

AGENDAS

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, MARCH 6, 2018 AT 3:00 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) Policy Governance Leadership Discussions with Bob Schroeder;
 - (3) Quarterly Budget Report and Sales Tax Industry Presentation;
 - (4) Discuss and Review BluePrint for Amarillo;
 - (5) MPEV Construction Update; and
 - (6) Consider future Agenda items and request reports from City Manager.
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REGULAR MEETING ITEMS

INVOCATION: Pastor Steve Martin, Jenkins Chapel Baptist Church

PROCLAMATION: "Procurement Month"

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 February 27, 2018.

B. **AWARD – HANDHELD EXPLOSIVE DETECTION SYSTEM:**

(Contact: Ed Drain, Police Department)

Thermo Scientific Portable Analytical Instruments, Inc. -- \$97,000.00

This award is to approve a purchase of Gemini FTIR/Raman Handheld Analyzer for the City of Amarillo Police Department.

C. **AWARD – IT SECURITY MAINTENANCE RENEWAL:**

(Contact: Rich Gagnon, IT Director)

Solid Border -- \$240,837.69

This item is the annual maintenance renewal for the City's network security appliances.

REGULAR AGENDA

2. **PRESENTATION BY JAMES ALLEN ON GAPS IN SERVICES**

(Contact: James Allen, Community Development Director)

3. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7718:**

(Contact: AJ Fawver, Planning and Zoning Director)

This item is a public hearing and first reading of an ordinance rezoning of Lot 4B, Block 124, Original Town of Amarillo Unit No. 16, in Section 188, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 with Specific Use Permit 115 (MF-1/S-115) to Planned Development 388 (PD-388) for Tiny Houses. (Vicinity: North Rusk Street and Northwest 3rd Avenue.)

4. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7719:**

(Contact: AJ Fawver, Planning and Zoning Director)

This item is a public hearing and first reading of an ordinance rezoning Lot 3A, Block 1, Sunset Addition Unit No. 4, in Section 171, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 (R-3) to General Retail District (GR). (Vicinity: South Washington Street and Wolflin Avenue.)

5. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7720:**

(Contact: AJ Fawver, Planning and Zoning Director)

This is the first reading of an ordinance considering approval of the vacation of a 22,420 square foot portion of 60' ROW known as SW 8th Avenue directly east of S Coulter Street, previously dedicated by Medical Institute Unit No. 8 plat, in Sections 25 & 44, Block 9, BS&F Survey, Potter County, Texas. (Vicinity: Southwest 8th Avenue and South Coulter Street.)

6. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7721:**

(Contact: AJ Fawver, Planning and Zoning Director)

This item is a presentation and consideration of an ordinance approving a petition to include a 109.32 acre property located approximately 4.1 miles south of Amarillo, located east of Helium Road, southwest of Dove Road, and west of White Wing Road, fully within the extraterritorial jurisdiction (ETJ) of the City of Amarillo.

The attached map provides the legal description and a graphical depiction of the property under discussion. Currently, this property falls partially within the City of Amarillo's ETJ, and partially outside of it. Page 2 of the attachment includes a petition from the property owner, requesting inclusion within the City's ETJ.

Section 42.022 of the Texas Local Government Code includes a provision for a municipality to expand the ETJ beyond the distance limitations established, if the area to be included is contiguous with the existing ETJ, and if the owner(s) make this request. This location, along with the petition from the owner, meet these two requirements. Section 42.022 also requires that any expansion not include areas which fall within the ETJ of another municipality, and the owner's petition verifies that this is not the case in this instance.

Fully encompassing the property within the City of Amarillo's ETJ preserves the ability to develop the property within one cohesive set of development regulations and standards.

7. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7722:**

(Contact: AJ Fawver, Planning and Zoning Director)

This is the first reading of an ordinance annexing into the City of Amarillo, Randall County, Texas, on petition of property owner, territory generally described as a 91.334 acre tract located southeast of the city, west of the intersection of South Georgia Street and West Loop 335 South, situated in Section 231 and 232, Block 2, A.B.&M survey, and extending west/southwest adjacent to the northern line of Section 232 for a distance of 4012.31'; describing the territory annexed; finding that all necessary and required legal conditions have been satisfied; providing for amendment of the boundaries and official map of the city; approving a service plan therefore; subjecting the property situated therein to bear its pro rata part of taxes levied; providing rights and privileges as well as duties and responsibilities of inhabitants of said territory; directing the filing of the ordinance in the manner required by law; directing notice to service providers and state agencies; providing a severability clause; declaring compliance with open meetings act; and, providing an effective date.

8. **ORDINANCE NO. 7717:**

(Contact: Mick McKamie, City Attorney)

This is the second and final reading of an ordinance amending the Code of Ordinances to implement the recently amended Texas Public Information Act to allow the City to establish reasonable monthly and yearly limits on the amount of time that City personnel are required to spend producing public information for a requestor without recovering the costs attributable to that personnel time.

9. **RESOLUTION – RE-DECLARING THE ANNUAL OFFICIAL HOLIDAYS FOR THE CITY OF AMARILLO:**

(Contact: Mitchell Normand, Director of Human Resources)

This item considers approval of a resolution amending the observed holiday schedule to include Veteran's Day (November 11), Christmas Eve (December 24) and a Floating Holiday for a total of 11 holidays.

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 2nd day of March 2018.

Amarillo City Council meetings stream live on Cable Channel 10 and are available online at:

www.amarillo.gov/granicus

Archived meetings are also available.

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STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 27th day of February 2018, the Amarillo City Council met at 3:00 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
COUNCILMEMBER NO. 4

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

JARED MILLER
MICHELLE BONNER
MICK MCKAMIE
ANDREW FREEMAN
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
ECONOMIC DEVELOPMENT MGR.
CITY SECRETARY

The invocation was given by Pam Beckham. Mayor Nelson led the audience in the Pledge of Allegiance.

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

PUBLIC COMMENT:

Major Harvey Johnson, Salvation Army, 7401 Ashland Drive, spoke about the homeless services and needs that affect our city. The Salvation Army has been in this community since 1904. They also render services to prevent homelessness with programs such as ARAD and they work with the Texas Commission of Veterans Affairs (providing a dorm for Veterans and classes twice a week), programs on budgeting, legal aid, anger management, computer lab and children services. Last year they provided 108,000 nights of shelter. The volume is high with a low amount of assistance. Julia Fauske, 6706 Rio Lobo Street, stated she has been providing community health care for 10-years and caring for the homeless population. She stated they assess how to best serve the homeless using a pyramid. The top being of the pyramid is the goal, physiology needs, which is air, food, water sleep and elimination, the second level is safety; social belonging or love, and having a support system. She stated mental health disorders are common. She stated the need to decrease stimulation and letting the homeless know they are safe and meet their psychology needs. She closed by adding they cannot all be saved. Julie Hunt, 2500 South Polk Street, stated advocates took to the sidewalks this week working for the homeless. She stated this camp was a place of new beginnings. This home camp provides a place for the homeless to feel value. She stated the Christ Church Camp deserves a place in the community but did note there were gaps in current resources. Paul Johnson, 1918 Gregory #A Street, stated he represents Picnic in the Park. He stated the need to come together in this conflict. The need to make a plan and a situation that will work for everyone. James Hurd, 3406 Nebraska Street, stated he participates in Picnic in the Park. He stated he does not agree with shutting down of the camp. He noted that anyone can become homelessness at any time. He further stated many organizations and resources have stepped up. He asked Council for the camp to be allowed to continue. Ray Crawford, 5120 McCarty Boulevard, stated he was also a leader of Picnic in the Park. He stated it started with college students years ago and has kept going. A few years ago the Health Department told him they could no longer serve food in the park. He further stated he asks the Homeless why they were not using the shelters and was told mental health issues, having to leave their animals and many are separated from family members. Michael Bilderback, 3100 South Bivins Street, asked if Mr. McKamie could respond to policy information. He stated in a letter issued to Amanda Brown six violations were noted. He stated

violations three and four were taken care of within 48 hours of receiving the letter. He inquired as to violation two and what steps would need to be taken and how long it would take to get permits granted. He further stated the Homeless were citizens of Amarillo and the need for Amarillians to take care of their own. Mr. McKamie stated an application for a permit could be sought at the Building Safety Department and then the availability of staff to do any needed inspections. Mr. Miller interjected that there is not a permit for temporary shelters and the camp would not meet development standards. Mayor Nelson inquired if the tiny house project was approved by the Planning Department and if those structures qualified as temporary housing. Virginia Williams Trice, 1504 Bowie Street, stated she last spoke to Council on October 24, 2017. On February 16, 2017, the last Ad Hoc Subcommittee meeting was held. She stated the Subcommittee voted unanimous to send a solutions report to the City Council for their consideration. One solution reported by the Subcommittee's voting members was a need for a low-barrier shelter. On June 12, 2017, the Downtown Revitalization Committee met with business owners and they were hoping to solve some of the issues of loitering and sleeping and defecating in front of buildings. The Committee has not presented a full report but the preliminary report was presented to the Subcommittee in October. A low-barrier shelter with the possibility of campgrounds were suggested. She asked Council for an extension and inquired how they could become compliant with the ordinances. There were no further comments.

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

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

A. **MINUTES:**

Approval of the City Council minutes of the regular meeting and special meeting held on February 20, 2018.

B. **ORDINANCE NO. 7712:**

(Contact: Michael W. Conner, Director of Aviation)

This is the second and final reading of an ordinance for commercial ground vehicle operators at the Rick Husband Amarillo International Airport (Airport). The City of Amarillo and Department of Aviation propose this ordinance as authorized through the Texas Legislature, Texas Occupations Code Chapter 2402. The proposed ordinance authorizes reasonable fees and regulation on commercial ground vehicle operators, to include Transportation Network Companies (TNCs), e.g., Uber and Lyft. As proposed in the ordinance, the funding mechanism and regulatory operating standards are focused to accomplish the following objectives: establish uniform commercial ground vehicle operating standards, provide revenues to maintain airport systems that support commercial ground vehicle traffic on the airport, and to compensate the airport for administration and enforcement of the operating standards. The Airport's Rules and Regulations document shall be the guiding standard for commercial ground vehicle operations at the Rick Husband Amarillo International Airport.

C. **ORDINANCE NO. 7713:**

(Contact: AJ Fawver, Planning and Zoning Director)

This is the second and final reading of an ordinance considering possible approval of the vacation of 80' ROW known as South Monroe Street between Block 192 and Block 193 in Plemons Unit No. 1 and the southern 14' of 80' ROW known as Southwest 14th Avenue located along Block 192 in Plemons Unit No. 1, both in Section 170, Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 5:0 vote from the Planning and Zoning Commission. (Vicinity: South Monroe Street and Southwest 14th Avenue.)

D. **ORDINANCE NO. 7714:**

(Contact: AJ Fawver, Planning and Zoning Director)

This is the second and final reading of an ordinance rezoning a portion of Lot 3, Block 186; Lots 2, 3, and portion of Lot 1 in Block 192; and all of Block 193 in Plemons Unit No.1, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 120 and 130 (PD-120 and PD-130) to Multiple Family District 2 (MF-2). (Vicinity: Southwest 15th Avenue and South Monroe Street.)

E. **ORDINANCE NO. 7715:**

(Contact: AJ Fawver, Planning and Zoning Director)

This is the second and final reading of an ordinance rezoning Lot 1, Block 27, Lawrence Park Unit No. 16, in Section 227, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development 354 (PD-354) to Light Commercial (LC). (Vicinity: Southwest 27TH Avenue and Britain Drive.)

F. **ORDINANCE NO. 7716:**

(Contact: AJ Fawver, Planning and Zoning Director)

This is the second and final reading of an ordinance rezoning of a 31,500 +/- square foot tract of land out of Section 43, Block 9 BS&F Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Agricultural (A) to Office 2 (O2). (Vicinity: South Coulter and Outlook Drive.)

G. **AWARD – CITY OF AMARILLO APPAREL ANNUAL CONTRACT:**

(Contact: Trent Davis, Purchasing Agent)

Awarded to The Great Armadillo Printing Co. in an amount not to exceed \$100,000.00

This item is to consider award of the annual contract for the purchase of apparel for various City of Amarillo departments.

H. **AWARD -- HEAVY TRUCKS:**

Awarded as follows:

Summit Truck Group	\$1,084,597.00
Lines 2, 4, 6, 7, 11	
Summit Truck Group Alt.	\$319,675.00
Lines 3, 5, 10	
Premier Truck Group	\$135,235.00
Line 8	
Bruckner Truck Sales	<u>\$237,308.00</u>
Line 9	
Total Award	\$1,776,815.00

This item is the scheduled replacements of 12-yard and 6-yard Dump, Utility Flatbed, Utility Dump, Sideloader, Frontloader, Knuckleboom, and Refuse Transport. These are upgrades and additions of multiple vehicles to be used by Streets, Solid Waste Collection, Solid Waste Disposal, Waste Water Collection, Water Distribution, Parks Maintenance, Drainage Utility, Replacement vehicles have reached or exceeded life cycle. These vehicles will be used in the daily operational requirements of divisions listed.

REGULAR AGENDA

ITEM 2: Mayor Nelson presented the first reading of an ordinance amending the Code of Ordinances to implement the recently amended Texas Public Information Act to allow the City to establish reasonable monthly and yearly limits on the amount of time that City personnel are required to spend producing public information for a requestor without recovering the costs attributable to that personnel time. This item was presented by Mick McKamie, City Attorney. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7717
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO,

TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 2-4, ARTICLE I, BY ADDING SEC. 2-4-10 "TIME LIMITS FOR RESPONDING TO CERTAIN REQUESTS" ESTABLISHING MONTHLY AND ANNUAL TIME LIMITS ON TIME SPENT BY CITY PERSONNEL ON RESPONDING TO A REQUESTOR OF PUBLIC INFORMATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Powell, Sauer and Smith; voting NO was Councilmember Hays, the motion carried by a 4:1 vote of the Council.

ITEM 3: Mayor Nelson presented the City of Amarillo Comprehensive Annual Financial Report for the year ending September 30, 2017. This item was presented by Michelle Bonner, Deputy City Manager. Janie Arnold, Connor, McMillon, Mitchell & Shennum PLLC, stated they verified that controls were in place and performed audit procedures. Councilmember Sauer noted that the City has received a Certificate of Achievement for Excellence in Financial Reporting for 36 years in a row. Motion was made by Councilmember Hays, seconded by Councilmember Sauer, to approve the Comprehensive Annual Financial Report ending September 30, 2017.

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

ITEM 4: Mayor Nelson presented a resolution authorizing the Deputy City Manager to apply for FY18 SHSP grant funds to implement projects entitled Amarillo Regional National Integrated Ballistic Information Network (NIBIN) Project Parts 1 and 2, and the Amarillo Regional Incident Management Team Project on behalf of the City. This item was presented by Chip Orton, Emergency Management Coordinator. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that the following captioned resolution be passed:

RESOLUTION NO. 02-27-18-1

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS ("CITY") AUTHORIZING THE SUBMISSION OF A FY18 GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANT DIVISION ("HSGD") AND DESIGNATING THE DEPUTY CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO CITY'S PARTICIPATION IN THE FY18 HOMELAND SECURITY GRANT PROGRAM; PROVIDING SAVINGS CLAUSE; PROVIDING SEVERABILITY CLAUSE AND EFFECTIVE DATE.

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

ITEM 5: Mayor Nelson presented the draft 2018 BluePrint for Amarillo. This document outlines the City's initiatives that supports the adopted City Council Pillars. This item was presented by Jared Miller, City Manager and Kevin Starbuck, Assistant City Manager. Mr. Miller stated the 2018 BluePrint would be on an upcoming agenda for additional review and approval.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

Amarillo City Council

Agenda Transmittal Memo



B

Meeting Date	February 27, 2018	Council Priority	N/A
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Department	Police
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Agenda Caption

Award – Handheld Explosive Detection System
Thermo Scientific Portable Analytical Instruments, Inc. - \$97,000.00

This award is to approve a purchase of Gemini FTIR/Raman Handheld Analyzer for the City of Amarillo Police Department.

Agenda Item Summary

Award of Thermo Scientific Gemini FTIR/Raman Handheld Analyzer is to be used by the City of Amarillo Police department Specialized Unit, Bomb Squad.

Requested Action

Consider approval and award for the purchase of Gemini FTIR/Raman Handheld Analyzer for the Amarillo Police Department.

Funding Summary

Funding for this award is available in the 24310.89410 Homeland Security Handheld Explosives Grant Grant.

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval and award of the contract.

Bid No. 6027 GEMINI FTIR/RAMAN HANDHELD ANALYZER
Opened 4:00 p.m. February 12, 2018

To be awarded as one lot		THERMO FISHER SCIENTIFIC
Line 1 Bomb detection equipment and supplies, product code: 800-05011-01, per specifications		
1 ea		
Unit Price	\$97,000.000	
Extended Price		97,000.00
Bid Total		97,000.00
Award by Vendor		97,000.00

Amarillo City Council

Agenda Transmittal Memo



C

Meeting Date	3/6/18	Council Priority	High
Department	Information Technology		
Contact	Rich Gagnon		

Agenda Caption

Award – IT Security Maintenance Renewal:
Solid Border -- \$240, 837.69

Agenda Item Summary

Annual maintenance renewal for the city’s network security appliances.

Requested Action

Approval of award to Solid Border in the amount of \$240,837.69.

Funding Summary

Funded from 62040.69300 (IT Security)

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this award.

Bid No. 6033 IT SECURITY SUBSCRIPTION AND MAINTENANCE
Opened 4:00 p.m. February 19, 2018

To be awarded as one lot		SOLID BORDER INC
Line 1 Support services, computer misc, PAN-PA-200WF-R, per specifications		
30 ea		
Unit Price	\$366.500	
Extended Price		10,995.00
Line 2 Support services, computer misc, PAN-PA-200-TP-R, per specifications		
30 ea		
Unit Price	\$366.500	
Extended Price		10,995.00
Line 3 Support services, computer misc, PAN-PA-200-URL4-R, per specifications		
30 ea		
Unit Price	\$366.500	
Extended Price		10,995.00
Line 4 Support services, computer misc, PAN-SVC-PREM-200-R, per specifications		
30 ea		
Unit Price	\$367.500	
Extended Price		11,025.00

To be awarded as one lot		SOLID BORDER INC
Line 5 Support services, computer misc, PAN-PA-5060-TP-HA2-R, per specifications		
2 ea		
Unit Price	\$16,679.000	
Extended Price		33,358.00
Line 6 Support services, computer misc, PAN-PA-5060-TP-HA2-R, per specifications		
2 ea		
Unit Price	\$16,679.000	
Extended Price		33,358.00
Line 7 Support services, computer misc, PAN-PA5060-GP-HA2-R, per specifications		
2 ea		
Unit Price	\$16,679.000	
Extended Price		33,358.00
Line 8 Support services, computer misc, PAN-PA-5060-WF-HA2-R, per specifications		
2 ea		
Unit Price	\$16,679.000	
Extended Price		33,358.00

To be awarded as one lot	SOLID BORDER INC
Line 9 Support services, computer misc, PAN-SVC-PREM-5060-R, per specifications 2 ea	
Unit Price	\$23,890.000
Extended Price	47,780.00
Line 10 Support services, computer misc, PAN-PA-500-URL4-R, per specifications 2 ea	
Unit Price	\$824.000
Extended Price	1,648.00
Line 11 Support services, computer misc, PAN-PA-500-TP-R, per specifications 2 ea	
Unit Price	\$824.000
Extended Price	1,648.00
Line 12 Support services, computer misc, PAN-PA-500-WF-R, per specifications 2 ea	
Unit Price	\$824.000
Extended Price	1,648.00
Line 13 Support services, computer misc, PAN-SVC-PERM-500-R, per specifications	

2 ea			
Unit Price	\$826.000		
Extended Price		1,652.00	
Line 14 Support services, computer misc, PAN-SVC-PERM-M-100-P-R, per specifications			
1 ea			
Unit Price	\$6,432.000		
Extended Price		6,432.00	
Line 15 Support services, computer misc, PAN-PA-220-WF-R, per specifications			
1 ea			
Unit Price	\$167.000		
Extended Price		167.00	
Line 16 Support services, computer misc, PAN-PA-220-URL4-R, per specifications			
1 ea			
Unit Price	\$167.000		
Extended Price		167.00	
Line 17 Support services, computer misc, PAN-PA-220-TP-R, per specifications			
1 ea			
Unit Price	\$167.000		
Extended Price		167.00	

To be awarded as one lot		SOLID BORDER INC	
Line 18 Support services, computer misc, PAN-SVC-PREM-220-R, per specifications			
1 ea			
Unit Price	\$168.000		
Extended Price		168.00	
Line 19 Support services, computer misc, PAN-SVC-PREM-220-R, per specifications			
2 ea			
Unit Price	\$165.000		
Extended Price		330.00	
Line 20 Support services, computer misc, PAN-PA-220-WF-R, per specifications			
1 ea			
Unit Price	\$125.000		
Extended Price		125.00	
Line 21 Support services, computer misc, PAN-PA-220-URL4-R, per specifications			
1 ea			
Unit Price	\$125.000		
Extended Price		125.00	

To be awarded as one lot		SOLID BORDER INC
Line 22 Support services, computer misc, PAN-PA-220-TP-R, per specifications		
1 ea		
Unit Price	\$125.000	
Extended Price		125.00
Line 23 Support services, computer misc, PAN-SVC-PREM-220-R, per specifications		
1 ea		
Unit Price	\$150.000	
Extended Price		150.00
Line 24 Support services, computer misc, PAN-PA-200-BND-LAB4-R, per specifications		
1 ea		
Unit Price	\$75.000	
Extended Price		75.00
Line 25 Support services, computer misc, PAN-PA-200-BND-LAB4-R, per specifications		
2 ea		
Unit Price	\$167.300	
Extended Price		334.60

To be awarded as one lot	SOLID BORDER INC		
Line 26 Support services, computer misc, PAN-PA-820-BND-LAB4-R, per specifications			
1 ea			
Unit Price	\$654.090		
Extended Price		654.09	
Bid Total		240,837.69	
Award by Vendor		240,837.69	



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 6, 2018	Council Priority	Community Appearance
Department	Planning		
Contact	AJ Fawver		

Agenda Caption

Vicinity: N Rusk Street & NW 3rd Avenue

PRESENTATION AND CONSIDERATION of Rezoning of Lot 4B, Block 124, Original Town of Amarillo Unit No. 16, in Section 188, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 with Specific Use Permit 115 (MF-1/S-115) to Planned Development 388 (PD-388) for Tiny Houses.

Agenda Item Summary

The applicant is requesting a zone change in order to build four (4) tiny houses on this 0.14 acre lot.

This proposal is unusual in terms of its scale and size. The adopted zoning ordinance addressed most types of residential development, but not something this unique. The Planned Development (PD) tool is being utilized in this instance as the existing numerical standards and use standards do not readily apply to this type of proposal. The PD is an excellent tool for use in a situation such as this, though the same four criteria utilized in analyzing a rezoning application still apply. A PD is permitted for consideration per 4-10-103(10)a and c.

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

During the site visit, Planning Department staff noticed that to the north are residential uses, as well as to the south. Across the street to the east from the property is outdoor industrial storage for a nearby business.

This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which designates this area for a future “General Residential (GR)” land use. The Comprehensive Plan states that the character and intensity of this land use category allows “Planned Developments (PD), potentially with a mix of housing types and varying densities, subject to compatibility and open space standards”. Using the PD district, the city will be able to control standards for this development as well as set precedent on future tiny house projects. For instance, since the current zoning ordinance does not address developments such as this for tiny houses, standards had to be a combination of single family and multiple family housing standards. This includes landscaping

Amarillo City Council

Agenda Transmittal Memo



standards, building/house size standards (200 sq ft or less), parking standards (1 space for each tiny house or unit), fencing standards, and even signage standards (much like an apartment complex would have).

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from areas of lower density at section line corners to areas of high density. This concept of development ensures that commercial areas will have less of an impact to residential areas. This concept does not follow the Neighborhood Unit Concept as this area was developed before that concept was adopted. This area was constructed and built up in the 1890s (Platted in 1888) while the NUC was adopted in the 1980s, thus this area would not match up with the concept. The subject property is located in a plat that was filed before all the square mile north and south tracts were done (this plat is angled northwest and southeast along the railroad tracks), thus there is no real definitive position of the property within the NUC as opposed to farther out/newer developments that will follow along square mile arterial roads 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:

- Emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. (*page 3.3, Growth Management & Capacity*)
- Flexible Districts which allow for a series of residential development options and lot sizes, with various development and compatibility standards on a sliding scale and tied to the proposed development intensity to maintain a consistent area character. (*page 2.3, Land Use and Community Character*).

The original zoning was changed to MF-1/SUP-115 for a Type B Manufactured Home in 2006, the manufactured home has since then been removed from the property. The conditions in the area have remained relatively unchanged, what was residential has remained residential, what was industrial across the street has remained industrial in nature for many years. This proposal does not contradict the established development pattern.

The requested zoning change would allow for four (4) tiny houses to be placed on the lot with landscaping, fencing, and parking standards triggered. The landscaping will be placed along the side and rear boundaries of the property since the front yard of the lot is devoted to parking spaces. One (1) parking space is being provided for each tiny house, to eliminate a dependency on street parking. Fencing will follow single family housing rules, with a new 6' wooden fence placed along the alley-facing property line. The existing 6' wooden and 6' metal panel fences in the side yard areas to the north and south property lines eliminate the need for additional side yard fencing. No fence is being required along the front for the sidewalk access and parking spaces that are in that location. Signage standards will follow residential standards - much like an apartment complex identification sign which would be allowed in a residentially zoned area. There is no signage proposed at this time, but limitations exist should that be desired in the future.

Amarillo City Council

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Requested Action

The applicant is requesting the Rezoning of Lot 4B, Block 124, Original Town of Amarillo Unit No. 16, in Section 188, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 with Specific Use Permit 115 (MF-1/S-115) to Planned Development 388 (PD-388) for Tiny Houses.

Funding Summary

N/A

Community Engagement Summary

Level 4 - The item was distributed to all applicable internal and external entities. Notices have been sent out to 20 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request.

The item was recommended for approval by 5:0 vote of the Planning and Zoning Commission at its February 26, 2018 public meeting.

City Manager Recommendation

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

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 NORTH RUSK STREET AND NORTHWEST THIRD AVENUE, POTTER 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 4B, Block 124, Original Town of Amarillo Unit No. 16, in Section 188, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 with Specific Use Permit 115 (MF-1/S-115) to Planned Development 388 (PD-388) for Tiny Houses.

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 – DEVELOPMENT STANDARDS. That the development standards for Planned Development 388 such as lot areas, lot widths, lot depths, front yard, side yard, rear yard, lot coverage, as well as height Multiple Family District 1 (MF-1) zoning regulations.

SECTION 5 – LANDSCAPING STANDARDS. These standards for Planned Development 388 shall conform to the Landscaping Ordinance or known as Sec. 4-10-248 through Sec. 4-10-251 of the Zoning Ordinance.

SECTION 6 – SIGNAGE STANDARDS. All signage shall follow Multiple Family District 1 (MF-1) standards under Sec. 4-2-9(J)(1) of the Sign Ordinance.

SECTION 7 – PARKING STANDARDS. Parking standards are 1 space per tiny house.

SECTION 8 – UNDERLYING ZONING. That the entire property previously described

may contain listed below allowed, subject to the approved site plan(s) for this ordinance. Any standards not specifically addressed here in shall follow requirements for Multiple Family District 1 (MF-1) zoning.

SECTION 9. 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, 2018 and PASSED on Second and Final Reading on this the _____ day of March, 2018.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Looking west from N Rusk Street at the proposed rezoning tract (Currently zoned MF-1/SUP 115)



Looking north up N Rusk Street across from the proposed rezoning tract.



Looking east across N Rusk Street from the proposed rezoning tract.

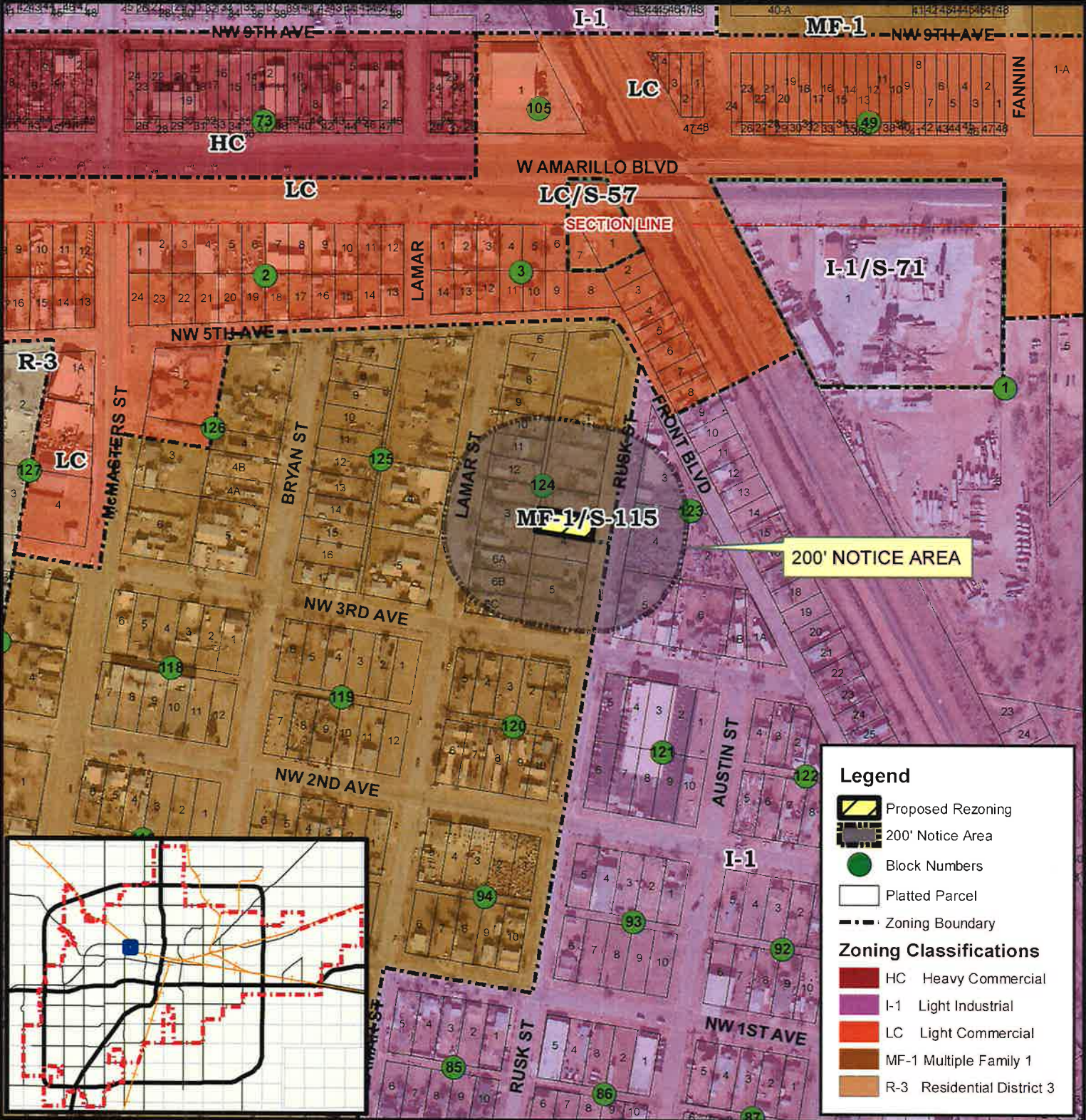


Looking southwest down N Rusk Street from the proposed rezoning tract.



Looking southeast down N Rusk Street from the proposed rezoning tract.

CASE Z-18-03
REZONING FROM MULTIPLE FAMILY DISTRICT 1 W/ SPECIAL USE PERMIT 115 (MF-1/S-115)
TO PLANNED DEVELOPMENT 388 (PD-388)



CITY OF AMARILLO
PLANNING DEPARTMENT

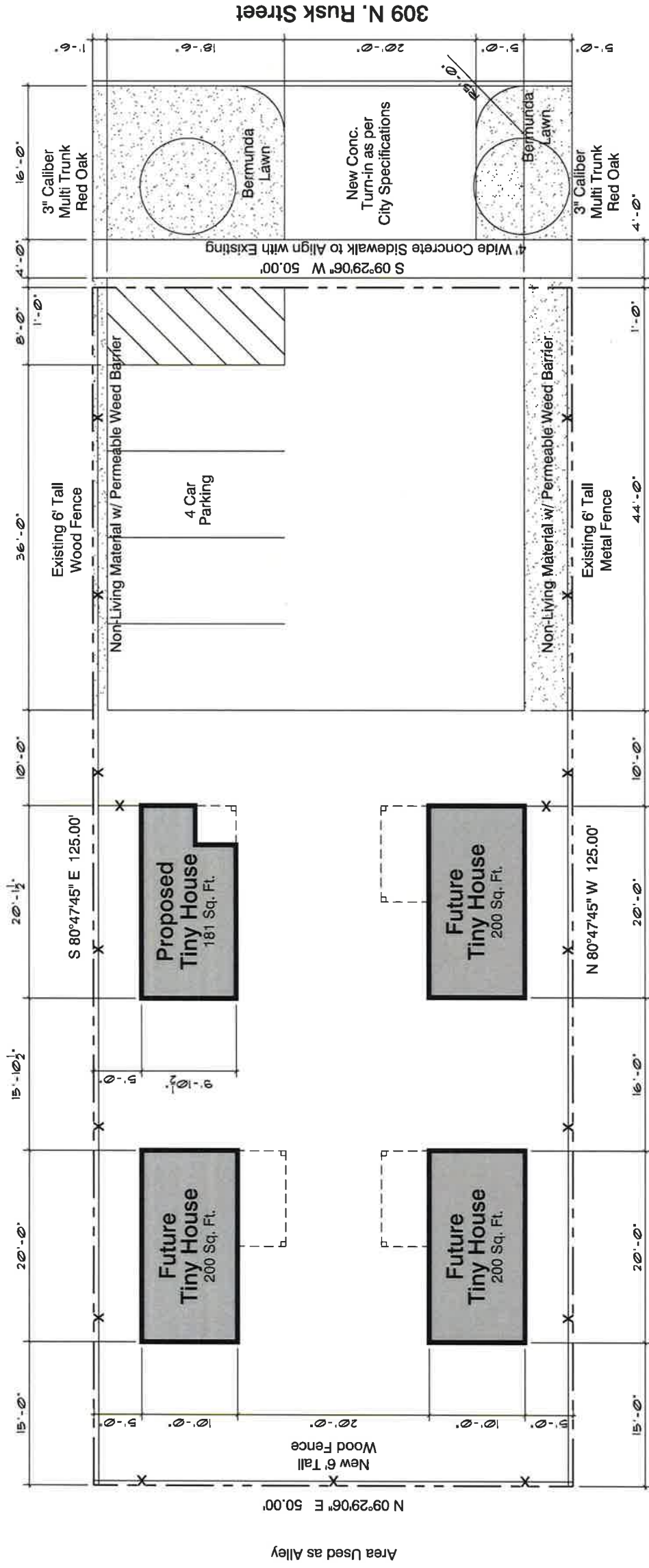
Scale: 1 inch = 300 feet
Date: 2/13/2018



Rezoning of Lot 4B, Block 124, Original Town of Amarillo Unit No. 16, in Section 188, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 (MF-1) to Planned Development 388 (PD-388) for Tiny Houses.

Applicant: Daryl Furman
Vicinity: N Rusk St. & NW 3rd Ave.

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



Proposed Site Plan

SCALE: 1" = 10'-0"



IRON



Landscape Ordinance Requirements	
<u>Street Tree Requirement</u> (1 tree for every 40 linear feet of street frontage)	
Street Frontage:	50' ft.
Trees Required:	2
Trees Provided:	2
<u>Parking Lot Tree Requirement</u> (1 tree for every 20 parking spaces)	
Parking Lot:	4
Parking Spaces:	0
Trees Required:	0
Trees Provided:	0
<u>Greenhouse Requirement</u> (10% of building footprint)	
Building Footprint:	781 sf
Total Required Landscape:	79 sf
Total Living Landscape Provided:	40 sf
Living Landscape Provided:	408 sf
Non-Living Landscape Provided:	293 sf

Landscape Point System

Point Categories:	Possible Points	Points Received
1. 75% of all plant materials are water efficient as listed within the recommended plant list.	15 pts	15 pts
2. For all required trees, each tree size meets or exceeds	2 pts	2 pts
3. All parking lot trees are planted in a parking lot island greater than 64 square feet per tree.	5 pts	0 pts
4. For all areas 4 feet or less in any dimension, non-flowering shrubs and perennials with a perennial woody barrier are used. Proportions of each existing healthy tree 2:1 canopy height or greater.	2 pts	2 pts
5. Subsurface irrigation is used for all turf grasses.	5 pts	0 pts
6. Sub-irrigation systems are used with all planting beds.	5 pts	0 pts
7. Planting beds are sealed by a permeable landscape Architect.	2 pts	0 pts
8. Permeable weed barrier installed in all planting beds.	2 pts	0 pts
9. Landscapes area provided exceeds requirement by an additional 10 percent.	2 pts	2 pts
10. Landscapes area provided exceeds requirement by the minimum requirement.	2 pts	2 pts
11. Root barriers are used to prevent hardscape damage as trees grows.	5 pts	0 pts
12. More than 50% of total required landscape area is planted with trees.	-5 pts	0 pts
14. Planting of each variety of tree not listed on the recommended plant list.	-2 pts	0 pts

Total Points Received:	21 pts
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Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 6, 2018	Council Priority	Regular Agenda Item – Public Hearing
Department	Planning Department		
Contact	AJ Fawver, Planning Director		

Agenda Caption

First reading of an ordinance rezoning Lot 3A, Block 1, Sunset Addition Unit No. 4, in Section 171, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 (R-3) to General Retail District (GR). (Vicinity: S Washington St. & Wolflin Ave.)

Agenda Item Summary

Adjacent zoning consists of Residential District 3 (R-3) to the east, Office District 2 (O-2) to the north, General Retail District (GR) and Neighborhood Services District (NS) to the west, and Planned Development District 216 (PD216) to the south for Amarillo College.

Adjacent land use consists of residences to the east, office use to the north, gas station to the west, and Amarillo College parking lot and service center to the south.

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

This rezoning request is consistent with the intensity of the type of retail uses established across Washington Street and further to the north closer to Interstate 40 which is located approximately 600 feet from the north property line of the property under consideration. Washington Street is also a designated arterial street through the city which indicates high traffic volumes and an auto oriented character. The adjacent lots that also front on this arterial street are of non-residential type of uses.

The adopted 2010 Comprehensive Future Land Use and Character Map designates this area for a future "Neighborhood Conservation" land use. The Comprehensive Plan states that the development type in this designation should be that associated with detached residential dwellings, parks or public spaces, and public or institutional facilities. This designation is designed to preserve existing housing stock and also govern periodic infill and/or redevelopment activity within a neighborhood to ensure compatibility; however, there is also a statement that says "depending on the particular neighborhood, the customized zoning may provide for small-scale office or retail uses on vacant sites at the edge of the neighborhood or other appropriate locations". This location would be considered on the edge as Washington is considered an arterial.

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from

Amarillo City Council

Agenda Transmittal Memo



areas of higher intensity at section line corners to areas of lower intensity toward the center of the section. This concept of development ensures that commercial areas will have less of an impact to residential areas. This rezoning request does follow the Neighborhood Unit Concept as it would allow for a higher intensity type of use to be established at the arterial street intersection of Washington and Wolflin Avenue.

It should also be noted that non-residential development on this property would be required to provide a screening fence from the alley to the east and also meet landscaping requirements which will be reviewed during the site plan process. This type of development will also be unable to utilize the alley for any vehicular traffic onto or off of this site, and all traffic should be directed to S Washington Street. It had been discussed with the applicant that a Neighborhood Services District (NS) zoning would be better suited for this location and could be utilized with a specific use permit for a restaurant; however, the current zoning ordinance does not allow for a specific use permit within NS for a restaurant with a drive-thru.

Considering the above, staff believes the applicant’s request is appropriate and recommends approval as submitted.

Requested Action

The applicant is requesting the rezoning of Lot 3A to change from R-3 to GR district in order to develop the property with a restaurant with drive-thru service.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 19 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request.

The item was recommended for approval by 5:0 vote of the Planning and Zoning Commission at its February 26, 2018 public meeting.

Community Impact: Level 1 – Modest on selected area and/or community group.

Staff Recommendation

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

Attachments

1. Maps of area
2. Site Pictures

ORDINANCE NO. 7719

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 SOUTH WASHINGTON STREET AND WOLFLIN AVENUE, POTTER 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 3A, Block 1, Sunset Addition Unit No. 4, in Section 171, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 (R-3) 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 6th day of March, 2018 and PASSED on Second and Final Reading on this the 13th day of March, 2018.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Looking south from Wolflin & Washington at proposed rezoning tract.



Looking north from Washington at the proposed rezoning tract and existing conditions.



Looking south along Washington at existing conditions south of subject property.

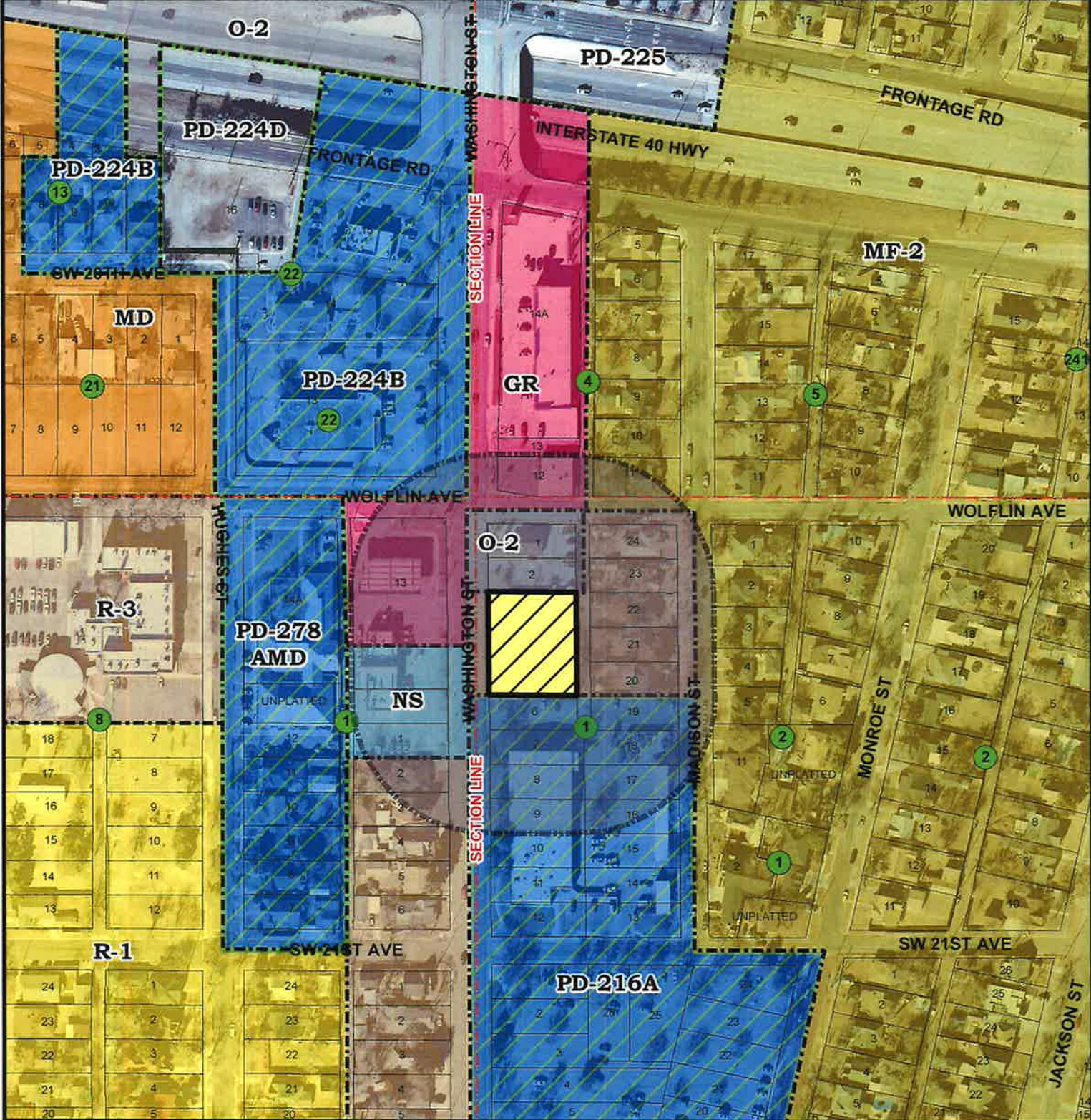


Looking west from Washington at view from front of subject property.



Looking north up alley at existing conditions and fencing.

CASE Z-18-04
REZONING FROM RESIDENTIAL DISTRICT 3 (R-3)
TO GENERAL RETAIL (GR)



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 200 feet
Date: 2/23/2018

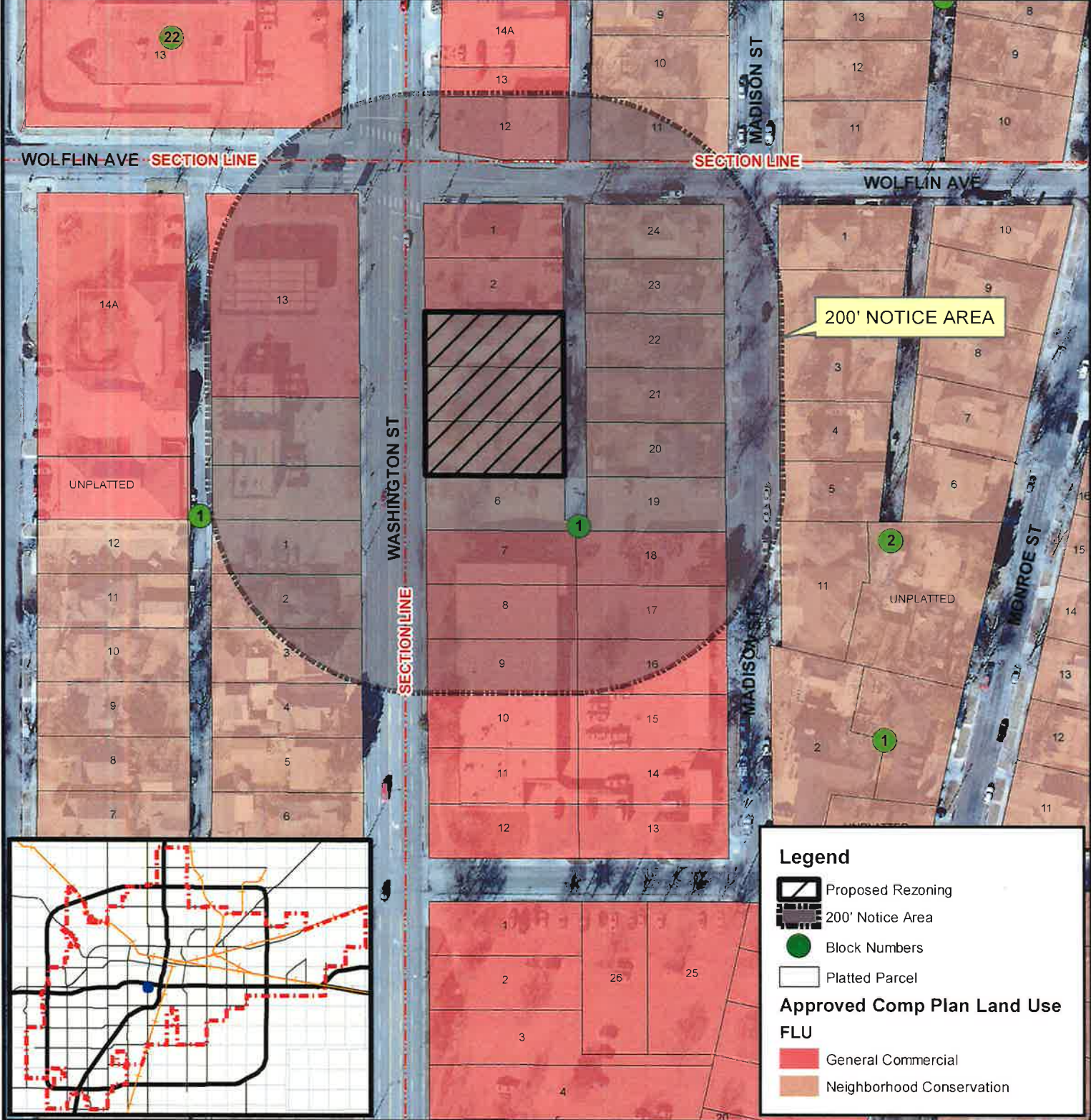


Rezoning of Lot 3A, Block 1, Sunset Addition Unit No. 4, in
Section 171, Block 2, AB&M Survey, Potter County, Texas, plus
one-half of all bounding streets, alleys, and public ways to change
from Residential District 3 (R-3) to General Retail District (GR).

Applicant: Daryl Furman
Vicinity: S Washington St & Wolflin Ave.

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CASE Z-18-04
REZONING FROM RESIDENTIAL DISTRICT 3 (R-3)
TO GENERAL RETAIL (GR)



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 126 feet
Date: 2/13/2018

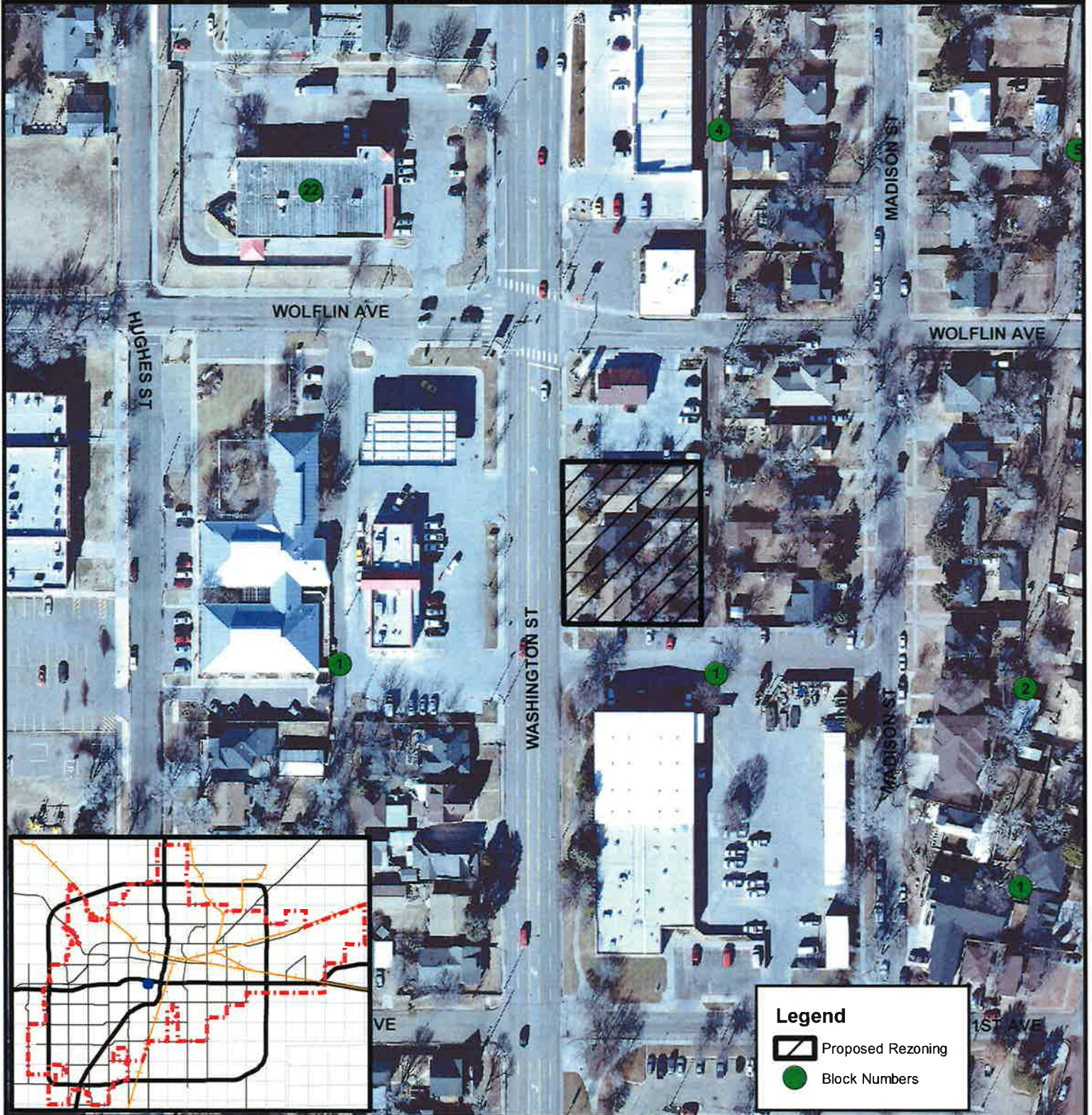


Rezoning of Lot 3A, Block 1, Sunset Addition Unit No. 4, in Section 171, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 (R-3) to General Retail District (GR).

Applicant: Daryl Furman
Vicinity: S Washington St & Wolflin Ave.

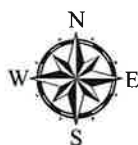
DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo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

**CASE Z-18-04
REZONING FROM RESIDENTIAL DISTRICT 3 (R-3)
TO GENERAL RETAIL (GR)**



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1 inch = 126 feet
Date: 2/13/2018



Rezoning of Lot 3A, Block 1, Sunset Addition Unit No. 4, in Section 171, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 (R-3) to General Retail District (GR).

Applicant: Daryl Furman

Vicinity: S Washington St & Wolflin Ave.

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

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Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 6, 2018	Council Priority	Regular Agenda Item – Public Hearing
Department	Planning Department		
Contact	AJ Fawver, Planning Director		

Agenda Caption
First reading of an ordinance for the vacation of a 22,420 square foot portion of 60' ROW known as SW 8th Avenue directly east of S Coulter Street, previously dedicated by Medical Institute Unit No. 8 plat, in Sections 25 & 44, Block 9, BS&F Survey, Potter County, Texas.

Agenda Item Summary
The applicant is requesting the City of Amarillo vacate a 22,420 square feet portion of the cul-de-sac of SW 8th Avenue near South Coulter Street. This cul-de-sac street was never constructed after it was dedicated by plat.

This request for vacation is for the purpose to include the area into a future large senior independent and assisted living facility to be located on the east side of coulter at this location. This project is currently going through multiple review processes, to include: Construction Plans for extension of utility mains, Construction Plans for the remainder of the street, Drainage Study, Site Plan review, Plat review and Planned Development Zoning Amendment (plat and zoning to be presented at a future meeting).

There currently exists only vacant land that fronts on this street, and further east sits lot 2c of Medical Institute Unit 7 plat that has frontage on SW 9th Avenue and a large drainage creek owned by the city. These limitations would hinder any future continuation of the street eastward for a connection to another street. Planning, Utilities, and Engineering Departments have reviewed the vacation and concluded that the proposed vacation would not be detrimental to the area.

Per Section 12, “Dedications and Vacations” of the City of Amarillo’s Development Policy Manual, the developer is required to pay the fair market value of the land. In this instance, the applicant is constructing the remainder of the street, which was never built by the previous developer, and the new cul-de-sac turn around that will be dedicated on the plat. City staff believes that the benefit of the construction of this street outweighs the fair market value of the land to be vacated.

Requested Action
Planning staff and Planning & Zoning Commissioners have reviewed the associated ordinance and exhibits and recommend the City Council approve the item as submitted.

Funding Summary
N/A

Amarillo City Council

Agenda Transmittal Memo



Community Engagement Summary

No notices were required. Signs with the Planning Department contact information were posted at the location where SW 8th would intersect S Coulter concerning the potential vacation. At the time of this writing, no calls or comments have been received. The item was considered by the Planning and Zoning Commission in a public hearing on February 26th at which there were no public comments, and the item was recommended for approval with a 5:0 vote.

Community Impact: Level 1 – Modest on selected area and/or community group.

Staff Recommendation

Staff recommends approval of this ordinance as presented.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR RIGHT-OF-WAY AND NEARBY PUBLIC UTILITY EASEMENTS IN THE VICINITY OF SOUTHWEST 8TH AVENUE AND SOUTH COULTER STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Amarillo found that no public necessity currently exists for the right-of-way described herein and recommends to the City Council for such right-of-way be vacated; and

WHEREAS, the City Council reviewed said recommendation and considered all relevant information pertaining to the proposed vacation described herein, and finds that such right-of-way is no longer needed for public purposes; and

WHEREAS, the City Council further determines that the vacation of said right-of-way is not detrimental or injurious to the community's public health, safety or general welfare and is in the community's best interests.

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

SECTION 1. The City Council of the City of Amarillo hereby vacates and abandons for public purposes the herein-described right-of-way:

V-17-07 Vacation of a 22,420 square foot portion of 60' ROW known as SW 8th Avenue directly east of S Coulter Street, previously dedicated by Medical Institute Unit No. 8 plat, in Sections 25 & 44, Block 9, BS&F Survey, Potter County, Texas. (Vicinity: SW 8th Ave. & S Coulter St.) Further described in Exhibits A & B.

SECTION 2. City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) as allowed or required by law.

SECTION 3. All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

SECTION 4. In the event this ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and such remaining portions shall continue to be in full force and effect.

SECTION 5. This Ordinance shall become and be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 6th day of March 2018; and **PASSED** on Second and Final Reading this the 13th day of March 2018.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

ITEM #: V-17-07 Vacation of a 22,420 square foot portion of 60' ROW known as SW 8th Avenue directly east of S Coulter Street, previously dedicated by Medical Institute Unit No. 8 plat, in Sections 25 & 44, Block 9, BS&F Survey, Potter County, Texas. (Vicinity: SW 8th Ave. & S Coulter St.)

APPLICANT: North Coulter Development LLC

Proposal

The applicant is requesting the City of Amarillo vacate a 22,420 square feet portion of the cul-de-sac of SW 8th Avenue near South Coulter Street. This cul-de-sac street was never constructed.

Analysis

This request for vacation is for the purpose to include the area into a future large senior independent and assisted living facility to be located on the east side of Coulter at this location. This project is currently going through multiple review processes, to include: Construction Plans for extension of utility mains, Construction Plans for the remainder of the street, Drainage Study, Site Plan review, Plat review and Planned Development Zoning Amendment (plat and zoning to be presented at a future meeting).

There currently exists only vacant land that fronts on this street, and further east sits lot 2c of Medical Institute Unit 7 plat that has frontage on SW 9th Avenue and a large drainage creek owned by the city. These limitations would hinder any future continuation of the street eastward for a connection to another street. Planning, Utilities, and Engineering Departments have reviewed the vacation and concluded that the proposed vacation would not be detrimental to the area.

Per Section 12, "Dedications and Vacations" of the City of Amarillo's Development Policy Manual, the developer is required to pay the fair market value of the land. In this instance, the applicant is constructing the remainder of the street, which was never built by the previous developer, and the new cul-de-sac turn around that will be dedicated on the plat. City staff believes that the benefit of the construction of this street outweighs the fair market value of the land to be vacated.

Recommendation

Considering the above, staff **recommends approval** of this vacation with the approval and filing of the replat.

EXHIBIT "A"

Street Right-of-Way Vacation

Description

A 22,420 square foot tract of land out of a 4.48 acre tract of land as described in that certain Special Warranty Deed recorded in Volume 3880, Page 638 of the Official Public Records of Potter County, Texas, situated in Section 44, Block 9, B. S. & F. Survey, Amarillo, Potter County, Texas, and said tract of land being further described by metes and bounds as follows:

COMMENCING at a 1/2 iron rod with cap stamped "R.P.L.S. 4263", found at northwest corner of Lot 8, Block 1 of Medical Institute Subdivision Unit No. 8, an addition to the City of Amarillo, according to the recorded map or plat thereof, of record in Volume 3653, Page 406 of the Official Public Records of Potter County, Texas;

Thence N. 00° 19' 34" W., (Directional Control GPS Observation WGS-84), 60.00 feet along the east right-of-way line of Coulter Street as dedicated by said Medical Institute Subdivision Unit No. 8;

Thence S. 89° 42' 26" E., 278.78 feet along the north right-of-way line of S.W. 8th Avenue as dedicated by said Medical Institute Subdivision Unit No. 8 to the northwest and **BEGINNING CORNER** of this tract of land;

Thence S. 89° 42' 26" E., 241.60 feet along the north right-of-way line of said S.W. 8th Avenue to the beginning of a cul-de-sac curve to the right having a radius of 50.00 feet;

Thence Southwesterly, along said curve, an arc distance of 249.81 feet with a chord of S. 00° 17' 34" W., 60.00 feet to the end of said curve;

Thence N. 89° 42' 26" W., 290.59 feet along the south right-of-way line of said S.W. 8th Avenue to the southwest corner of this tract of land and the beginning of a curve to the left with a radius of 50.00 feet;

Thence Northeasterly, along said curve, an arc distance of 88.61 feet with a chord of N. 39° 31' 27" E., 77.46 feet to the **POINT OF BEGINNING**.

See Exhibit "B" Job No. 20170902

Robert Keys & Associates

Surveying / Mapping / Planning
4423 S. W. 45th Avenue, Amarillo, Texas 79109
Voice: (806) 352-1782 Fax: (806) 352-1942
Texas Firm No. 10034400

EMAIL: rka@keyssurveying.com

Web Site: www.keyssurveying.com

Prepared: September 07, 2017

Revised: Different Cul-de-sac allowed (9-11-17)

Revised: Different Cul-de-sac and Location (2-02-18)

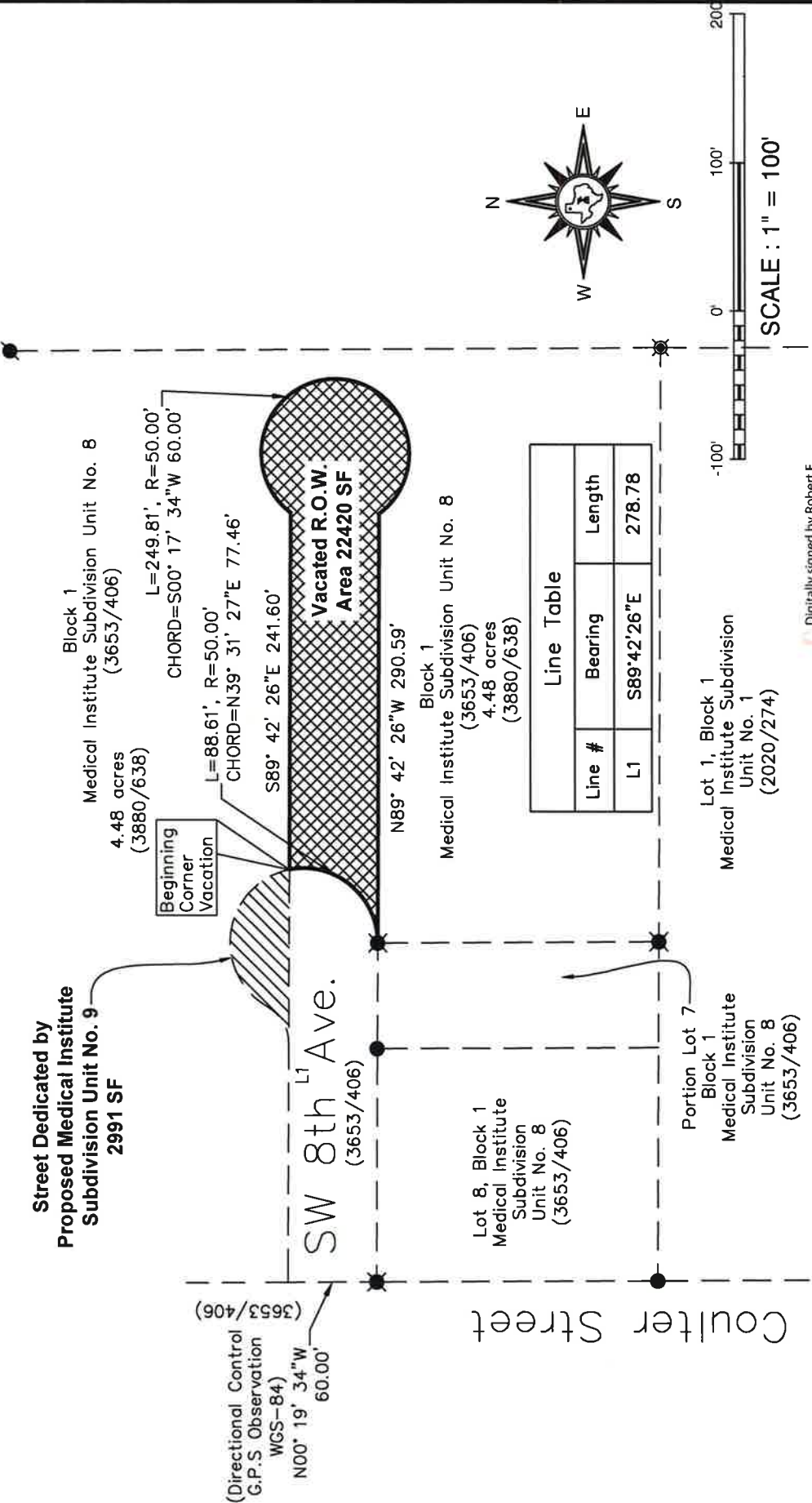


Robert
E. Keys

Digitally signed by Robert E.
Keys
DN: cn=Robert E. Keys, o=Robert
Keys and Associates, ou,
email=rkeys@keyssurveying.co
m, c=US
Date: 2018.02.05 11:53:00 -06'00'

Registered Professional Land Surveyor

Exhibit "B"



Robert E. Keys

Job No. 20170902
Date: 09/07/2017
Revised: 09/11/2017
02/02/2018

Bridlewood Retirement Center

Amarillo, Potter County, Texas.

Robert Keys & Associates

land surveying
mapping
land planning

(806)352-1782 Email: rka@keyssurveying.com
7106 S. Bell Street, Amarillo, Texas 79109-7003
Firm No. 10034400 www.keyssurveying.com

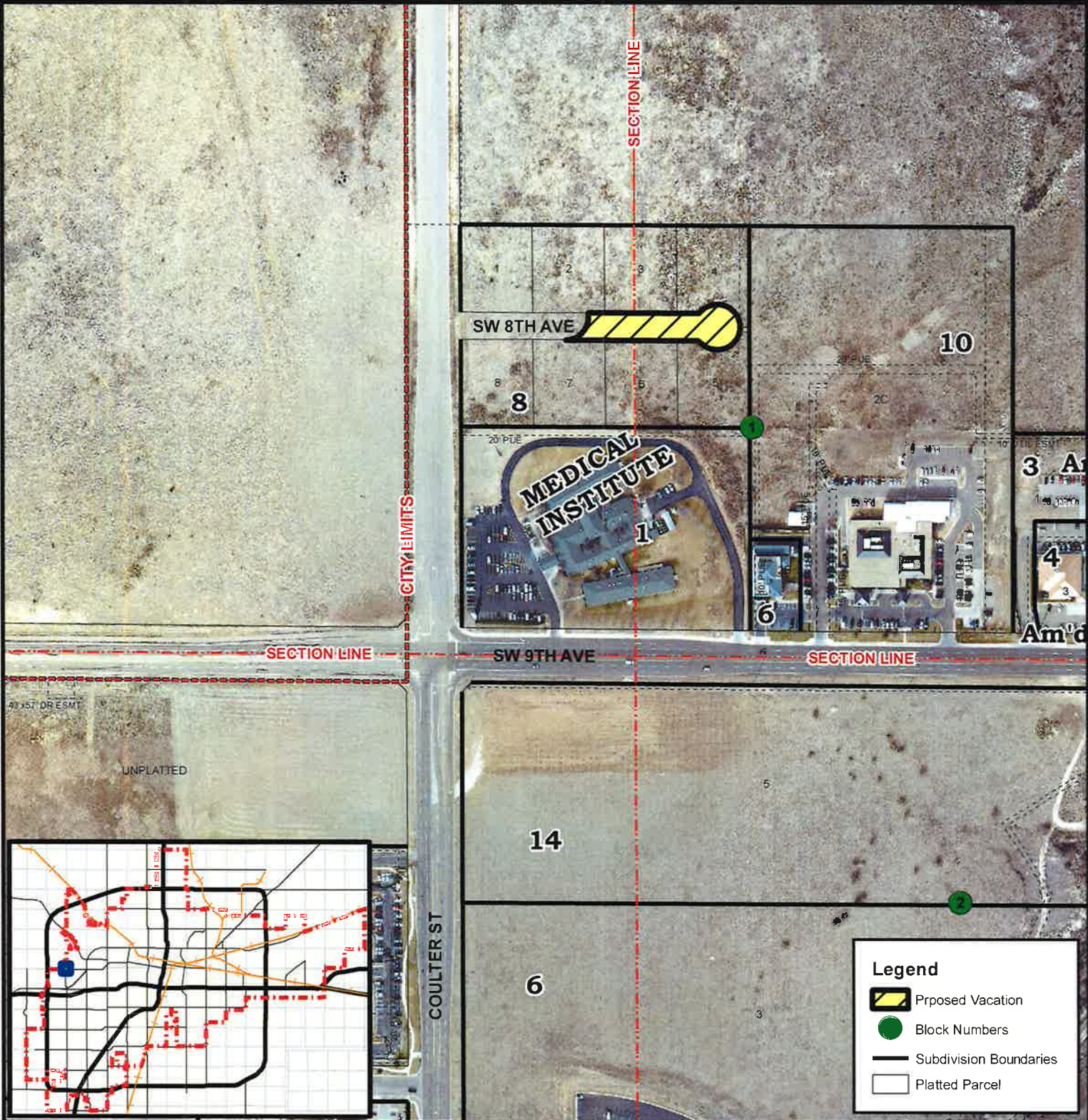
Legend :

- ✱ = 1/2" iron rod w/cap stamped "R.P.L.S. 4263" (found)
- = 1/2" iron rod (found)
- (/) = Instrument recording in County Clerks Office

Digitally signed by Robert E. Keys
DN: cn=Robert E. Keys, o=Robert Keys and Associates, ou, email=rkeys@keyssurveying.com, c=US
Date: 2018.02.03 15:03:21 -0600

Professional Surveyor Seal: ROBERT E. KEYS, 2507, LAND SURVEYOR, STATE OF TEXAS

CASE V-17-07
VACATION OF A PORTION OF SW 8TH AVE



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 2/14/2018



Vacation of a 24881sf portion of 60' ROW known as Southwest 8th Avenue previously dedicated by Medical Institute Unit No. 8 plat, in Section 25 and 44, Block 9, BS&F Survey, Potter County, Texas.

Applicant: Robert Keys

Vicinity: SW 8th Ave & Coulter 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.

6



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	3/6/18	Council Priority	Community Appearance Redevelopment
Department	Planning/Legal		
Contact	AJ Fawver, Planning Director/Bryan McWilliams, Deputy City Attorney		

Agenda Caption
Presentation and consideration of an ordinance approving a petition to include a 109.32 acre property located approximately 4.1 miles south of Amarillo, located east of Helium Rd, southwest of Dove Rd, and west of White Wing Rd, fully within the extraterritorial jurisdiction (ETJ) of the City of Amarillo.

Agenda Item Summary
The attached map provides the legal description and a graphical depiction of the property under discussion. Currently, this property falls partially within the City of Amarillo’s ETJ, and partially outside of it. Page 2 of the attachment includes a petition from the property owner, requesting inclusion within the City’s ETJ.

Section 42.022 of the Texas Local Government Code includes a provision for a municipality to expand the ETJ beyond the distance limitations established, if the area to be included is contiguous with the existing ETJ, and if the owner(s) make this request. This location, along with the petition from the owner, meet these two requirements. Section 42.022 also requires that any expansion not include areas which fall within the ETJ of another municipality, and the owner’s petition verifies that this is not the case in this instance.

Fully encompassing the property within the City of Amarillo’s ETJ preserves the ability to develop the property within one cohesive set of development regulations and standards.

Requested Action
Approval or denial of this ordinance.

Funding Summary
N/A at this time

Community Engagement Summary
N/A at this time

Staff Recommendation
Staff recommends approval of this ordinance, as presented. If approved, the planning base maps’ depiction of the ETJ will be updated accordingly.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AMENDING THE DEFINITION OF THE EXTRATERRITORIAL JURISDICTION; ACCEPTING A PETITION FOR INCLUSION OF A TRACT OF LAND LOCATED IN RANDALL COUNTY INTO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF AMARILLO; PROVIDING THAT A CERTIFIED COPY OF THIS ORDINANCE BE SENT TO THE RANDALL COUNTY COMMISSION; PROVIDING A REPEALER CLAUSE; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Amarillo's Extraterritorial Jurisdiction ("ETJ") extends into Randall County; and

WHEREAS, Hunter Estates, a 109 (+/-) acre tract of land out of Section 30, Block 1, Tyler Tap Railroad Company Survey, ("Tract") located in Randall County is owned by Robbie Christie ("Developer") and is located partially in the City of Amarillo's ETJ; and

WHEREAS, all but a lesser portion of the Tract ("Remainder") shown on the map attached herein (designated as "Area Outside the ETJ") is within the ETJ of the City of Amarillo; and

WHEREAS, the Remainder is contiguous to the existing ETJ of the City of Amarillo; and

WHEREAS, pursuant to Section 42.022(b) of the Texas Local Government Code the Developer has requested by Petition that the Remainder be included in the ETJ of the City of Amarillo; and

WHEREAS, the Remainder is not located within any other municipality's existing ETJ or corporate boundaries; and

WHEREAS, the City Council finds that that acceptance of the Remainder into the ETJ of the City of Amarillo promotes orderly planning and subdivision control within the ETJ and wishes to grant the Petition.

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

SECTION 1. The Amarillo Municipal Code, Chapter 4-6, Article I, Section 4-6-2 be and hereby is amended to read as follows:

* * * *

Extraterritorial Jurisdiction: The contiguous unincorporated area not incorporated in any other city within five (5) miles of the corporate limits of the City of Amarillo and other contiguous areas as allowed by law.

* * * *

SECTION 2. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

SECTION 3. That the City Council accepts and grants the Petition of the Developer.

SECTION 4. That the boundaries of the ETJ of the City of Amarillo shall be increased

by the area specifically shown on Exhibit “A” attached hereto, identified as the Remainder.

SECTION 5. That after passage the City Manager shall as soon as practicable provide the Randall County Commission with a certified copy of this ordinance.

SECTION 6. Repealer. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 7. Effective Date. That this ordinance shall be effective after its passage according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the ____ day of March 2018; and PASSED on Second and Final Reading the ____ day of March 2018.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Welcome Home

N & B Properties, Inc.
17701 White Wing Rd
Canyon, TX 79015

January 5, 2018

AJ Fawver, AICP, CNU-A
Planning Director
800 S. Buchanan
Amarillo, Texas 79105

RE: Hunter Estates (ZB165143)

Ms. Fawver:

I have engaged Furman Land Surveyors, Inc. to provide surveying services for Hunter Estates, (Section 30) a suburban, residential subdivision. Hunter Estates is located partially in the City of Amarillo's Extraterritorial Jurisdiction (ETJ) in Randall County. In accordance with Texas Government Code, Chapter 791 "Interlocal Cooperative Contracts" and Local Government Code, Chapter 42 "Extraterritorial Jurisdiction of Municipalities", and being that a majority of the proposed subdivision is located inside the ETJ, I am formally requesting that this development be included, in full, in the Extraterritorial Jurisdiction.

If you should have any questions please do not hesitate to contact me at 806-420-9023.

Sincerely,

Robbie Christie

Cc: Kyle Schniederjan
Floyd Hartman

PETITION REQUESTING INCLUSION IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF AMARILLO, TEXAS Property Address: 0 Helium Road Property GEO ID: R-758-0300-7000.0 TO THE MAYOR AND CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

I(We), the undersigned, am(are) the owner(s) of a tract of land ("Tract") which is contiguous and adjacent to the extraterritorial jurisdiction ("ETJ") of the City of Amarillo, Texas ("City"). The Tract is identified by deed, legal description, address, and/or appraisal district data attached here as "Exhibit A" and included herein as if fully described. To fulfill the Texas Legislature's intent to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the City, I(We) request the Tract be included in the City's ETJ pursuant to TEXAS LOCAL GOVERNMENT CODE SECTION 42.022(b). Petitioner(s) believe(s) that none of the Tract is located within any other municipality's existing ETJ or corporate boundaries; however if Petitioner is incorrect, Petitioner requests the boundaries of the Tract be revised and reformed so that none of the Tract to be included within the City's ETJ shall be located within any other municipality's existing ETJ. If any portion of this Petition is invalid or unenforceable for any reason, including but not limited to parts of the Tract being ineligible for inclusion in the City's ETJ, such invalidity or unenforceability shall not affect any other provision hereof or any part of the Tract which is eligible for inclusion in the City's ETJ, and this Petition shall be construed as if such invalid or unenforceable provision had never been contained herein. And Petitioner(s) request(s) any prior request(s) for inclusion into the City of Amarillo for the Tract or portion thereof by Petitioner(s) or prior landowners be construed to be reaffirmed by this request and not invalidated. Petitioner(s) sole intent in that circumstance is to show continued intent for the Tract to be included in the ETJ of the City and not that of another municipality. Petitioner(s) also expressly grant(s) this covenant or agreement to run with the land. Petitioner(s) also agree(s) that if this petition should be accepted by the City, a subsequent request for removal from City's ETJ must also be accepted and/or approved by the City.

Signed and executed this the 12th day of January, 2018.
Robbie Christie Property Owner Signature

Property Owner Signature [Signature]

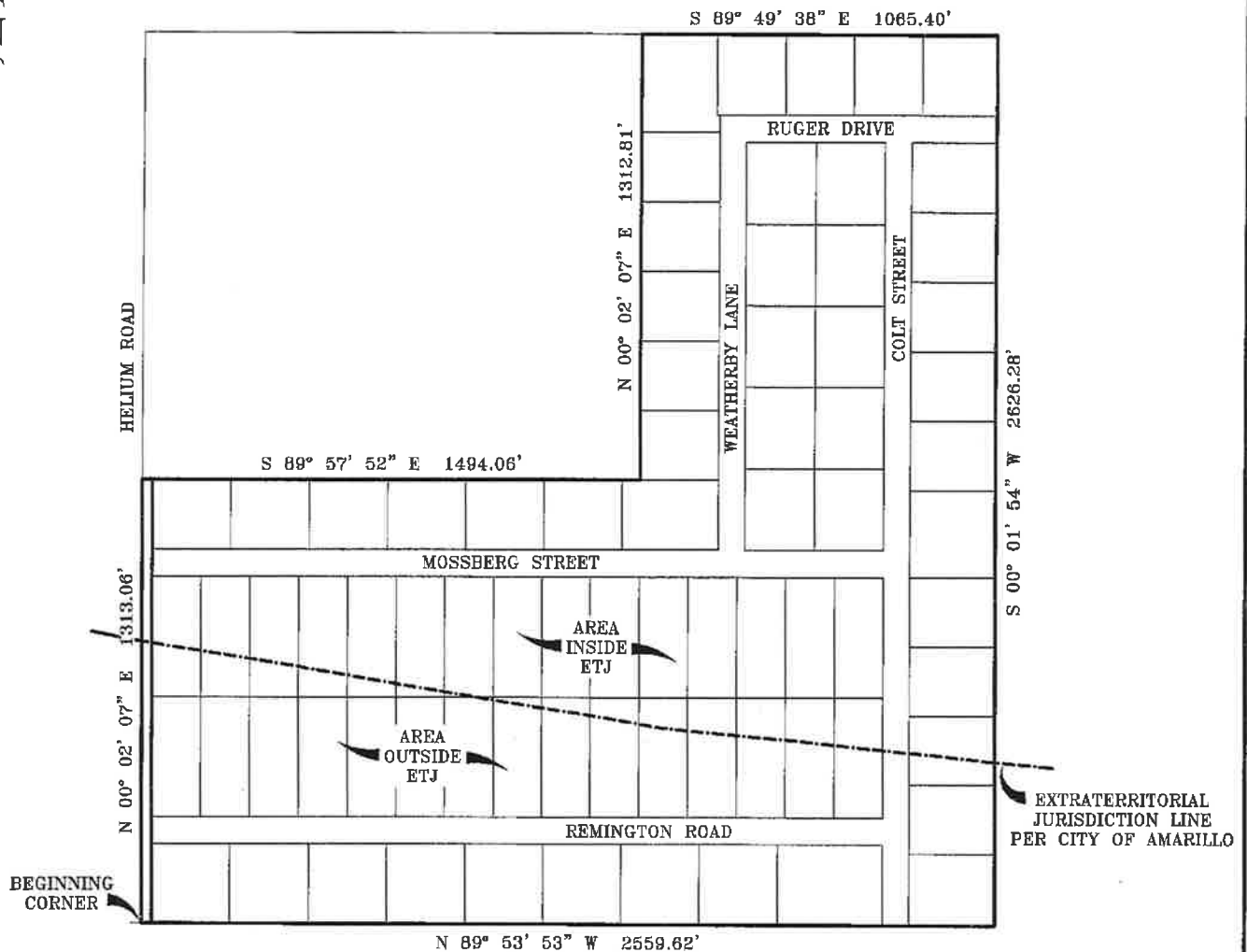
Printed Name Printed Name STATE OF TEXAS COUNTY OF Randall Before me,
the undersigned authority, on this day personally appeared Robbie Christie and
known to me to be the person(s) whose name(s)

is(are) subscribed to the foregoing instrument and each acknowledged to me that he(he) executed the



Natalie Phillips

PROPOSED HUNTER ESTATES ETJ EXHIBIT



DESCRIPTION

A 109.32+/- acre tract of land out of Section 30, Block 1, Tyler Tap Railroad Company Survey, Randall County, Texas being all of that certain 109.32+/- acre tract of land described in that certain instrument recorded under Clerk's File No. 2016005376 of the Official Public Records of Randall County, Texas, said 109.32+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc on August 17, 2016 and being described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap (5626) found at the Southwest corner of this tract of land, from whence a 1 inch iron pipe found at the Southwest corner of said Section 30 bears N. 00° 02' 02" W., 30.00 feet and S. 00° 02' 07" W., 30.00 feet;

THENCE N. 00° 02' 07" E. (Base line) 1313.06 feet to a 1/2 inch iron rod with cap (5626) found at the Southwest corner of a 22.544 acre tract of land being described in that certain instrument recorded under Clerk's File No. 2009020970 of the Official Public Records of Randall County, Texas, same being the most West Northwest corner of this tract of land;

THENCE S. 89° 57' 52" E., 1494.06 feet along the South line of said 22.544 acre tract of land to a 1/2 inch iron rod with cap (5626) found at the Southeast corner of said 22.544 acre tract of land, same being an interior jog corner of this tract of land;

THENCE N. 00° 02' 07" E., 1312.81 feet to a 1/2" rebar with cap (UNKNOWN) found in the South line of a 7.99 acre tract of land being described in that certain instrument recorded under Clerk's File No.02 10532 of the Official Public Records of Randall County, Texas, same being the most North Northwest corner of this tract of land;

THENCE S. 89° 49' 38" E., 1065.40 feet to a 1/2 inch iron rod with cap (5626) found in the West line of a County Road Dedication described in that certain instrument recorded in Volume 266, Page 715 of the Deed Records of Randall County, Texas, at the Southeast corner of said 7.99 acre tract of land, same being the Northeast corner of this tract of land;

THENCE S. 00° 01' 54" W., 2626.28 feet along the West line of said County Road Dedication to a 1/2 inch iron rod with cap (5626) found at the Southwest corner of said County Road Dedication, same being the Southeast corner of this tract of land;

THENCE N. 89° 53' 53" W., 2559.62 feet to the POINT OF BEGINNING and containing 109.32 acres of land, more or less.



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 06, 2018	Council Priority	Regular Agenda Item
Department	Planning Department		
Contact	AJ Fawver, Planning Director		

Agenda Caption

FIRST READING OF AN ORDINANCE ANNEXING INTO THE CITY OF AMARILLO, RANDALL COUNTY, TEXAS, ON PETITION OF PROPERTY OWNER, TERRITORY GENERALLY DESCRIBED AS A 91.334 ACRE TRACT LOCATED SOUTHEAST OF THE CITY, WEST OF THE INTERSECTION OF SOUTH GEORGIA STREET AND WEST LOOP 335 SOUTH, SITUATED IN SECTION 231 & 232, BLOCK 2, A.B.&M. SURVEY, AND EXTENDING WEST/SOUTHWEST ADJACENT TO THE NORTHERN LINE OF SECTION 232 FOR A DISTANCE OF 4012.31'; DESCRIBING THE TERRITORY ANNEXED; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS OF SAID TERRITORY; DIRECTING THE FILING OF THE ORDINANCE IN THE MANNER REQUIRED BY LAW; DIRECTING NOTICE TO SERVICE PROVIDERS AND STATE AGENCIES; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

Agenda Item Summary

Background

City staff was presented with a petition for annexation of the property described above toward the end of 2017. City staff has met internally and with the applicant to discuss the annexation and timeline.

The annexation is for property described above and specifically shown in the attached exhibits. The property in question is entirely vacant. Barstow Drive is currently being built within this proposed annexation area and will be accepted by the City once it meets the required specifications and is annexed into the city limits. Barstow Drive will connect the City View Estates subdivision to Loop 335.

The existing conditions of the site are:

- 91.334 acres in size,
- Entirely vacant,
- No preliminary plan on file,
- No subdivision on file, and,
- The Future Land Use & Character (FLUC) map calls for an suburban commercial north of Loop 335 and suburban residential future land use south of Loop 335. The applicant has not given any information on desired future use or proposed any timeline for development currently.

Process to Date

Amarillo City Council

Agenda Transmittal Memo



Once all documents were acquired for processing, the following calendar of annexation proceedings was adopted, as prescribed under Chapter 43 of the Local Government Code.

First public hearing	January 30, 2018
Second public hearing	February 13, 2018
Introduction of annexation ordinance, on first reading	March 6, 2018
Adoption of annexation ordinance, on second reading	March 13, 2018

Local Government Code Guidance

The Local Government Code authorizes cities to annex sparsely occupied areas on petition of the area’s landowner(s). This section (43.028) applies to the annexation of areas that meet the following criteria:

- 1) Is one-half mile or less in width;
- 2) Is within the ETJ (Extra-Territorial Jurisdiction) of the city;
- 3) Is vacant and without residents or on which fewer than three qualified voters reside;
- 4) Is contiguous to the annexing city.

Staff asserts that there is a public interest in proceeding as proposed, as:

- the City of Amarillo’s policy is not to pursue involuntary annexation; and,
- annexation enables communities to include property at or before development occurs, making this a prudent decision as knowledge exists that the property proposed for annexation is intended to be developed in the near future.

Staff has worked to correct minor issues with the property description with the applicant, and prepared the legal documents and service plan, as required.

Service Plan

Section 43.056 of the Local Government Code requires preparation of a service plan, detailing what services shall be provided, when, and how (see attachment, prepared in January of this year). While this attached plan is in more detail, the following is a short summary of its main features:

- Existing services to this area: water and sewer services are available adjacent to the property; however, service from these mains is not being used by the annexation property at this time.
- Services to be provided at the effective date of annexation and thereafter, consistent with other parts of the city:
 1. fire response,
 2. fire inspection,
 3. police patrols,
 4. building permitting & inspection,
 5. code enforcement,

Amarillo City Council

Agenda Transmittal Memo



-
6. zoning and planning services,
 7. administration of ordinances,
 8. library privileges,
 9. animal control services,
 10. health regulation enforcement,
 11. drainage inspection, and
 12. solid waste collection.
- Services to be provided in accordance with related and adopted policies and plans as deemed appropriate:
 1. maintenance to future streets and alleys upon acceptance of those improvements,
 2. maintenance to future drainage upon acceptance,
 3. coordination of street lighting,
 4. traffic control devices,
 5. extensions of water service,
 6. extensions of sanitary sewer service, and
 7. transit services.

City of Amarillo Costs

It is anticipated that the following costs would be borne by the City of Amarillo in association with this annexation as proposed:

- Streets – No cost to the City; all streets internal to the development would be the responsibility of the developer.
- Drainage – No cost to the City, other than maintenance after acceptance of improvements.
- Water – No cost to the City; water is already located adjacent to annexation area. Any extensions of this service would be the responsibility of the developer.
- Sanitary Sewer – No cost to the City; sewer main located adjacent to annexation area. Any extensions of this service would be the responsibility of the developer.
- Other Services – all other departments have reported the ability to absorb the extension of services into their existing operating budgets.

Recommendation

To summarize, the petitioned property for annexation is currently served by city water and sewer mains adjacent to the property which means there will be no immediate costs to the city for service extensions. The annexation would allow the city to regulate the development of the property to city standards that would not have been enforceable otherwise. Some of the property is designated for commercial use by the adopted Future Land Use and Character Map and Comprehensive Plan, and future commercial development in this area after annexation will allow the city to capture commercial tax and revenues from the site. Considering the low burden to the city and potential high reward, staff recommends approval of the petitioned annexation.

Amarillo City Council

Agenda Transmittal Memo



Requested Action

Consider and take action to either approve or deny this ordinance to annex the property described in the caption above.

Funding Summary

N/A

Community Engagement Summary

As required by the Local Government Code, Section 43.0561, written notices were sent to utility companies, the property owner, and ISDs in the area.

Public notice was published in a newspaper of general circulation and on the City website, notifying the public of the January 30th public hearing, while a second notice notified the public of the February 13th public hearing. Public notices for each of these dates were also published to the City of Amarillo's website.

Community Impact: Level 1 – Modest on selected area and/or community group.

Staff Recommendation

Staff recommends approval of this item, as presented.

Attachments

1. Map of subject property
2. Municipal Service Plan, approved by City Attorney's office
3. Annexation ordinance and exhibits, approved by City Attorney's office

ORDINANCE NO. 7722

AN ORDINANCE ANNEXING INTO THE CITY OF AMARILLO, RANDALL COUNTY, TEXAS, ON PETITION OF PROPERTY OWNER, TERRITORY GENERALLY DESCRIBED AS A 91.334 ACRE TRACT LOCATED SOUTHEAST OF THE CITY, WEST OF THE INTERSECTION OF SOUTH GEORGIA STREET AND WEST LOOP 335 SOUTH, SITUATED IN SECTION 231 & 232, BLOCK 2, A.B.&M. SURVEY, AND EXTENDING WEST/SOUTHWEST ADJACENT TO THE NORTHERN LINE OF SECTION 232 FOR A DISTANCE OF 4012.31'; DESCRIBING THE TERRITORY ANNEXED; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS OF SAID TERRITORY; DIRECTING THE FILING OF THE ORDINANCE IN THE MANNER REQUIRED BY LAW; DIRECTING NOTICE TO SERVICE PROVIDERS AND STATE AGENCIES; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Amarillo, Texas is a home-rule municipality authorized by State law and the City Charter to extend its boundaries and to annex area adjacent and contiguous to its corporate limits; and,

WHEREAS, annexation enables communities to encompass property at or before development occurs, and development is planned for this property as expressed by the petitioner; and,

WHEREAS, pursuant to Texas Local Government Section 43.028, the owners of the property described in Exhibits A, B, & C (hereinafter the "Area") have petitioned the City Council in writing to annex this area into the corporate limits of the City of Amarillo; and,

WHEREAS, the Area is one-half mile or less in width and vacant, without residents; and,

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services to the Area, outlined in Exhibit D, attached hereto and made a part hereof for all purposes; and the City of Amarillo is able to provide such services by any of the methods by which the City extends the services to any other area of the City; and,

WHEREAS, the notice, publication, time periods and other procedural requirements of Chapter C-1 of the Texas Local Government Code have been complied with, including with respect to this annexation that three public hearings have been held at which persons interested in annexation of the Area into the corporate limits of the City were given the opportunity to be heard, the first on January 30th of 2018, the second on February 13th of 2018, and the third on March 6th of 2018; and,

WHEREAS, the hereinafter described properties and territory lies within the extraterritorial jurisdiction of the City of Amarillo;

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

SECTION 1. Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth.

SECTION 2. Annexation. The Area described in Exhibits A, B, & C, attached hereto and incorporated herein for all purposes, is hereby added and annexed into the City of Amarillo, Texas, and said Area shall hereafter be included within the corporate limits of the City of Amarillo, and the present boundary lines of said City, are hereby altered, extended and amended so as to include said Area within the corporate limits.

SECTION 3. Amendment of Boundaries and Official Map. The official map and boundaries of the City of Amarillo, Texas, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Area.

SECTION 4. Service Plan. The service plan attached hereto as Exhibit D is hereby approved and is incorporated herein for all purposes. The City of Amarillo makes an affirmative determination that this service plan provides for services to the annexed Area which are comparable to other areas within the City of Amarillo with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Area from other areas of the City of Amarillo are considered a sufficient basis for providing a different level of services in the annexed Area.

SECTION 5. Pro Rata Share of Taxes. The annexed Area, being a part of the City of Amarillo for all purposes, the property situated herein shall bear its pro rata part of taxes levied by the City of Amarillo.

SECTION 6. Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Area shall be entitled to the rights and privileges of the other citizens of the City of Amarillo and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City of Amarillo.

SECTION 7. Filing of Ordinance. The City Secretary is hereby directed to file a certified copy of this ordinance with the County Clerk of Randall County, Texas, the County Tax Assessor of Randall County, Texas, the Randall County Appraisal District, The Texas Secretary of State, the Census Bureau, the Texas Department of Insurance, the Texas Public Utility Commission, the Texas Comptroller of Public Accounts, and all local utility companies, in the manner required by law.

SECTION 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

SECTION 9. Open Meeting Act Compliance. The City Council for the City of Amarillo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Local Government Code.

SECTION 10. Effective Date. This ordinance will become effective on the day of its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 6th day of March, 2018; and **PASSED** on Second and Final Reading on this the 13th day of March, 2018.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

DRAFT

EXHIBIT "A"

ANNEXATION TO CITY OF AMARILO

DESCRIPTION

A 91.334 acre tract of land being a portion of a tract of land as described in that certain Warranty Deed recorded under Clerk's File No. 01 16302 of the Official Public Records of Randall County, Texas, a portion of a tract of land as described in that certain Warranty Deed recorded under Clerk's File No. 2013000574 of the Official Public Records of Randall County, Texas, portions of Highway Rights-of-Ways of Loop Highway No. 335, as described in those certain Rights-of-Ways Easements recorded in Volume 315, Page 356 and Volume 357, Page 334, both of the Deed Records of Randall County, Texas, portions of Highway Right-of-Way of Loop Highway No. 335, as described in those certain Highway Right-of-Way Deeds recorded under Clerk's File No.'s 2014000756, 2013021949, 2013021948, and 2013022337, all of the Official Public Records of Randall County, Texas, and a portion of that certain "Vacated" Road Right-of-Way known as Hollywood Road, as described in that certain City of Amarillo's Ordinance No. 6626, recorded under Clerk's File No. 02 19952 of the Official Public Records of Randall County, Texas, all situated in Sections 231 and 232, Block 2, A.B. & M. Survey, Randall County, Texas, said tract of land determined from various surveys by Robert Keys and Associates from April, 2004 to present, and being further described by metes and bounds as follows:

Commencing at the common west corner of said Sections 231 and 232;

Thence N. 89° 49' 42" E., (Directional Control GPS Observation WGS-84), 1270.00 feet along the common line of said Sections 231 and 232 to the northwest and **BEGINNING CORNER** of this tract of land;

Thence N. 89° 49' 42" E., 2760.31 feet along the common line of said Sections 231 and 232 and the existing city limits line of the City of Amarillo, as described in that certain Ordinance No. 6742, dated July 8, 2004, and Ordinance No. 7084, dated March 4, 2008 to the beginning of a curve to the right with a radius of 3944.83 feet;

Thence Northeasterly, along said existing city limits line, an arc distance of 486.82 feet with a chord of N. 86° 17' 35" E., 486.51 feet to the end of said curve;

Thence N. 89° 49' 42" E., 710.81 feet along said city limits line to the northeast corner of this tract of land, from whence the common east corner of said Sections 231 and 232 bears South, 30 feet and East 60 feet;

Thence S. 00° 24' 51" W., 379.54 feet to the most easterly southeast corner of this tract of land being in the east line of Lot 4, Block 1, Gouldy Acres Unit No. 1, a suburban subdivision of the City of Amarillo, according to the map or plat thereof, of record in Volume 776, Page 376 of the Deed Records of Randall County Texas and same being the most easterly southeast corner of a 0.8628 acre tract of land as described in that certain Highway Right-of-Way Deed recorded under Clerk's File No. 2014000756 of the Official Public Records of Randall County, Texas;

Thence N. 45° 13' 57" W., 106.12 feet along the southerly line of said 0.8628 acre tract of land and same being the southerly right-of-way line of said Loop Highway No. 335;

Thence S. 89° 48' 06" W., 635.76 feet along the south right-of-way line of said Loop Highway 335 as described in that certain Highway Right-of-Deed recorded under said Clerk's File No. 2014000756 to the beginning of a curve to the left, with a radius of 3646.81 feet;

Thence Southwesterly, along said curve and southerly right-of-way line of said Loop Highway 335, as described in that certain Highway Right-of-Deed recorded under said Clerk's File No. 2014000756, an arc distance of 551.98 feet with a chord of S. 85° 29' 13" W., 551.45 feet;

Thence S. 00° 15' 46" E., 531.98 feet along the west line of Lot 9, Block 2, of said Gouldy Acres Unit No. 1 to the most southerly southeast corner of this tract of land and same being the beginning of a curve to the left with a radius of 3119.83 feet;

Thence Southwesterly, along said curve, an arc distance of 861.47 feet with a chord of S. 71° 46' 50" W., 858.73 feet to the end of said curve;

Thence S. 63° 49' 15" W., 588.81 feet to the beginning of a curve to the right with a radius of 4519.83 feet;

Thence Southwesterly, along said curve, an arc distance of 1391.26 feet with a chord of S. 72° 40' 57" W., 1385.77 feet to the end of said curve;

Thence N. 00° 08' 00" W., 860.31 feet along the existing city limits line of the City of Amarillo as described in that certain Ordinance No. 5097 dated August 11, 1981;

Thence N. 01° 38' 30" W., 921.33 feet along the existing city limits line of the City of Amarillo as described in that certain Ordinance No. 4398 dated March 25, 1975 to the **POINT OF BEGINNING**.

NOTE: This metes and bounds description is for annexation purposes only, and not surveyed on the ground at this time, but prepared from previous surveys and record documents. It cannot be used for any other purpose.

See Exhibit "B" Sketch,
Job No. 20140210



Robert Keys & Associates

Surveying / Mapping / Planning
7106 S. Bell Street, Amarillo, Texas 79109
Voice: (806) 352-1782 Fax: (806) 352-1942
Texas Firm No. 10034400

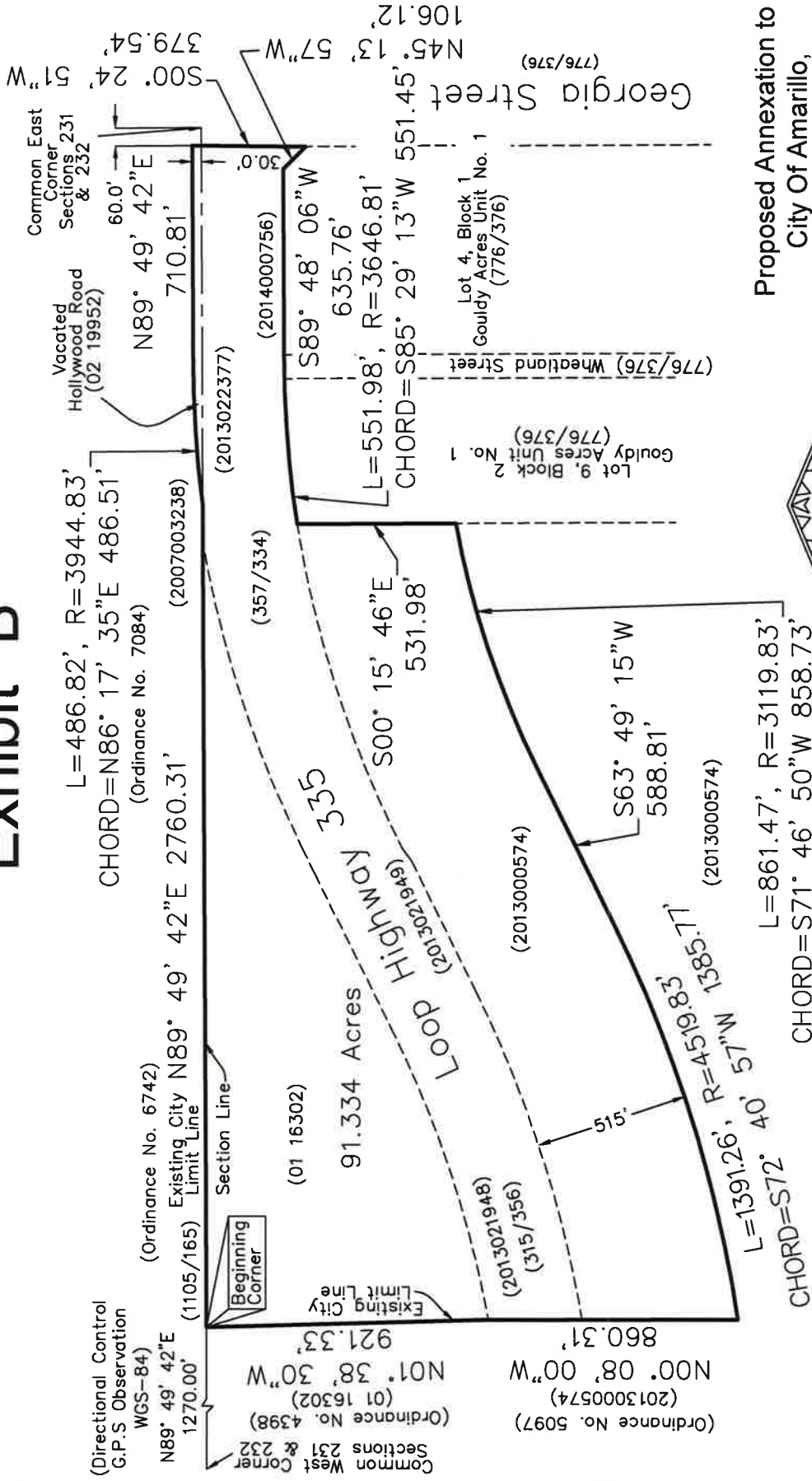
EMAIL: rka@keyssurveying.com
Web Site: www.keyssurveying.com
Prepared: December 19, 2017

**Robert E.
Keys**

Digitally signed by Robert E. Keys
DN: cn=Robert E. Keys, o=Robert
Keys and Associates, ou,
email=rkeys@keyssurveying.com,
c=US
Date: 2017.12.19 10:04:33 -06'00'

Registered Professional Land Surveyor

Exhibit "B"



Robert
E. Keys

Digitally signed by Robert E. Keys
DN: cn=Robert E. Keys, o=Robert
Keys and Associates, ou,
email=rkeys@keyssurveying.com,
c=US
Date: 2017.12.19 10:12:33 -0600

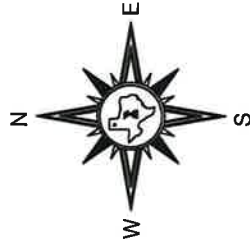


Proposed Annexation to
City Of Amarillo,
91.344 acres
being a portion of
Sections 231 & 232, Block 2,
A. B. & M. Survey,
Randall County, Texas

Robert Keys & Associates



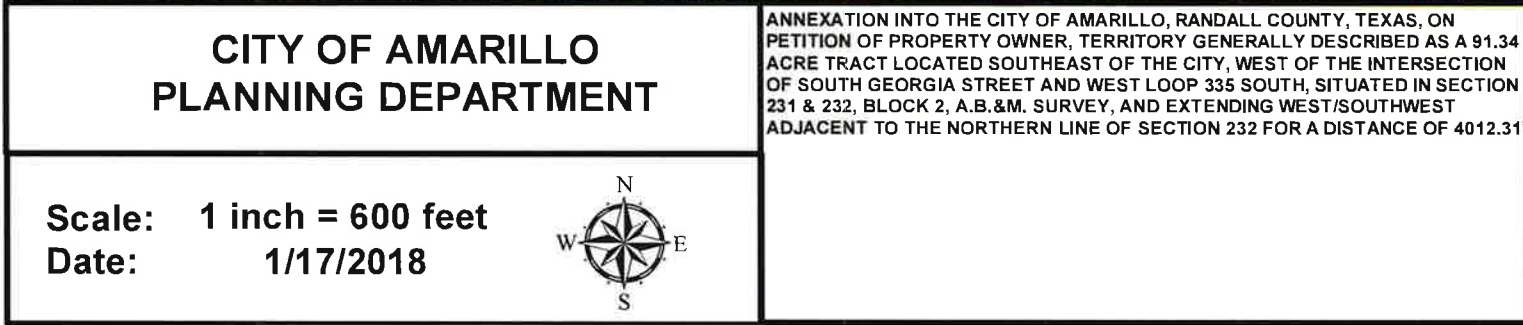
(806)352-1782 Email: rka@keyssurveying.com
7106 S. Bell Street, Amarillo, Texas 79109-7003
Firm No. 10034400 www.keyssurveying.com



SCALE : 1" = 500'

Job No. 404029
Date: December 19, 2017
Prepared from various surveys
from April, 2004 to present

EXHIBIT "C"



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.

EXHIBIT D: MUNICIPAL SERVICE PLAN

1. The property owners petitioned to annex their real property, which is contiguous to the City located approximately Southeast of the City, West of the Intersection of South Georgia Street, and West Loop 335 South, Randall County, Texas, described as Section 231 and 232, Block 2, A.B.&M. survey, and extending West/Southwest adjacent to the Northern line of Section 232 for a distance of 4013.31'.

Before publication notice of the first annexation hearing mandated under the Texas Government Code, Section 43.0561, the City of Amarillo, Texas is required to prepare a Municipal Service Plan to inventory the types of services currently provided for Amarillo citizens, existing services for the proposed annexed property, and how the City will provide the annexed property the same services as those property owners within the corporate city limits.

2. In compliance with Texas Government Code, Section 43.056, the following municipal services will be provided in the annexed area, provided the City Council annexes such property into the corporate city limits of Amarillo, Texas.

FIRE

Existing Services: None

Services to be Provided: Fire suppression will be available to the area upon annexation. Primary fire response will be provided by Fire Station No. 12, located at 3100 SW 58th. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention and fire inspection activities will be provided by the Fire Marshal's office as needed.

POLICE

Existing Services: None

Services to be Provided: Currently, the area is under the jurisdiction of the Randall County Sheriff's Office. However, upon annexation, the City of Amarillo Police Department (APD) will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Safety Department will provide code enforcement services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulated building construction within the City of Amarillo. This

can be provided within the current Department of Building Safety budget and staff appropriations.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Amarillo's Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Amarillo's Subdivision Ordinance. These services can be provided within the department's current budget and staff appropriations.

LIBRARY

Existing Services: None

Services to be Provided: Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

ENVIRONMENTAL HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE

Existing Services: None

Services to be Provided: The Bi-City-County Health District will implement the enforcement of the City of Amarillo's health ordinances and regulations on the effective date of the annexation. Such services can be provided with current Health Department personnel and within the current budget appropriation. In addition, Animal Management and Welfare services will be provided to the area as needed.

STREETS

Existing Services: County & TxDOT Street Maintenance

Services to be Provided: Maintenance to any future street and alley facilities will be provided by the City upon acceptance of that street or alley by the City at the completion of the required warranty period. Any future maintenance will require a budget increase, based upon the number of lane miles of streets and alleys installed as part of future development. Construction of any streets or alleys in the future shall comply with the City of Amarillo's standard specifications.

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide storm water drainage at their own expense and will be jointly inspected by the Capital Projects and Public Works Department at time of completion. Construction of all storm water drainage facilities shall comply fully with City of Amarillo Specifications. The City will then maintain the drainage upon approval.

STREET LIGHTING

Existing Services: None

Services to be Provided: The City of Amarillo Traffic Engineering Department will coordinate any request for improved street lighting with the local electric provider in accordance with City of Amarillo Lighting Standards.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: After the effective date of annexation, the City of Amarillo Traffic Engineering Department will provide additional traffic control devices deemed necessary for public safety by that Department. Traffic controls shall be on a level comparable to that provided for other areas of the City with similar roads, topography, land use, population densities, degrees and nature of development, traffic patterns, and other factors influencing the flow of traffic in the area. Traffic counts and other studies will be conducted as warranted in accordance with the City's current policy.

WATER SERVICE

Existing Services: If the property is platted as a whole, as shown on map, an existing 30" water main runs along the north side of the property.

Services to be Provided: If property is subdivided water main extensions would be the responsibility of the developer. Water service to the area will be provided by developer in accordance with the applicable City codes and departmental policy. When other property develops in the adjacent area, water service shall be provided by developer in accordance with extension ordinances. Extension of service shall comply with City codes and ordinances.

SANITARY SEWER SERVICE

Existing Services: If the property is platted as a whole, as shown on map, an existing 42" sanitary sewer main runs along the northeast side of the property.

Services to be Provided: If property is subdivided sanitary sewer extensions would be the responsibility of the developer. Sanitary sewer service to the area of proposed annexation will be provided by developer in accordance with applicable City codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided by developer in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: After annexation, solid waste collection shall be provided to the area of annexation in accordance with the present City ordinance. Service shall comply with existing City policies, beginning with occupancy of structures. The use of the City's sanitary landfill will also be provided to all residents of the proposed annexed area on the same basis as those residents currently living within the City limits.

TRANSIT

Existing Services: None

Services to be Provided: The Americans with Disabilities Act service area adopted in 1992 by the COA is defined as the City boundaries west of Lakeside. Expansion requires Amarillo City Transit to pick up and drop off eligible passengers in this area. Fixed route service is not required.

PARKS & RECREATION

Existing Services: None

Services to be Provided: Upon the effective date of annexation, all resident privileges will be available to anyone residing in this area for all city offered parks & recreation programs and services city wide. These privileges can be provided within the current budget appropriation. City View School Park will be the closest neighborhood park, approximately five blocks due North from designated annexation.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Amarillo's established policies governing extension of municipal services to newly annexed areas.

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 6, 2018	Council Priority	Excellence in Communication
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Department	Legal
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Agenda Caption

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 2-4, ARTICLE I, BY ADDING SEC. 2-4-10 “TIME LIMITS FOR RESPONDING TO CERTAIN REQUESTS” ESTABLISHING MONTHLY AND ANNUAL TIME LIMITS ON TIME SPENT BY CITY PERSONNEL ON RESPONDING TO A REQUESTOR OF PUBLIC INFORMATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Agenda Item Summary

This is the second and final reading of an Ordinance amending the Code of Ordinances to implement the recently amended Texas Public Information Act to allow the City to establish reasonable monthly and yearly limits on the amount of time that City personnel are required to spend producing public information for a requestor without recovering the costs attributable to that personnel time.

Requested Action

Approve the Ordinance on First Reading.

Funding Summary

N/A

Community Engagement Summary

N/A

City Manager Recommendation

The City Manager and Staff recommend approval of this change to the Amarillo Code of Ordinances.

ORDINANCE NO. 7717

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 2-4, ARTICLE I, BY ADDING SEC. 2-4-10 "TIME LIMITS FOR RESPONDING TO CERTAIN REQUESTS" ESTABLISHING MONTHLY AND ANNUAL TIME LIMITS ON TIME SPENT BY CITY PERSONNEL ON RESPONDING TO A REQUESTOR OF PUBLIC INFORMATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, during the 85th Regular Session of the Texas Legislature, the Texas Legislature passed H.B. 3107 amending the Public Information Act (Chapter 552 of the Texas Government Code) to allow governmental entities to establish reasonable monthly and yearly limits on the amount of time that personnel of the governmental entity is required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time;

WHEREAS, harassing, repetitive, and redundant public information requests asking for a large amount of information (known as "vexatious requests") can impose great financial and time burdens on the City, as vexatious requests typically require City personnel to divert their time spent on normal tasks to locate, compile, and reproduce the requested information; and

WHEREAS, the City Council of the City of Amarillo, Texas, finds it to be in the public interest to amend Chapter 2-4, Article I of the Municipal Code of the City of Amarillo to establish reasonable monthly and yearly limits on the amount of time that City personnel is required to spend producing public information for inspection or duplication by a Requestor, or providing copies of public information to a Requestor, without recovering the City's costs attributable to that personnel time;

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

SECTION 1: Chapter 2-4, Article I is hereby amended by adding Section 2-4-10 "Time Limits for Responding to Certain Requests" to read as follows:

Sec. 2-4-10. – Time Limits for Responding to Certain Requests.

(a) Annual Time Limit. Pursuant to Texas Government Code sec. 552.275(a) and (b), thirty-six (36) hours is the reasonable limit on the amount of time that personnel of the City are required to spend producing public information for inspection or duplication by a Requestor or providing copies of public information to a Requestor in any given twelve-month period commencing on October 1 of each year, without recovering the City's costs attributable to that personnel time.

(b) Monthly Time Limit. Pursuant to Texas Government Code sec. 552.275(a) and (b), fifteen (15) hours is the reasonable limit on the amount of time that personnel of the City are required to spend producing public information for inspection or duplication by a Requestor or providing copies of public information to a Requestor in any given monthly period commencing on the 1st date of each month, without recovering the City's costs attributable to that personnel time.

(c) Records of Time Spent Fulfilling Requests. The City Secretary or his or her designee shall be responsible for maintaining records of the cumulative amount of personnel time spent complying with requests for public information from each individual Requestor.

(d) Charges for Personnel Time Spent in Excess of Time Limits. Notwithstanding any provision of this section to the contrary, any Requestor of public information will be charged personnel costs in accordance with Texas Government Code sec. 552.275 for all time in excess of thirty-six (36) hours in any given twelve-month period commencing on October 1 of each year or fifteen (15) hours in a given monthly period commencing on the 1st date of each month, spent by personnel of the City in producing public information for inspection or duplication by a Requestor, or providing copies of public information to a Requestor. The City Secretary shall be responsible for providing all notices to the Requestor as required by law, including written statements of accrued time required by Texas Government Code sec. 552.275(d) and written estimates of charges required by Texas Government Code sec. 552.275(e).

(e) "Requestor" Defined. For purposes of this section, "Requestor" shall have the meaning set forth in Texas Government Code sec. 552.003(6).

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

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

SECTION 4. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

SECTION 5. Publishing and Effective Date. This ordinance shall be published and become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 27th day of February, 2018; and **PASSED** on Second and Final Reading the 6th day of March, 2018.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 6, 2018	Council Priority	
Department	Human Resources		
Contact	Mitchell Normand, Director of Human Resources		

Agenda Caption

RESOLUTION - RE-DECLARING THE ANNUAL OFFICIAL HOLIDAYS FOR THE CITY OF AMARILLO.

(Contact; Mitchell Normand, Director of Human Resources)

Consider approval of a resolution amending the observed holiday schedule to include Veteran's Day (November 11), Christmas Eve (December 24) and a Floating Holiday for a total of 11 holidays.

Agenda Item Summary

Amend the observed holiday schedule to include Veteran's Day (November 11), Christmas Eve (December 24) and a Floating Holiday for a total of 11 holidays.

Requested Action

Consider and approve the resolution amending the observed holiday schedule to include Veteran's Day (November 11), Christmas Eve (December 24) and a Floating Holiday for a total of 11 holidays.

Funding Summary

Estimated cost of amending the holiday schedule will result in an expense of approximately \$100,000-\$150,000 which will be absorbed by the general fund. Costs are attributable to the estimated overtime expense related to Public Safety.

Community Engagement Summary

n/a

Staff Recommendation

Staff recommends approval of the resolution re-declaring the annual official holidays for the City of Amarillo to include Veteran's Day (November 11), Christmas Eve (December 24) and a Floating Holiday.



Memo

To: Jared Miller, City Manager

Cc: Michelle Bonner, Deputy City Manager

From: Mitchell Normand, Director of Human Resources *MN*

Re: Observed City Holiday Schedule

Date: February 23, 2018

City of Amarillo currently observes eight holidays per year (holidays reflected below). Comparatively, Randall County, Potter County and the City of Lubbock observe a minimum of 11 holidays. I am submitting to you for consideration a request to increase our observed holiday schedule to include Veterans Day, Christmas Eve and a Floating Holiday. Enhancing our holiday schedule will better align us with other government agencies and also enhance our employee benefits package.

Current City of Amarillo Holiday Schedule

- New Year's Day, January 1
- Martin Luther King, Jr. Day, third Monday in January
- Memorial Day, last Monday in May
- Independence Day, July 4
- Labor Day, first Monday in September
- Thanksgiving Day, fourth Thursday in November
- Day after Thanksgiving, fourth Friday in November
- Christmas Day, December 25

The City's Legal Department has prepared a resolution for council consideration and approval during the March 6, 2018, meeting.

RESOLUTION NO. _____

**A RESOLUTION OF THE AMARILLO CITY COUNCIL
RE-DECLARING THE ANNUAL OFFICIAL HOLIDAYS
FOR THE CITY OF AMARILLO; PROVIDING
EFFECTIVE DATE.**

WHEREAS, the City Council has duly approved the Human Resources Policies and Procedures;

WHEREAS, the City Manager has promulgated a change in the Observed Holidays for the City; and

WHEREAS, it is in the best interests of the citizens and of the employees of the City for the Annual Official Holidays of the City to be declared by the City Council;

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

SECTION 1. The following are declared to be Annual Official Holidays of the City of Amarillo:

- New Year's Day January 1
- Martin Luther King, Jr. Day Third Monday in January
- Memorial Day Last Monday in May
- Independence Day July 4
- Labor Day First Monday in September
- Veterans Day November 11
- Thanksgiving Day Fourth Thursday in November
- Day after Thanksgiving Fourth Friday in November
- Christmas Eve December 24
- Christmas Day December 25

SECTION 2. If one of the above named holidays or special holiday falls on a Saturday, the holiday shall be observed the preceding Friday. If it falls on a Sunday, it shall be observed the following Monday.

SECTION 3. The City Manager may in his discretion authorize a Floating Holiday for full time, regular City employees.

SECTION 4. The remaining holiday provisions contained in the Human Resources Policies and Procedures shall remain unchanged.

SECTION 5. This Resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this
_____ day of March, 2018.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney