

STATE OF TEXAS §
COUNTIES OF POTTER §
AND RANDALL §
CITY OF AMARILLO §

On November 9, 2011, the Comprehensive Plan Implementation Advisory Committee met in a scheduled session at 12:00 P.M. in Room 306 on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Bill Chudej	Yes	7	5
Leon Church	Yes	7	6
Bob Juba, Chair	Yes	7	4
Wes Knapp	Yes	7	7
Don Sanders, Vice Chair	Yes	7	7
Eddie Scott	Yes	7	4
Howard Smith	Yes	7	7
Dana Walton	No	7	5
Milford Burrell	Yes	4	4

CITY STAFF:
Kelley Shaw, Planning Director
Kathleen Collins, Planner II

OTHERS IN ATTENDANCE:
A.F. Pyeatt, Visitor

Chairman Bob Juba opened the meeting, established a quorum, and conducted the consideration of the following items beginning with ITEM 1.

ITEM 1: Approve the minutes of the Committee's October 12, 2011 meeting

Mr. Juba asked if there were any questions on the previous meeting's minutes. Mr. Milford Burrell stated that his name was misspelled on the second page but the content was correct. Mr. Shaw stated that the correction would be made. Mr. Juba requested a motion to approve the minutes with the correction, a motion was made, seconded, and the minutes were approved unanimously.

ITEM 2: Presentation and discussion by Planning Staff on growth and current City annexation policies

Chairman Juba invited Mr. Shaw to begin his discussion of the City's annexation policies. Mr. Shaw stated that this was the only item on the agenda as he wanted the Committee to have ample time to discuss the City's growth and current annexation policies. Mr. Shaw began the presentation by stating that the major motives for annexing property include protecting the character of a neighborhood along a City's periphery as well as capital improvements programming.

Mr. Shaw listed three questions the public ask typically ask regarding annexation:

- 1) Why would a City want to annex?
- 2) Does the City have authority to annex?
- 3) What procedures must be followed to annex property?

To answer the first question, cities annex property as a way to manage growth and development along the municipal boundary. Annexing property also increases the city's tax base and revenue flow.

In answering the second question, Mr. Shaw pointed out that Amarillo does have authority to annex property. Amarillo is characterized as a home-rule City, allowing it to set its own rules by way of a Charter. As stated in Article 1, Section 4 of the Amarillo Charter, City Commissioners may change the City's boundary as they see appropriate.

Mr. Shaw revealed that each municipality in Texas must follow the annexation requirements set forth in the Texas Local Government Code, Chapter 43. In 2005, additional language was included within this chapter requiring all municipalities to pass an ordinance implementing an annexation plan by the year 2009. The City of Amarillo chose to adopt an ordinance stating the City will not annex a tract of land with 100 or more homes at one particular time. By doing so, the City exempted itself from establishing an annexation plan.

Next, Mr. Shaw discussed the fact that Amarillo has a 5-mile extraterritorial jurisdiction (ETJ) which surrounds the City. Amarillo may only annex property lying within the ETJ boundary. State law limits the amount of property a City can annex per year, however, if the full amount is not met, then the remaining portion or percentage may accrue. Since Amarillo has not annexed large amounts of property within the past few years, the City could incorporate quite a bit of property due to the accumulated rollover.

In some instances, municipality ETJ boundaries can overlap on another. An example is Amarillo and Canyon's ETJ boundaries. In this case the municipalities can either enter into an agreement declaring which city will control the ETJ or it can be a first-come, first-serve agreement. In this instance, since Amarillo's ETJ was established prior to Canyon's, the City of Amarillo controls the property within this area.

Mr. Shaw stated that with the City's current annexation policy, Amarillo can annex with or without consent from property owners. Mr. Burrell asked if the 5-mile ETJ is a moving buffer which would expand when additional property is annexed. Mr. Shaw stated that Mr. Burrell is correct, and that as the City expands the ETJ also expands. The Comprehensive Plan recommends protecting potential areas where future growth may occur as well as protecting the character of the community as a whole. Mr. Shaw stated that he would like the Comprehensive Plan Implementation Advisory Committee create a comprehensive annexation plan/program where the City's policy is stated along with maps depicting phases identifying short-term, mid-term, and long-term growth areas. Mr. Shaw stated that he wishes to present a coordinated annexation plan to the City Commission which is recommended by the Comprehensive Plan Implementation Advisory Committee.

Mr. Shaw went on to discuss how State Legislators also approved language where the City must offer a property owner who is located outside City limits, a developer agreement stipulating that their property may remain outside City limits for 7 to 15 years so long as the use, ownership, and configuration do not change.

If the property owner signs the agreement and at least one of the three previously mentioned factors occur, the City has the right to automatically annex the property. Also, as mentioned above, if the property owner refuses to sign the agreement, the City can automatically annex the property.

A portion of the new annexation service plan/program would include notifying the public as to when recently annexed properties may receive City water and sewer services. The goal is to implement an annexation plan/program where everyone is aware of where City resources would go and when to anticipate growth.

To answer the third question, under the current annexation policy, fire, police, solid waste and ambulance services must be provided immediately. However, water, sewer, and other City services must be provided at the same level as similar areas located in the City within 2½ to 4½ years. An example may be single family residents may receive City services while undeveloped areas may not.

Mr. Shaw ended his presentation by stating that the Committee will be asked to recommend a coordinated, comprehensive annexation plan/program in order to guide future decision making and allow for an orderly and predictable extension of the Amarillo's boundaries.

Mr. Juba asked if there was a consensus of the board to move forward. Everyone present agreed to discuss this topic further.

ITEM 3: Public Forum

Chairman Juba asked for public comments. Hearing none, the meeting was adjourned.

Kelley Shaw
Planning Director