

AGENDA

FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, MARCH 5, 2019 AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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

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

INVOCATION: Davlyn Duesterhaus, BSA Hospice

1. City Council will discuss or receive reports on the following current matters or projects.
 - A. Review agenda items for regular meeting and attachments;
 - B. Buy the Way, Keep It Local Update; and
 - C. Consider future Agenda items and request reports from City Manager.

2. **CONSENT ITEMS:**

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

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

A. **MINUTES:**

Approval of the City Council minutes for the meeting held on February 26, 2019.

B. **CONSIDERATION OF ORDINANCE NO. 7775:**

(Contact: Ed Drain, Police Chief)

This is the second and final reading of an ordinance considering the readopting of an ordinance providing for a nocturnal curfew for persons under age seventeen.

C. **CONSIDER AWARD – AMARILLO AND AIRPORT POLICE UNIFORMS SUPPLY AGREEMENT:**

(Contact: Trent Davis, Purchasing Agent)

Nardis -- \$116,086.64

This item is to consider the award of the Amarillo Police and Airport Departments uniforms for one year.

D. **CONSIDER PURCHASE – VERTICAL PUMP FOR THE RIVER ROAD WATER RECLAMATION PLANT:**

(Contact: Jonathan, Gresham, Director of Utilities)

Odessa Pumps and Equipment -- \$156,785.00

This item is to consider the award for a replacement of a High Service Pump (T-6) at the River Road Reclamation Plant. This is one of three pumps that supply reclaimed water to Xcel's Nichols Power Station. The life expectancy of these pumps is 10 years. This pump was installed in 2003 and last rebuilt in 2013. Replacement is due to normal wear.

3. **NON-CONSENT ITEMS:**

A. **RESOLUTION -- CONSIDER DEDICATION AND ACCEPTANCE OF COMMON AREAS WITH IMPROVEMENTS WITHIN THE COLONIES PUBLIC IMPROVEMENT DISTRICT:**

(Contact: Kelley Shaw, Development Services)

The City's public improvement district (PID) policy (Section 15, City of Amarillo Development Policy Manual) requires that completed and accepted common areas and their improvements must be dedicated to the City. The Colonies PID home owners association is requesting the City to accept the dedication of nine tracts identified as "common areas" and the improvements (walls, sidewalks, benches, irrigation, etc.) that were constructed within these common areas. The plans for the improvements and their construction were reviewed for their adherence to City standards by the appropriate City staff. City staff has verified the completion of the improvements and find that the improvements were constructed in general conformance to the approved plans.

Although the common areas and improvements are being dedicated to the City of Amarillo, all maintenance, operation, and administration costs related to the improvements are funded by revenue generated by annual assessments paid by property owners with the Colonies PID as outlined by the approved Colonies PID petition (Resolution No. 2-13-01-1). It is also important to note that the dedication instrument must also have a "reversionary interest" clause stating that if the PID is ever dissolved, fee simple title to the property will revert back to the home owners association.

B. **CONSIDER -- RESOLUTION AUTHORIZING APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION BUS AND BUS FACILITIES INFRASTRUCTURE INVESTMENT PROGRAM AND TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION DEVELOPMENT CREDITS:**

(Contact: Marita Wellage-Reiley, Transit Director)

This item conducts a public hearing and considers a resolution to authorize the City Manager to apply to the U.S. Department of Transportation Bus and Bus Facilities Infrastructure Investment Program (49 U.S.C. 5339) and to the Texas Department of Transportation (TxDOT) for Transportation Development Credits. The FY18/19 grant application is for federal funding in the amount of \$359,122.00 and for TxDOT credits in the amount of \$71,824.40. Grant funds will be used to purchase new transit buses and supplement transit infrastructure improvements.

C. **CONSIDER -- RESOLUTION TO ACCEPT A PETITION REQUESTING ANNEXATION:**

(Contact: Cris Valverde, Assistant Director of Planning and Development Services Department)

This item accepts a petition requesting an annexation of land into the corporate limits of the City of Amarillo, directs the Planning and Development Services Department to prepare a service plan, and sets the date, time, and place of two public hearings (March 26, 2019 and April 2, 2019) as required by State Law. (Vicinity: Hollywood Road and Soncy Road/Loop 335, 329 acres in Sections 65 and 66, Block 9, BS&F Survey, Randall County, Texas for a new elementary school for Canyon Independent School District.)

D. **EXECUTIVE SESSION:**

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

- 1) Section 551.072 - Discuss the purchase, exchange, lease, sell, or value of real property and public discussion of such would not be in the best interests of the City's bargaining position:
 - (a) Discuss properties located in the N.E. quadrant of the Downtown Business District.

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

Posted this 1st day of March 2019.

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

2A

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 26th day of February 2019, the Amarillo City Council met at 12:00 p.m. for a work session which was held in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

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

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

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

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

PUBLIC COMMENT

Rusty Tomlinson, 5700 Canyon Drive, spoke on the need to remove the Confederate statue in Ellwood Park. He referenced his meeting with Mayor Nelson and the idea to add a statue to Ellwood Park. He stated he spoke with the President of NCCAP, Floyd Anthony, and he stated they needed to remove anything referencing the Confederacy. Mike Fisher, 4410 Van Kriston Drive, spoke about the Democratic forum held yesterday. He made a comment on the police department's actions in the various areas of town. He also stated the Open Meetings Act was violated yesterday when a majority of the City Council appeared and a quorum notice was not posted. Gary Prescott, 10101 Amarillo Boulevard, stated he was still upset about the platting of his property without condemnation. Steven Rosas, 6307 South Fannin Street, stated he supported Mr. Tomlinson's comments to remove the confederate statue. James Schenck, 6216 Gainsborough Street, spoke about the public comment period not being broadcasted, the meeting time was bad for everyone, and the prayer and pledge was not done before the public comment. He stated public comment not being broadcasted does not allow for transparency. He stated he was a supporter of the proposed tax reform (HB2). He also spoke about the City's debt, and the public meetings need to have better outreach. Samantha Burnett, 3403 Mockingbird Lane and Claudette Smith, 4410 Van Kriston Drive, signed up but did not appear. There were no further comments. Mr. Williams spoke on the quorum of the City Council and SB1440.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 26th day of February 2019, the Amarillo City Council met at 1:00 p.m. for a regular meeting held in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, 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
BRYAN MCWILLIAMS
STEPHANIE COGGINS
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
ASSISTANT TO THE CITY MANAGER
CITY SECRETARY

The invocation was given by Carol Smith. Mayor Nelson led 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:

ITEM 1:

- A. Review agenda times for regular meeting and attachments;
- B. Reports and updates from City Councilmembers serving on outside boards:
Beautification and Public Arts Advisory Board (02/11)
Pedestrian and Bicycle Safety Advisory Committee (02/18)
- C. Update on Panhandle Days at the Texas Legislature in Austin;
- D. Updated on Texas Travel Industry Association;
- E. Updates on Point in Time Count and Community Development Programs;
- F. Update on Managed Parking; and
- G. Consider future Agenda items and request reports from City Manager.

CONSENT ACTION ITEMS:

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

- A. MINUTES:
Approval of the City Council minutes for the meeting held on February 12, 2019.
- B. ORDINANCE NO. 7773:
(Contact: Laura Storrs, Finance Director)
This is the second and final reading of an ordinance to amend the City of Amarillo 2017/2018 Budget.
- C. ORDINANCE NO. 7774:
(Contact: Ed Drain, Police Chief)
This is the second and final reading of an ordinance to amend the City of Amarillo 2018/2019 Budget. This Budget Amendment removes one (1) corporal position from the Amarillo Police Department authorized positions.

D. **CONSIDER -- ANNUAL MAINTENANCE AGREEMENT FOR SERVICE AND REPAIRS OF CITY ELEVATORS AND ESCALATORS:**

(Contact: Jerry Danforth, Facilities and Special Projects Administrator)
American Elevator Co., Inc. -- \$79,140.00

This item is the annual maintenance agreement for service and repairs of City Elevators and Escalators. This will be a fixed price service contract with a defined scope for service and parts.

E. **CONSIDER APPROVAL -- CHANGE ORDER NO. 5 -- TERMINAL APRON ISOLATED PANEL REPAIRS:**

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

This change order is for a total addition of \$24,135.31 and includes the finalization of the installed construction quantities, item reductions, addition of abandoned fuel pipe mitigation work, reconciliation of contract days, and calculated liquidated damages. During the project, 5 abandoned fuel lines needed to be mitigated and capped. Additionally, liquidated damages are included in this change order to reconcile the additional costs incurred by the project for engineering/RPR time, resulting in 28 liquidated damages days. Final quantities and reductions were reconciled between the contractor (Silver Creek Construction) and the RPR.

Sub-Total Current Change Order:	\$140,712.00
Item Reductions:	\$(74,576.69)
Liquidated Damages:	<u>\$(42,000.00)</u>
Total This Change Order:	\$24,135.31

Original Contract:	\$3,105,601.00
Previous Change Orders:	\$222,550.33
Total This Change Order:	<u>\$24,135.31</u>
Final Contract Amount:	\$3,352,286.64

F. **CONSIDER APPROVAL -- REFURBISHMENT OF THE CURRENT WASH SYSTEM:**

(Contact: Marita Wellage-Reiley, Transit Director)

Equipment and Installation Contract Awarded to NS Wash Systems in the amount of \$258,404.49

This item is the consideration for the refurbishment of the current bus wash system for the department. This purchase will replace the current system that has met its useful life. This wash system will restore the current system to meet transit asset management goals.

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

NON-CONSENT ITEMS

ITEM 3A: Mayor Nelson presented the first reading of an ordinance considering the readopting of an ordinance providing for a nocturnal curfew for persons under age seventeen. This item was presented by Chief Ed Drain, Police Chief. Mayor Nelson opened a public hearing. There were no comments and the public hearing was closed. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7775

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO: RE-ADOPTING AND CONTINUING CHAPTER 10-3, ARTICLE VI, SECTIONS 10-3-71 THROUGH 10-3-75, INCLUSIVE OF THE AMARILLO MUNICIPAL CODE, WITHOUT CHANGE; PROVIDING FOR A NOCTURNAL CURFEW (STARTING AT MIDNIGHT) FOR PERSONS UNDER 17 YEARS OF AGE; DEFINING OFFENSES; PROVIDING DEFENSES; PROVIDING A CUMULATIVE REMEDY CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

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

ITEM 3B: Mayor Nelson presented an item approving the SHSP grant funds to implement projects entitled FY19 Regional Heavy Rescue Team Shoring Equipment, FY19 Regional Heavy Rescue Team Training, FY19 Regional Bomb Squad Suits (LETPA), and FY19 Regional Handheld Tactical Radar System (LETPA) on behalf of the City. This item was presented by Chip Orton, Emergency Management. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned resolution be passed:

RESOLUTION NO. 02-26-19-1

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AUTHORIZING THE SUBMISSION OF AN FY19 GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANT DIVISION AND DESIGNATING THE DEPUTY CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED OFFICIAL PERTAINING TO THE FY19 HOMELAND SECURITY GRANT PROGRAM; PROVIDING OTHER CLAUSES AND EFFECTIVE DATE.

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

ITEM 3C: Mayor Nelson presented an item that accepts the Comprehensive Annual Financial Report for the year ending September 30, 2018. This item was presented by Michelle Bonner, Deputy City Manager. Motion was made by Councilmember Sauer, seconded by Councilmember Hays, that the following item be approved.

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

ITEM 3D: Mayor Nelson presented an item awarding the engineering services agreement for the Design of New Lift Station 40 by Kimley-Horn and Associates, Inc. This item was presented by Matthew Thomas, City Engineer. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following agreement be approved.

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

ITEM 3E: Mr. McWilliams advised at 2:36 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Section 551.074 - Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee, in accordance with the Texas Open Meetings Act. a) Discussion of City Manager Jared Miller's performance evaluation and compensation.

Mr. McWilliams announced that the Executive Session was adjourned at 3:20 p.m. and recessed the Regular Meeting.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 5, 2019	Council Priority	Public Safety
Department	Police		
Contact	Chief Drain		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. :

This is the second and final reading of an ordinance considering the re-adopting of an ordinance providing for a nocturnal curfew for persons under age seventeen.

Agenda Item Summary

This ordinance is a renewal of a prior Council action during March of 2016 which renewed the existing teen curfew for persons under the age of seventeen. The goals of this ordinance include reducing crime committed by juveniles and reduce the number of juveniles who are victimized by night crime. The curfew hours remain the same as the 2016 ordinance from 12:01 A.M. to 6:00 A.M. daily.

The City of Amarillo continues to have a vital interest in protecting persons under the age of seventeen by limiting the opportunities for victimization; requiring parental control and responsibility for youth; and, protecting the public from irresponsible acts committed by certain youth. In addition, the public health, safety, and welfare continues to be served by renewing the existing curfew, which forecloses constitutionally unprotected conduct by persons under the age of seventeen years, during late hours of the night when the likelihood of adult supervision is the least.

Requested Action

Council conduct a public hearing and consider the authorization of this ordinance re-adopting a nocturnal curfew for persons under age seventeen.

Funding Summary

N/A

Community Engagement Summary

March 8, 2016 the City Council authorized an ordinance renewing the existing teen curfew for persons under the age of seventeen years.

Staff Recommendation

Council conduct a public hearing and authorize this ordinance re-adopting a nocturnal curfew for persons under age seventeen.

ORDINANCE NO. 1175

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO: RE-ADOPTING AND CONTINUING CHAPTER 10-3, ARTICLE VI, SECTIONS 10-3-71 THROUGH 10-3-75, INCLUSIVE OF THE AMARILLO MUNICIPAL CODE, WITHOUT CHANGE; PROVIDING FOR A NOCTURNAL CURFEW (STARTING AT MIDNIGHT) FOR PERSONS UNDER 17 YEARS OF AGE; DEFINING OFFENSES; PROVIDING DEFENSES; PROVIDING A CUMULATIVE REMEDY CLAUSE; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

WHEREAS, by prior action on March 8, 2016 and effective on March 18th, 2016, the City Council renewed the existing teen curfew for persons under the age of seventeen years, with the goals of both reducing crime committed by juveniles and, reducing the number of juveniles who are victimized by night crimes; and

WHEREAS, by state law the City Council must conduct public hearings and review such ordinance every three years, and either renew it or allow it to lapse; and,

WHEREAS, at a minimum the City Council has conducted a public hearing upon each reading of this ordinance, and now finds that peer pressure to be out late at night continues to be a factor in teen behavior, whether it be for law abiding or criminal purposes; and

WHEREAS, the City Council now finds that persons under the age of seventeen continue to be particularly vulnerable to crime victimization late at night; and

WHEREAS, the City of Amarillo continues to have a vital interest in: protecting persons under the age of seventeen by limiting the opportunities for victimization; requiring parental control and responsibility for youth; and, protecting the public from irresponsible acts committed by certain youth; and

WHEREAS, upon review of the experience of other cities with teen curfews and, the experience within the City of Amarillo itself, as documented in police statistics and information, the City Council now finds that the public health, safety, and welfare continues to be served by renewing the existing curfew, which forecloses constitutionally unprotected conduct by persons under the age of seventeen years, during late hours of the night when the likelihood of adult supervision is the least;

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

SECTION 1. That Chapter 10-3, "Miscellaneous Offenses", of the Amarillo Municipal Code is hereby amended as follows:

CHAPTER 10

ARTICLE VI. CURFEW HOURS FOR MINORS

Sec. 10-3-71. Definitions.

- (A) *Curfew Hours* means 12:01 a.m. until 6:00 a.m. daily.
- (B) *Emergency* means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
- (C) *Establishment* means any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment
- (D) *Guardian* means:
 - 1. a person who, under court order, is the guardian of the person of a minor; or
 - 2. a public or private agency with whom a minor has been placed by a court.
- (E) *Minor* means any person under 17 years of age.
- (F) *Operator* means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.
- (G) *Parent* means a person who is:
 - 1. a natural parent, adoptive parent, or step-parent of another person; or
 - 2. at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.
- (H) *Public Place* means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.
- (I) *Remain* means to:
 - 1. linger or stay; or
 - 2. fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.
- (J) *Serious Bodily Injury* means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Sec. 10-3-72. Offenses.

- (A) A minor commits an offense if he remains in any public place or on the premises of any establishment within the City during curfew hours.
- (B) A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the City during curfew hours.
- (C) The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

Sec. 10-3-73. Defenses.

- (A) It is a defense to prosecution under Offenses that the minor was:

1. accompanied by the minor's parent or guardian;
 2. on an errand at the direction of the minor's parent or guardian, without any detour or stop;
 3. in a motor vehicle involved in interstate travel;
 4. engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
 5. involved in an emergency;
 6. on the sidewalk abutting the minor's residence or abutting the residence of a next door neighbor if the neighbor did not complain to the Police Department about the minor's presence;
 7. attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Amarillo, a civic organization, or another similar entity that has undertaken responsibility for the minor, or going to or returning home from such activity, without any detour or stop.
 8. exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
 9. married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code.
- (B) It is a defense to prosecution under Section 10-3-72-(C) that the owner, operator, or employee of an establishment promptly notified the Police Department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

Sec. 10-3-74. Enforcement.

- (A) Before taking any enforcement action under this Section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this Section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in Section 10-3-73 is present.

Sec. 10-3-75. Penalties.

- (A) A person who violates a provision of this Chapter is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$500.
- (B) When required by Section 51.08 of the Texas Family Code, as amended, the Municipal Court shall waive original jurisdiction over a minor who violates Section 10-3-72-(A) and shall refer the minor to juvenile court.

SECTION 2. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the

provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION 3. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Commission of the City of Amarillo hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 4. If any part, provision, or clause of this ordinance conflicts with any other ordinance or resolution, then such other ordinance or resolution is hereby repealed to the extent of such conflict with this ordinance.

SECTION 5. This ordinance shall become effective ten (10) days after the date of its second publication as required by the Charter of the City of Amarillo.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on the _____ day of _____, 2019; and PASSED on Second and Final Reading on the _____ day of _____, 2019.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan S. McWilliams, City Attorney



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 5, 2019	Council Priority	Contract Administration
Department	Purchasing		
Contact	Trent Davis, Purchasing Agent		

Agenda Caption

Consideration of Award – Bid Number 6333 Amarillo and Airport Police Uniforms – Supply Agreement.

Nardis - \$116,086.64

Agenda Item Summary

Bid No. 6333 – Consideration of award of the Amarillo Police and Airport Departments uniforms for one year.

Requested Action

Consideration approval of the award to Nardis - \$116,086.64

Funding Summary

Funding is available in Inventory Account 1000.15360

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval of award.

Bid No. 6333 AMARILLO AIRPORT AND POLICE UNIFORMS SUPPLY AGREEMENT
 Opened 4:00 p.m. February 14, 2019

To be awarded as one lot	NARDIS INC		GT DISTRIBUTORS		GALLS LLC	
Line 1 Size 28 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
6 ea						
Unit Price	\$80.990		\$85.990		\$83.000	
Extended Price		485.94		515.94		498.00
Line 2 Size 30 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
12 ea						
Unit Price	\$80.990		\$85.990		\$83.000	
Extended Price		971.88		1,031.88		996.00
Line 3 Size 31 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
12 ea						
Unit Price	\$80.990		\$85.990		\$83.000	
Extended Price		971.88		1,031.88		996.00
Line 4 Size 32 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
12 ea						
Unit Price	\$80.990		\$85.990		\$83.000	
Extended Price		971.88		1,031.88		996.00
Line 5 Size 33 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
9 ea						

Line 22 Size 20 SS Shirt Dk Navy, per specifications						
6 ea						
Unit Price	\$90.990		\$89.990	\$96.000		
Extended Price		545.94		539.94		576.00
Line 23 14.5x32/33 Long Sleeve Shirt Dk Navy, per specifications						
18 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		1,403.82		1,475.82		1,440.00
Line 24 14.5x34/35 Long Sleeve Shirt Dk Navy, per specifications						
18 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		1,403.82		1,475.82		1,440.00
Line 25 15x32/33 Long Sleeve Shirt Dk Navy, per specifications						
12 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		935.88		983.88		960.00
Line 26 15x34/35 Long Sleeve Shirt Dk Navy, per specifications						
15 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		1,169.85		1,229.85		1,200.00
Line 27 15x36/37 Long Sleeve Shirt Dk Navy, per specifications						
9 ea						

Unit Price	\$77.990		\$81.990		\$80.000	
Extended Price		701.91		737.91		720.00
Line 28 15.5x32/33 Long Sleeve Shirt Dk Navy, per specifications						
6 ea						
Unit Price	\$77.990		\$81.990		\$80.000	
Extended Price		467.94		491.94		480.00
Line 29 15.5x34/35 Long Sleeve Shirt Dk Navy, per specifications						
18 ea						
Unit Price	\$77.990		\$81.990		\$80.000	
Extended Price		1,403.82		1,475.82		1,440.00
Line 30 15.5x36/37 Long Sleeve Shirt Dk Navy, per specifications						
12 ea						
Unit Price	\$77.990		\$81.990		\$80.000	
Extended Price		935.88		983.88		960.00
Line 31 16x32/33 Long Sleeve Shirt Dk Navy, per specifications						
12 ea						
Unit Price	\$77.990		\$81.990		\$80.000	
Extended Price		935.88		983.88		960.00
Line 32 16x34/35 Long Sleeve Shirt Dk Navy, per specifications						
15 ea						
Unit Price	\$77.990		\$81.990		\$80.000	
Extended Price		1,169.85		1,229.85		1,200.00

Line 33 16x36/37 Long Sleeve Shirt Dk Navy, per specifications						
15 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		1,169.85		1,229.85		1,200.00
Line 34 16.5x32/33 Long Sleeve Shirt Dk Navy, per specifications						
15 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		1,169.85		1,229.85		1,200.00
Line 35 16.5x34/35 Long Sleeve Shirt Dk Navy, per specifications						
32 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		2,495.68		2,623.68		2,560.00
Line 36 16.5x36/37 Long Sleeve Shirt Dk Navy, per specifications						
15 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		1,169.85		1,229.85		1,200.00
Line 37 17x32/33 Long Sleeve Shirt Dk Navy, per specifications						
15 ea						
Unit Price	\$77.990		\$81.990	\$80.000		
Extended Price		1,169.85		1,229.85		1,200.00
Line 38 17x34/35 Long Sleeve Shirt Dk Navy, per specifications						
15 ea						

	Unit Price	\$77.990		\$81.990		\$80.000	
	Extended Price		1,169.85		1,229.85		1,200.00
Line 39	17x36/37 Long Sleeve Shirt Dk Navy, per specifications						
	12 ea						
	Unit Price	\$77.990		\$81.990		\$80.000	
	Extended Price		935.88		983.88		960.00
Line 40	17x38/39 Long Sleeve Shirt Dk Navy, per specifications						
	9 ea						
	Unit Price	\$77.990		\$81.990		\$80.000	
	Extended Price		701.91		737.91		720.00
Line 41	17.5x32/33 Long Sleeve Shirt Dk Navy, per specifications						
	6 ea						
	Unit Price	\$77.990		\$81.990		\$80.000	
	Extended Price		467.94		491.94		480.00
Line 42	17.5x34/35 Long Sleeve Shirt Dk Navy, per specifications						
	12 ea						
	Unit Price	\$77.990		\$81.990		\$80.000	
	Extended Price		935.88		983.88		960.00
Line 43	17.5x36/37 Long Sleeve Shirt Dk Navy, per specifications						
	6 ea						
	Unit Price	\$77.990		\$81.990		\$80.000	
	Extended Price		467.94		491.94		480.00

Line 44 17.5x38/39 Long Sleeve Shirt Dk
Navy, per specifications

6 ea						
Unit Price	\$77.990		\$81.990		\$80.000	
Extended Price		467.94		491.94		480.00

Line 45 18x32/33 Long Sleeve Shirt Dk
Navy, per specifications

6 ea						
Unit Price	\$77.990		\$81.990		\$88.000	
Extended Price		467.94		491.94		528.00

Line 46 18x34/35 Long Sleeve Shirt Dk
Navy, per specifications

15 ea						
Unit Price	\$77.990		\$81.990		\$88.000	
Extended Price		1,169.85		1,229.85		1,320.00

Line 47 18x36/37 Long Sleeve Shirt Dk
Navy, per specifications

6 ea						
Unit Price	\$77.990		\$81.990		\$88.000	
Extended Price		467.94		491.94		528.00

Line 48 18.5x32/33 Long Sleeve Shirt Dk
Navy, per specifications

6 ea						
Unit Price	\$77.990		\$81.990		\$88.000	
Extended Price		467.94		491.94		528.00

Line 49 18.5x34/35 Long Sleeve Shirt Dk
Navy, per specifications

9 ea

	Unit Price	\$77.990		\$81.990		\$88.000
	Extended Price		701.91		737.91	792.00
Line 50 18.5x36/37 Long Sleeve Shirt Dk Navy, per specifications						
	12 ea					
	Unit Price	\$77.990		\$81.990		\$88.000
	Extended Price		935.88		983.88	1,056.00
Line 51 18.5x38/39 Long Sleeve Shirt Dk Navy, per specifications						
	9 ea					
	Unit Price	\$77.990		\$81.990		\$109.000
	Extended Price		701.91		737.91	981.00
Line 52 19.5x34/35 Long Sleeve Shirt Dk Navy, per specifications						
	6 ea					
	Unit Price	\$77.990		\$94.990		\$95.000
	Extended Price		467.94		569.94	570.00
Line 53 19.5x36/37 Long Sleeve Shirt Dk Navy, per specifications						
	12 ea					
	Unit Price	\$77.990		\$94.990		\$95.000
	Extended Price		935.88		1,139.88	1,140.00
Line 54 Neck Tie, Navy Clip Style , per specifications						
	60 ea					
	Unit Price	\$6.500		\$4.950		\$6.990
	Extended Price		390.00		297.00	419.40

Line 55 Keystone Hat Size 6 1/2, Dk Navy
Blue, per specifications

3 ea					
Unit Price	\$49.000		\$51.990	\$73.990	
Extended Price		147.00		155.97	221.97

Line 56 Keystone Hat Size 6 3/4, Dk Navy
Blue, per specifications

3 ea					
Unit Price	\$49.000		\$51.990	\$73.990	
Extended Price		147.00		155.97	221.97

Line 57 Keystone Hat Size 6 7/8, Dk Navy
Blue, per specifications

4 ea					
Unit Price	\$49.000		\$51.990	\$73.990	
Extended Price		196.00		207.96	295.96

Line 58 Keystone Hat Size 7, Dk Navy
Blue, per specifications

5 ea					
Unit Price	\$49.000		\$51.990	\$73.990	
Extended Price		245.00		259.95	369.95

Line 59 Keystone Hat Size 7 1/8, Dk Navy
Blue, per specifications

6 ea					
Unit Price	\$49.000		\$51.990	\$73.990	
Extended Price		294.00		311.94	443.94

Line 60 Keystone Hat Size 7 1/4, Dk Navy
Blue, per specifications

10 ea

	Unit Price	\$49.000	\$51.990	\$73.990	
	Extended Price		490.00	519.90	739.90
Line 61 Keystone Hat Size 7 3/8, Dk Navy Blue, per specifications					
	6 ea				
	Unit Price	\$49.000	\$51.990	\$73.990	
	Extended Price		294.00	311.94	443.94
Line 62 Keystone Hat Size 7 1/2, Dk Navy Blue, per specifications					
	6 ea				
	Unit Price	\$49.000	\$51.990	\$73.990	
	Extended Price		294.00	311.94	443.94
Line 63 Keystone Hat Size 7 5/8, Dk Navy Blue, per specifications					
	6 ea				
	Unit Price	\$49.000	\$51.990	\$73.990	
	Extended Price		294.00	311.94	443.94
Line 64 Keystone Hat Size 7 3/4, Dk Navy Blue, per specifications					
	6 ea				
	Unit Price	\$49.000	\$51.990	\$73.990	
	Extended Price		294.00	311.94	443.94
Line 65 Blauer 160 Skull Cap, Black, per specifications					
	50 ea				
	Unit Price	\$24.000	\$24.990	\$21.050	
	Extended Price		1,200.00	1,249.50	1,052.50

Line 66 Size 4 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
3 ea						
Unit Price	\$80.990		\$85.990	\$84.750		
Extended Price		242.97		257.97		254.25
Line 67 Size 6 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
6 ea						
Unit Price	\$80.990		\$85.990	\$84.750		
Extended Price		485.94		515.94		508.50
Line 68 Size 8 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
6 ea						
Unit Price	\$80.990		\$85.990	\$84.750		
Extended Price		485.94		515.94		508.50
Line 69 Size 10 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
6 ea						
Unit Price	\$80.990		\$85.990	\$84.750		
Extended Price		485.94		515.94		508.50
Line 70 Size 12 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
6 ea						
Unit Price	\$80.990		\$85.990	\$84.750		
Extended Price		485.94		515.94		508.50
Line 71 Size 16 Dk Navy Pant w/ 1" Tuxedo Stripe, per specifications						
6 ea						

Unit Price	\$80.990		\$85.990		\$84.750	
Extended Price		485.94		515.94		508.50
Line 72 8560W Size 34 Dk Navy SS Shirt, per specifications						
9 ea						
Unit Price	\$69.990		\$77.990		\$72.000	
Extended Price		629.91		701.91		648.00
Line 73 8560W Size 32 Dk Navy SS Shirt, per specifications						
8 ea						
Unit Price	\$69.990		\$77.990		\$72.000	
Extended Price		559.92		623.92		576.00
Line 74 8560W Size 36 Dk Navy SS Shirt, per specifications						
9 ea						
Unit Price	\$69.990		\$77.990		\$72.000	
Extended Price		629.91		701.91		648.00
Line 75 8560W Size 38 Dk Navy SS Shirt, per specifications						
12 ea						
Unit Price	\$69.990		\$77.990		\$72.000	
Extended Price		839.88		935.88		864.00
Line 76 8560W Size 40 Dk Navy SS Shirt, per specifications						
3 ea						
Unit Price	\$69.990		\$77.990		\$72.000	
Extended Price		209.97		233.97		216.00

Line 77 8560W Size 42 Dk Navy SS Shirt,
per specifications

6 ea						
Unit Price	\$69.990		\$77.990		\$72.000	
Extended Price		419.94		467.94		432.00

Line 78 8450W Size 34 Dk Navy LS Shirt,
per specifications

6 ea						
Unit Price	\$77.990		\$81.990		\$78.000	
Extended Price		467.94		491.94		468.00

Line 79 8450W Size 30 Dk Navy LS Shirt,
per specifications

9 ea						
Unit Price	\$77.990		\$81.990		\$78.000	
Extended Price		701.91		737.91		702.00

Line 80 8450W Size 36 Dk Navy LS Shirt,
per specifications

12 ea						
Unit Price	\$77.990		\$81.990		\$78.000	
Extended Price		935.88		983.88		936.00

Line 81 8450W Size 32 Dk Navy LS Shirt,
per specifications

9 ea						
Unit Price	\$77.990		\$81.990		\$78.000	
Extended Price		701.91		737.91		702.00

Line 82 8450W Size 38 Dk Navy LS Shirt,
per specifications

6 ea						
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Unit Price	\$77.990		\$81.990	\$78.000	
Extended Price		467.94		491.94	468.00
Line 83 8450W Size 40 Dk Navy LS Shirt, per specifications					
3 ea					
Unit Price	\$77.990		\$81.990	\$78.000	
Extended Price		233.97		245.97	234.00
Line 84 8450W Size 42 Dk Navy LS Shirt, per specifications					
6 ea					
Unit Price	\$77.990		\$81.990	\$78.000	
Extended Price		467.94		491.94	468.00
Line 85 Traffic Vest, Breakaway Style, per specifications					
50 ea					
Unit Price	\$53.200		\$44.990	\$54.990	
Extended Price		2,660.00		2,249.50	2,749.50
Line 86 Cargo, Size 28 Dk Navy, per specifications					
3 ea					
Unit Price	\$92.500		\$91.990	\$92.850	
Extended Price		277.50		275.97	278.55
Line 87 Cargo, Size 30 Dk Navy, per specifications					
12 ea					
Unit Price	\$92.500		\$91.990	\$92.850	
Extended Price		1,110.00		1,103.88	1,114.20

Line 88 Cargo, Size 31 Dk Navy, per specifications

21 ea						
Unit Price	\$92.500		\$91.990		\$92.850	
Extended Price		1,942.50		1,931.79		1,949.85

Line 89 Cargo, Size 32 Dk Navy, per specifications

30 ea						
Unit Price	\$92.500		\$91.990		\$92.850	
Extended Price		2,775.00		2,759.70		2,785.50

Line 90 Cargo, Size 33 Dk Navy, per specifications

30 ea						
Unit Price	\$92.500		\$91.990		\$92.850	
Extended Price		2,775.00		2,759.70		2,785.50

Line 91 Cargo, Size 34 Dk Navy, per specifications

60 ea						
Unit Price	\$92.500		\$91.990		\$92.850	
Extended Price		5,550.00		5,519.40		5,571.00

Line 92 Cargo, Size 35 Dk Navy, per specifications

30 ea						
Unit Price	\$92.500		\$91.990		\$92.850	
Extended Price		2,775.00		2,759.70		2,785.50

Line 93 Cargo, Size 36 Dk Navy, per specifications

40 ea						
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Unit Price		\$92.500		\$91.990		\$92.850
Extended Price			3,700.00		3,679.60	3,714.00
Line 94 Cargo, Size 37 Dk Navy, per specifications						
24 ea						
Unit Price		\$92.500		\$91.990		\$92.850
Extended Price			2,220.00		2,207.76	2,228.40
Line 95 Cargo, Size 38 Dk Navy, per specifications						
42 ea						
Unit Price		\$92.500		\$91.990		\$92.850
Extended Price			3,885.00		3,863.58	3,899.70
Line 96 Cargo, Size 40 Dk Navy, per specifications						
42 ea						
Unit Price		\$92.500		\$91.990		\$92.850
Extended Price			3,885.00		3,863.58	3,899.70
Line 97 Cargo, Size 42 Dk Navy, per specifications						
15 ea						
Unit Price		\$92.500		\$91.990		\$92.850
Extended Price			1,387.50		1,379.85	1,392.75
Line 98 Cargo, Size 44 Dk Navy, per specifications						
12 ea						
Unit Price		\$92.500		\$91.990		\$102.000
Extended Price			1,110.00		1,103.88	1,224.00

Line 99 Cargo, Size 46 Dk Navy, per specifications

12 ea						
Unit Price	\$92.500		\$99.990	\$102.000		
Extended Price		1,110.00		1,199.88		1,224.00

Line 100 Cargo, Size 48 Dk Navy, per specifications

12 ea						
Unit Price	\$92.500		\$99.990	\$102.000		
Extended Price		1,110.00		1,199.88		1,224.00

Line 101 Cargo Size 6 Dk Navy, per specifications

6 ea						
Unit Price	\$92.500		\$91.990	\$92.850		
Extended Price		555.00		551.94		557.10

Line 102 Cargo Size 8 Dk Navy, per specifications

6 ea						
Unit Price	\$92.500		\$91.990	\$92.850		
Extended Price		555.00		551.94		557.10

Line 103 Cargo Size10 Dk Navy, per specifications

12 ea						
Unit Price	\$92.500		\$91.990	\$92.850		
Extended Price		1,110.00		1,103.88		1,114.20

Line 104 Cargo Size 12 Dk Navy, per specifications

12 ea

	Unit Price	\$92.500		\$91.990		\$92.850
	Extended Price		1,110.00		1,103.88	1,114.20
Line 105 Cargo Size 14 Dk Navy, per specifications						
	9 ea					
	Unit Price	\$92.500		\$91.990		\$92.850
	Extended Price		832.50		827.91	835.65
Line 106 Cargo Size 16 Dk Navy, per specifications						
	9 ea					
	Unit Price	\$92.500		\$91.990		\$92.850
	Extended Price		832.50		827.91	835.65
Line 107 Cargo Size 18 Dk Navy, per specifications						
	3 ea					
	Unit Price	\$92.500		\$91.990		\$92.850
	Extended Price		277.50		275.97	278.55
Line 108 Cargo Size 20 Dk Navy, per specifications						
	3 ea					
	Unit Price	\$92.500		\$91.990		\$92.850
	Extended Price		277.50		275.97	278.55
	Bid Total		116,086.64		120,832.14	121,781.25
	Award by Vendor		116,086.64			



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 5, 2019	Council Priority	Best Management Practices Infrastructure
Department	Water Utilities – Wastewater Treatment River Road Plant		
Contact	Jonathan Gresham – Director of Utilities		

Agenda Caption

Bid No. 6315
Approve the purchase of a vertical turbine pump to replace the existing pump at the River Road Water Reclamation Plant.
Odessa Pumps and Equipment, \$156,785.00

Agenda Item Summary

This item is to consider the award for a replacement of a High Service Pump (T-6) at the River Road Reclamation Plant. This is one of three pumps that supply reclaimed water to Xcel’s Nichols power Station. The life expectancy of these pumps is 10 years. This pump was installed in 2003 and last rebuilt in 2013. Replacement is due to normal wear.

Requested Action

Requesting approval and award of purchase for pump to Odessa Pumps and Equipment in the amount of \$156,785.00. The low bidder, Gicon Pumps and Equipment did not bid a pump to match existing motor; Gicon recommends a 700 horsepower motor existing motor is 600 horsepower.

Funding Summary

Funding is available in account 52260.68300

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval and award to Odessa Pumps and Equipment.

Bid No. 6315 PURCHASE OF VERTICAL TURBINE CAN PUMP
 Opened 4:00 p.m. February 7, 2019

To be awarded as one lot ODESSA PUMPS & EQUIPMENT GICON PUMPS & EQUIPMENT

Line 1 Vertical Turbine Can Pump, per specifications

1 ea

Unit Price

\$156,785.000

\$111,641.000

Extended Price

156,785.00

111,641.00



DID NOT MEET SPECS

Line 2 Alternate Bid W/ Stainless Steel
 Rotating Element, per specifications

1 ea

Unit Price

\$172,310.000

Extended Price

172,310.00

-

Bid Total

329,095.00

111,641.00

Award by Vendor

156,785.00



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 5, 2019	Council Priority	Economic Development-Quality of Life
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Department	Development Services
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Agenda Caption

Consider dedication and acceptance of common areas with improvements within the Colonies Public Improvement District.

Agenda Item Summary

The City's public improvement district (PID) policy (Section 15, City of Amarillo Development Policy Manual) requires that completed and accepted common areas and their improvements must be dedicated to the City. The Colonies PID home owners association is requesting the City to accept the dedication of nine tracts identified as "common areas" and the improvements (walls, sidewalks, benches, irrigation, etc.) that were constructed within these common areas. The plans for the improvements and their construction were reviewed for their adherence to City standards by the appropriate City staff. City staff has verified the completion of the improvements and find that the improvements were constructed in general conformance to the approved plans.

Although the common areas and improvements are being dedicated to the City of Amarillo, all maintenance, operation, and administration costs related to the improvements are funded by revenue generated by annual assessments paid by property owners with the Colonies PID as outlined by the approved Colonies PID petition (Resolution No. 2-13-01-1). It is also important to note that the dedication instrument must also have a "reversionary interest" clause stating that if the PID is ever dissolved, fee simple title to the property will revert back to the home owners association.

Requested Action

City acceptance of the dedicated common areas as proposed.

Funding Summary

As alluded to above, the City is under no obligation for any costs associated with the maintenance or operation of the common areas and/or improvements. All costs associated with the common areas and improvements are funded by PID assessment revenue.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends acceptance of the common areas as proposed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ACCEPTING THE DEDICATION TO THE CITY OF AMARILLO CERTAIN COMMON AREAS AND CAPITAL IMPROVEMENTS THEREIN WITHIN THE COLONIES PUBLIC IMPROVEMENT DISTRICT; ACKNOWLEDGING SUCH COMMON AREAS DEEDED TO THE CITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council created the Colonies Public Improvement District (“PID”) by approving Resolution No. 2-13-01-1 in accordance to Texas Local Government Code, Chapter 372; and

WHEREAS, the City of Amarillo’s Development Policy Manual, Section 15, similarly requires that common areas and improvements be dedicated to the City, and once accepted, deeded to the City with a reversionary interest to a homeowners association in the event the public improvement district is dissolved; and

WHEREAS, a request by the Colonies Master Association, Inc. for the City to accept the dedication of certain common areas and improvements has been received; and

WHEREAS, after a review of such information presented, the Council finds such dedication of common areas and improvements is in order and acknowledges the conveyance of such common areas to the City.

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

Section 1. The City Council finds the following:

A. The Special Warranty Deed conveying the common areas to the City correctly identifies the common areas in which capital improvements have been constructed.

B. The capital improvement construction plans were reviewed by the appropriate City staff for conformance to applicable City standards.

C. The City’s project representative inspected the capital improvements and determined that the improvements were completed in general conformance with the approved construction plans and accepted.

D. The Colonies PID will bear all costs of the maintenance, operation, and administrative costs related to the deeded common areas and capital improvements.

E. Funding for said maintenance, operation, and administrative costs is provided by revenue generated by annual assessments paid by owners of property within the boundaries of the Colonies PID.

F. The City of Amarillo accepts the dedication of the common areas and improvements and acknowledges the Special Warranty Deed conveying said common areas to the City, more particularly described by the attached and incorporated Exhibit A.

Section 2. In the event this Resolution or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the resolution, and such remaining portions shall continue to be in full force and effect.

Section 3. All resolutions or parts thereof that conflict with this resolution are hereby repealed, to the extent of such conflict.

Section 4. This Resolution is effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this _____ day of _____, 2019.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

SPECIAL WARRANTY DEED

* * * * *

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

* * * * *

Date: July 20, 2018

Grantor: **COLONIES MASTER ASSOCIATION, INC.,**
a Texas nonprofit corporation

Grantor's Mailing Address: 1619 Tyler Street
Amarillo, TX 79102

Grantee: **CITY OF AMARILLO,**
a municipal corporation

Grantee's Mailing Address: P.O. Box 1971
Amarillo, Potter County, TX 79105-1971

Consideration: Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, to Grantor paid by Grantee, the receipt and sufficiency of which are acknowledged and confessed, and for which no lien, either express or implied, is retained.

Property (including any improvements):

Common Area 36, Common Area 37, Common Area 38, Common Area 39, Common Area 40, Common Area 41, Common Area 42, Common Area 43, and Common Area 44, all in The Colonies Unit 63, an Addition to the City of Amarillo, Randall County, Texas, according to the plat thereof recorded in the Official Public Records of Randall County, Texas, under Document No. 2015007499.

Reservations from Conveyance:

If the Colonies Public Improvement District is ever terminated, fee simple title to the Property will revert to and vest in Grantor. The Colonies Public Improvement District was created by the City of Amarillo Resolution 2-13-01-1 recorded in the Official Public Records of Randall County, Texas, under Document No. 01 2516.

Exceptions to Conveyance and Warranty:

- (a) All valid easements of record, visible and apparent, if any;
- (b) All valid reservations of oil, gas, and other minerals, if any;
- (c) Colonies Master Declaration recorded in the Official Public Records of Randall County, Texas, under Document No. 2015019215;
- (d) Colonies Unit No. 63 Declaration of Covenants, Conditions, and Restrictions recorded in the Official Public Records of Randall County, Texas, under Document No. 2016021785;

- (e) Public Improvement District created under Resolution No. 2-13-01-1 recorded in the Official Public Records of Randall County, Texas, under Document No. 01 2516; and
- (f) all presently recorded instruments that affect the Property.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

COLONIES MASTER ASSOCIATION, INC.

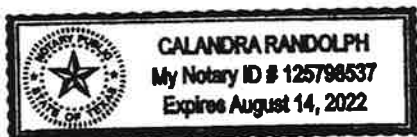
By: 
 Name: Wesley Lawhorn
 Title: President

THE STATE OF TEXAS

§
§
§

COUNTY OF RANDALL

This instrument was acknowledged before me on August 22, 2018, by Wesley Lawhorn, President of COLONIES MASTER ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said nonprofit corporation.




 Notary Public State of Texas
 Printed Name: Calandra Randolph
 Commission Expires: 8.14.22

Return to:
 City Secretary, City of Amarillo
 PO BOX 1971
 Amarillo, TX 79105-1971



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 5, 2019	Council Priority	Transportation Systems
Department	Amarillo City Transit (ACT)		
Contact	Christopher Quigley, Assistant Transit Manager		

Agenda Caption

CONSIDER A RESOLUTION AUTHORIZING APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION BUS AND BUS FACILITIES INFRASTRUCTURE INVESTMENT PROGRAM AND TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION DEVELOPMENT CREDITS

Agenda Item Summary

This item is a public hearing and consideration of a resolution to authorize the City Manager to apply to the U.S. Department of Transportation Bus and Bus Facilities Infrastructure Investment Program (49 U.S.C. 5339) and to the Texas Department of Transportation (TxDOT) for Transportation Development Credits. The FY18/19 grant application is for federal funding in the amount of \$359,122.00 and for TxDOT credits in the amount of \$71,824.40. Grant funds will be used to purchase new transit buses and supplement transit infrastructure improvements.

Requested Action

Request for City Council to conduct a public hearing and consider a resolution authorizing the City Manager to apply for U.S. Department of Transportation Bus and Bus Facilities Infrastructure Investment Program (49 U.S.C. 5339) grant funds in the amount of \$359,122.00 and apply for TxDOT Transportation Development Credits in the amount of \$71,824.40.

Funding Summary

An application will be made to the U.S. Department of Transportation Bus and Bus Facilities Infrastructure Investment Program (49 U.S.C. 5339) in the amount of \$359,122.00 and for TxDOT Transportation Development Credits in the amount of \$71,824.40. Funding for the project is provided through Federal and State programs and does not require any local capital or operating funding.

Community Engagement Summary

ACT published notice of the public hearing and made information regarding this application available for review on-line and at the Transit Operations Facility located at 801 S.E. 23rd Ave., on ACT Route 33.

Staff Recommendation

Staff recommends approval of the resolution authorizing the City Manager to apply for U.S. Department of Transportation Bus and Bus Facilities Infrastructure Investment Program (49 U.S.C. 5339) grant funds and TxDOT Transportation Development Credits.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS CONDUCTING A PUBLIC HEARING ON THE AMARILLO CITY TRANSIT PROGRAM OF PROJECTS; AUTHORIZING THE FILING OF A GRANT APPLICATION AUTHORIZING WITH THE FEDERAL TRANSIT ADMINISTRATION AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A GRANT FOR FISCAL YEAR 2018 SMALL URBAN BUS AND BUS FACILITIES 5339 PROGRAM GRANT

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation program of projects and budget; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Fixing America's Surface Transportation Act of 2015, the application gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprises be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum feasible opportunity to compete when the applicant procures construction contracts, supplies, equipment contracts, or consultant and other services; and,

WHEREAS, the Amarillo City Council has on this date conducted a public hearing, after advertising same, on the operation of the Amarillo transit system and its proposed Program of Projects;

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

SECTION 1. That the City Council has conducted and now concludes the public hearing, and finds a continuing need and necessity for public mass transportation in Amarillo, Texas that will be met by the proposed Program of Projects;

SECTION 2. That the City Manager is authorized to execute and file an application for FY 2018 in the amount of THREE HUNDRED, FIFTY NINE THOUSAND, ONE HUNDRED AND TWENTY TWO DOLLARS (\$359,122) with the U.S. Department of Transportation to aid in the financing of Bus and Bus Facilities capital projects and an application with the Texas Department of Transportation for Transportation Development Credits for the local share of SEVENTY ONE THOUSAND, EIGHT HUNDRED, TWENTY FOUR DOLLARS, FORTY CENTS (\$71824.40) on behalf of the City of Amarillo, Texas.

SECTION 3. That the City Manager is authorized to furnish such additional information as the Federal Transit Administration and the Texas Department of Transportation may require in connection with the application or project.

SECTION 4. That the City Manager is authorized to execute all necessary grant contract agreements and other forms on behalf of the City of Amarillo, Texas, with the Federal Transit Administration and the Texas Department of Transportation for aid in the financing of the capital and operating assistance project.

SECTION 5. To the extent that this resolution or any part of it conflicts with a prior resolution, then such prior resolution is repealed to the extent of such conflict.

SECTION 6. If any part of this resolution is determined to be invalid, such invalidity shall not affect any other part(s) of this resolution.

SECTION 7. This resolution is effective on and from the date of adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this _____ day of _____ 2019.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	March 5, 2019	Council Priority	Infrastructure
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Department	Planning and Development Services Department Cris Valverde
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Agenda Caption

Consideration of a resolution to accept a petition requesting annexation of land into the corporate limits of the City of Amarillo, direct the Planning and Development Services Department to prepare a service plan, and setting the date, time, and place of two Public Hearings as required by State Law.

Agenda Item Summary

In January of this year a petition for voluntary annexation was received, yet before moving forward, State Law requires that Council direct staff to prepare a service plan that details municipal services to be provided. Municipal Services include water, sanitary sewer, emergency services, code enforcement, and solid waste, among others.

In addition to directing staff to prepare a service plan, should the petition be accepted, the resolution sets the date, time, and place for two Public Hearings. The just-mentioned hearings are proposed as follows:

First Public Hearing: City Council Chambers, March 26, 2019 at 1pm

Second Public Hearing: City Council Chambers, April 2, 2019 at 1pm

These Public Hearings will provide an opportunity for Council to review a draft service plan as well as gather input from any interested parties. At the conclusion of the second Public Hearing, Council is to consider whether to continue the annexation process further. Should it be decided to continue the process, the date, time, and place for two public Readings of the Annexation Ordinance before Council will be set. *(The first Reading of the Annexation Ordinance before Council constitutes the official start of the annexation proceedings and at this time, a final service plan will be provided for Council's consideration.)*

The proposed annexation represents the continuation of the Heritage Hills Subdivision southward and consists of approximately 329 acres adjacent to the southwest quadrant of Amarillo, near the northwest corner of the Hollywood Rd and Soncy Rd/Loop 335 intersection (map of area attached).

The land is vacant, yet is anticipated to develop with single-family detached and attached homes (795), various non-residential uses (39 acres), and a new elementary school for the Canyon Independent School District.

Requested Action

Staff recommends approval of the resolution as presented.

Attachments

1. Map of area proposed for annexation

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF AMARILLO SETTING A DATE, TIME AND PLACE FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF AMARILLO, TEXAS; AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICES OF SUCH PUBLIC HEARINGS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR 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 areas adjacent and contiguous to its corporate limits;

WHEREAS, Geospatial Data, Inc. petitioned the City of Amarillo, Texas to annex an approximately 329.62 acre tract of land located in Sections 65 and 66, a portion of the right-of-way in Section 66, Block 9, BS&F Survey, Randall County, Texas, which is adjacent and contiguous to its corporate city limits; and

WHEREAS, the City did offer a development agreement pursuant to Texas Local Government Code, Section 43.016, and the petitioner rejected such offer; and

WHEREAS, the applicant filed a Voluntary Annexation Application to petition the City pursuant to the Texas Local Government Code, Section 43.052(h), and because the area proposed to be annexed is within the exemptions, the City may follow the annexation procedures at Texas Local Government Code, Chapter 43 at Subchapter C-1; and

WHEREAS, prior to holding public hearings on the proposed annexation, the Texas Local Government Code, Section 43.065, requires the City Council to direct the appropriate municipal department to prepare a service plan for the property proposed for annexation referenced below; and

WHEREAS, the City Council further directs that an updated map be prepared indicating all property owners within the proposed annexation area to be available at scheduled public hearings; and

WHEREAS, before the City can consider annexation proceedings, the City Council must conduct two public hearings for those interested in such annexation for an opportunity to be heard in compliance with Texas Local Government Code, Section 43.063; and

WHEREAS, the City Council must authorize and direct that such public hearings be published as directed in Texas Local Government Code, Section 43.063.

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

Section 1. . The petition for the below described annexation of approximately 329.62 acres is accepted.

Section 2. The Planning Department is directed to prepare a service plan for the proposed annexation of approximately 329.62 acres of real property adjacent and contiguous with the incorporated city limits of the City of Amarillo, located in Sections 65

2/13/2019 LSS

and 66, a portion of the right-of-way in Section 66, Block 9, BS&F Survey, Randall County, Texas, as shown in Exhibit A, attached to and incorporated into this Resolution by reference.

Section 3. In reviewing the proposed annexation of approximately 329.62 acres referred to above, the staff is also directed to provide an updated official map indicating all property owners within the proposed annexation area to be available at the two scheduled public hearings. In so preparing such map, staff shall consider the effects of such proposed annexation, if any, in relation to the Federal Voting Rights Act of 1965, codifying the Fifteenth Amendment's permanent guarantee that no person shall be denied the right to vote on account of race or color.

Section 4. The City Council will hold two public hearings in accordance with the Texas Local Government Code, Section 43.063, as follows:

March 26, 2019 at 1:00 p.m. and April 2, 2019 at 1:00 p.m. in the Council Chambers located on the third floor of City Hall, 601 S. Buchanan St., Amarillo, Texas 79101.

All interested persons will have the right to appear and be heard on the proposed annexation for the property described as approximately 329 acres in Sections 65 and 66, a portion of the right-of-way in Section 66, Block 9, BS&F Survey, Randall County, Texas by the City of Amarillo, Texas.

Section 5. The City Secretary of the City of Amarillo is hereby authorized and directed to publish notices of each public hearing once in a newspaper having general circulation in the City and in the above-described territory prior to the date of such public hearings in accordance with the Charter of the City of Amarillo and the laws of the State of Texas.

Section 6. This Resolution's public purpose is to encourage economic development in the City to benefit the Amarillo citizens as a whole.

Section 7. In the event this Resolution or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the resolution, and such remaining portions shall continue to be in full force and effect.

Section 8. All resolutions or parts thereof that conflict with this Resolution are hereby repealed, to the extent of such conflict.

Section 9. This Resolution is effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this the 5th day of March, 2019.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

Amarillo City Council
Agenda Transmittal Memo

