determines that each of the improvements, buildings and structures described herein are dangerous structures, are structurally unsafe, constitute a fire hazard and are dangerous to human life, and their continued use will constitute a hazard to the safety, health and public welfare and each are hereby declared to be a public nuisance.

SECTION 3. This Council has deliberated its decision, giving due consideration to and weighing the following factors: validity of the violations as alleged by the Building Official; the severity of such violations and any corresponding danger to the public; due regard for private property rights; fair opportunity for the Interested Persons to have been notified of the problems and a corresponding opportunity to repair, remediate, or remove the defects or Dangerous Structure; weighing the private property interests of neighbors affected by further delay or deterioration of the subject property; and any other relevant consideration unique to the circumstances of this case which may materially affect due process and equal protection of involved persons.

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SECTION 8. 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 continue in effect.

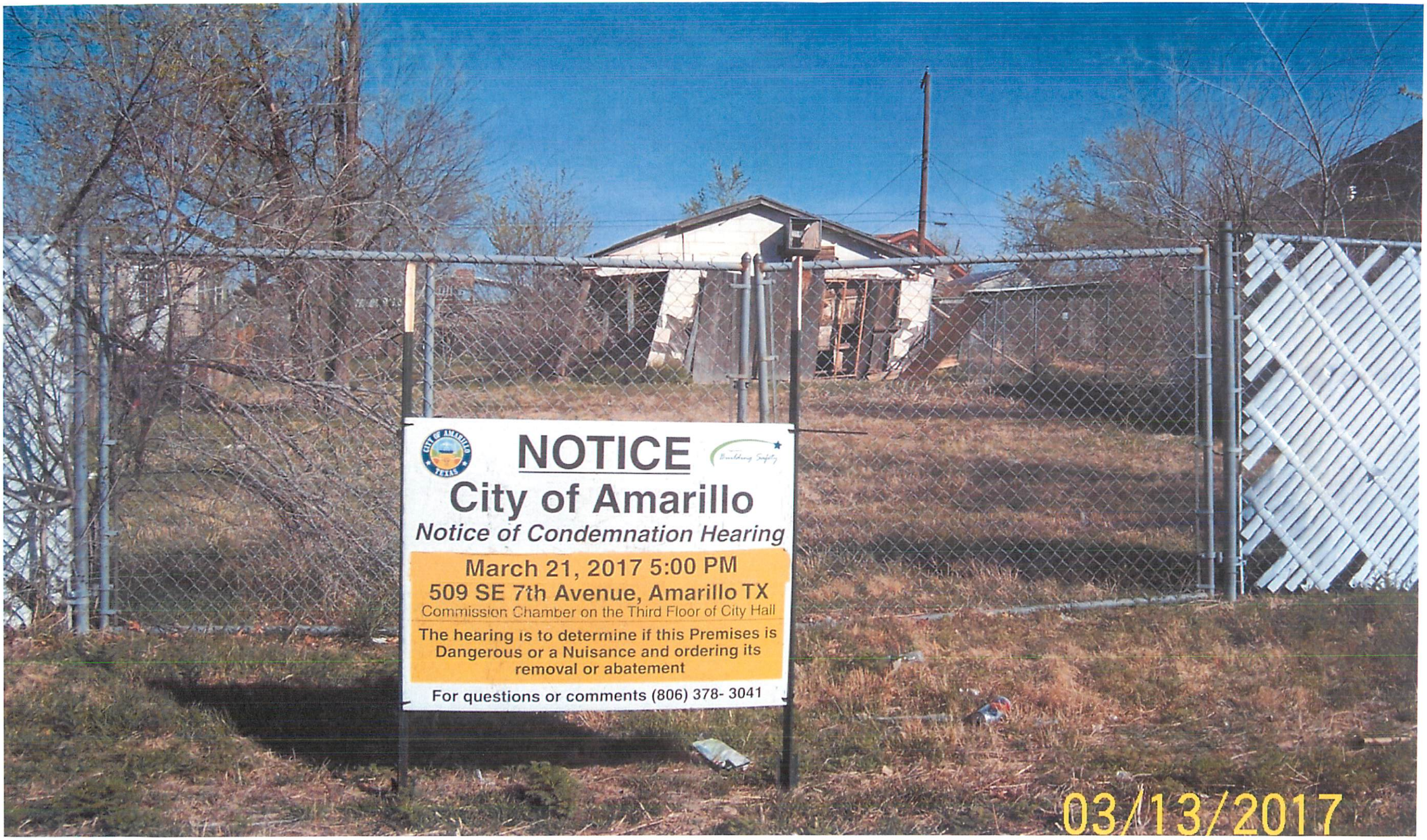
SECTION 9. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this _____ day of _____ 2017.

_____
Paul Harpole, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary


NOTICE
City of Amarillo
Notice of Condemnation Hearing
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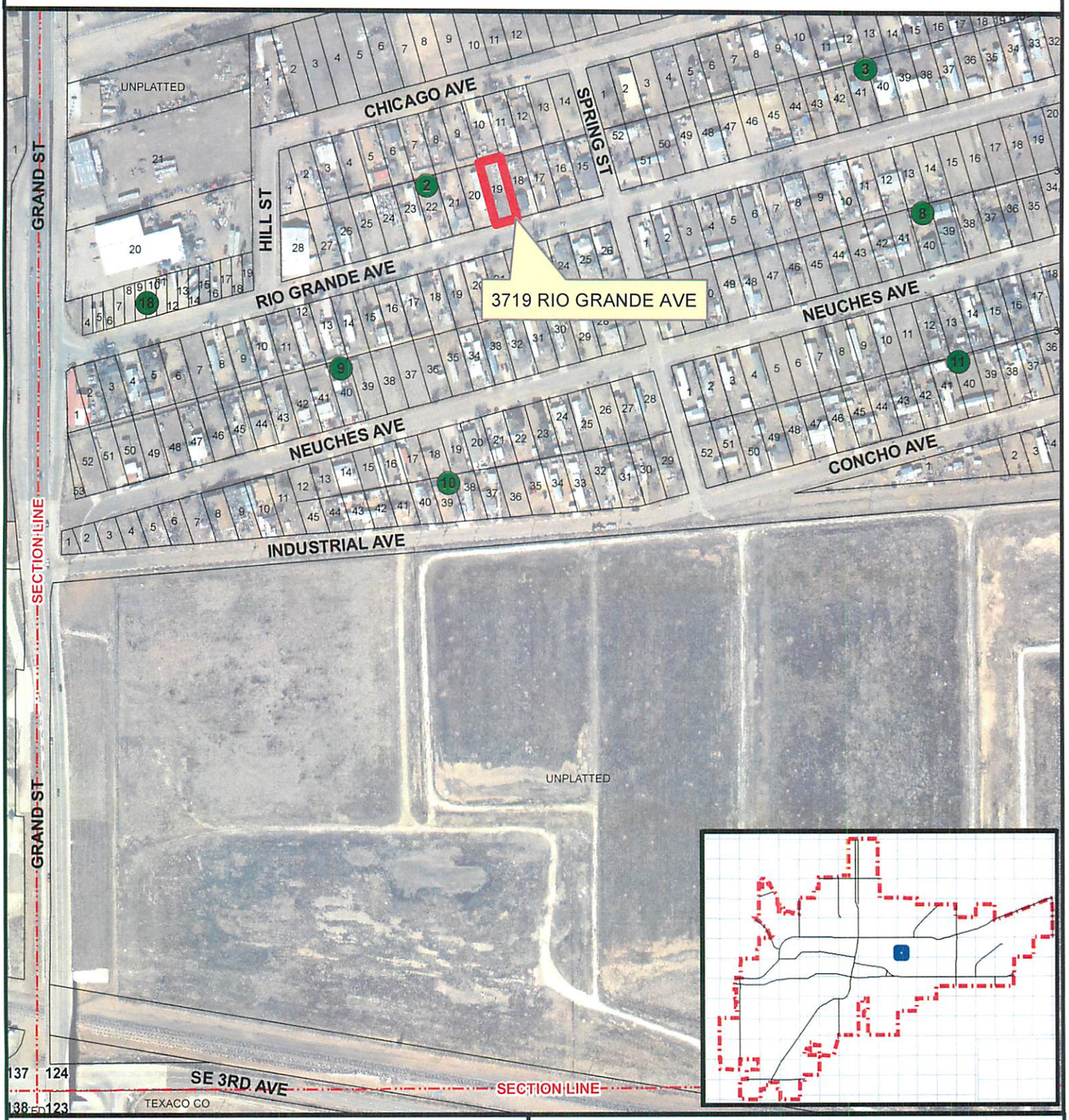
Commission Chamber on the Third Floor of City Hall
The hearing is to determine if this Premises is Dangerous or a Nuisance and ordering its removal or abatement
For questions or comments (806) 378- 3041
03/13/2017

03/13/2017

DANGEROUS STRUCTURE AT 3719 RIO GRANDE AVE



CITY OF AMARILLO
BUILDING SAFETY DEPARTMENT

3719 Rio Grande St - Lot 19, Block 2, Industrial City Addition Unit No. 1, Section 124, Block 2, AB&M Survey, Potter County, Texas.

Parcel # 044-0210-2040

Scale: 1" = 300'
Date: 2-20-17
Vicinity: Grand St & Rio Grande Ave

N W E S

AP: Q-11

STATE OF TEXAS §

COUNTIES OF POTTER §

AND RANDALL §

CITY OF AMARILLO §

On the 27th day of February, 2017, the Amarillo Planning and Zoning Commission met in a work session at 2:15 PM to review agenda items, then convened in regular session at 3:00 PM in the City Council Chamber on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Mike Good, Vice-Chairman	Y	113	80
Dean Bedwell	Y	198	187
Rob Parker, Chairman	Y	66	54
Rick Thomason	Y	36	30
Bowden Jones	N	27	20
Dick Ford	Y	11	10
Terry Harman	Y	10	10

PLANNING DEPARTMENT STAFF:
David Soto, Planner I
Jeffrey English, Planner I
Jan Sanders, Recording Secretary

Chairman Parker opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. Jeffrey English gave the recommendation for the agenda item.

ITEM 1: Approval of the minutes of the February 13, 2017 meeting

A motion to approve the minutes of the February 13, 2017 meeting was made by Commissioner Harman, seconded by Commissioner Bedwell, and carried unanimously.

ITEM 2: Z-17-07 Rezoning of Lots 7 & 8, Block 5, Amarillo Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Manufactured Home (MH) to Multiple Family 1 (MF-1). (0.32 Acres) (Vicinity: NW 14th Ave. & N Harrison St.)
APPLICANT: Madeleine Frume

Mr. English advised the application is consistent with the Future Land Use and Character map, the Comprehensive Plan, zoning patterns within the area, and the North Heights Neighborhood Plan. Mr. English stated staff believes the request is appropriate and recommends approval as submitted.

Chairman Parker asked if anyone wanted to speak in favor of said request. Mildred Darton, 2005 NW 14th Ave advised she is in favor for the request, but wanted to know if any fencing would be required. Commissioner Bedwell stated he does not feel any fencing would be required. Commissioner Ford inquired of staff if sidewalks would be required. Mr. English advised that would be a Building Safety question. Madeleine Frume, 2607 Wolflin, applicant, advised she plans to build homes using quality materials, and is pleased to be contributing to revitalization of the area.

Chairman Parker asked if anyone wanted to speak against said request. No comments were made.

A motion to Z-17-07 was made by Commissioner Bedwell, seconded by Commissioner Thomason, and carried unanimously.

ITEM 3: P-17-18 The Colonies Unit No. 67, an addition to the City of Amarillo, in Section 40, Block 9, BS&F Survey, Randall County, Texas. (34.55 acres) (Vicinity: Liberty Cir. N. & Aberdeen Pkwy.)
DEVELOPER(S): Anthony Saikowski
SURVEYOR: Robert Keys

Mr. English advised the purpose of this plat is to replace the vacated plat listed in Item 4 below, and thereby creating a single lot. Mr. English stated staff believes the request is appropriate and recommends approval as submitted.

Chairman Parker asked if anyone wanted to speak against said request. Robert Keys, 4423 SW 45th Ave., representing the applicant, advised the request is due to PID tax expenses in the development of the Colonies Unit 62.

Chairman Parker asked if anyone wanted to speak against said request. No comments were made.

A motion to approve P-17-18 was made by Commissioner Thomason, seconded by Commissioner Bedwell, and carried unanimously.

ITEM 4: V-17-01 The Colonies Unit No. 62, in Section 40, Block 9, BS&F Survey, Randall County, Texas. (34.55 acres) (Vicinity: Liberty Cir. N. & Aberdeen Pkwy.)
DEVELOPER(S): Anthony Saikowski
SURVEYOR: Robert Keys

Mr. English advised the applicant is proposing to vacate 81 residential lots within the Colonies Unit No. 62 plat due to the Colonies PID tax expenses. Mr. English staff recommends approval of the vacation with the approval of the P-17-18.

Chairman Parker asked if anyone wanted to speak in favor of or against said request. No comments were made.

A motion to approve V-17-01 was made by Commissioner Harman, seconded by Commissioner Good, and carried unanimously.

ITEM 5: P-17-08 Beverly Gardens Unit No. 23, an addition to the City of Amarillo, being a replat of Lot 1, Block 9, Beverly Gardens Unit No. 1, in Section 158, Block 2, AB&M Survey, Potter County, Texas. (2.06 Acres) (Vicinity: Angelus Dr. & Jason Ave.)
DEVELOPER(S): Juan M. Hernandez
SURVEYOR: Daryl Furman

A motion to approve P-17-08 with an alley variance was made by Commissioner Bedwell, seconded by Commissioner Thomason, and carried unanimously.

ITEM 6: Public Forum: Time is reserved for any citizen to comment on City zoning or planning concerns; however, the Commission can take no action on any issue raised.

No comments were made.

ITEM 7: Planning Director's Report.

Chairman Parker advised there would not be a Director's Report.

ITEM 8: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:22 P.M.

AJ Fawver

AJ Fawver, AICP, CNU-A
Planning & Zoning Commission

BOARDS AND COMMISSONS – VACANCIES

Amarillo-Potter Events Venue District (2-year terms)

02/22/2017	Joshua Raef	10/01/2019 (resigned)

Bi-City County Health District Board (3-year terms)

02/12/2005	Belinda Taylor	01/31/2017

Traffic Advisory Board (3-year terms)

11/27/2012	Walt Kelley	11/26/2018 (resigned)

Advisory Committee for People with Disabilities (3-year terms)

04/29/2008	Jim Mitchell	03/01/2017 (resigned)
01/12/2016	Bruce Mosley	03/01/2017
04/29/2008	Mark Sturkie	03/01/2017

Texas Panhandle Centers (2-year terms)

03/29/2007	Linda Brian	03/29/2017

Amarillo Economic Development Corporation (3-year terms)

04/01/2014	Brian Bruckner	03/31/2017

Amarillo Hospital District Board of Directors (2-year terms)

03/09/2015	Sam Lovelady	04/01/2017

03/16/2017