

## AGENDAS

**FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, MARCH 1, 2016 AT 3:00 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 5:00 P.M., CITY HALL, 509 SOUTHEAST 7<sup>th</sup> 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) Consider appointments to Boards and Commissions:  
Amarillo Economic Development Corporation  
Board of Review-Landmarks & Historic District  
Construction Advisory and Appeals Board;
  - (3) Discuss Temporary Sign Regulations;
  - (4) Discuss protection of security devices and implementation thereof; and
  - (5) Consider future Agenda items and request reports from City Manager.
- B. City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:
- (1) Discussion regarding appointments to vacant Board positions; and discussion regarding qualifications, rights, duties and responsibilities of Board members and appointees, in accordance with the Texas Open Meetings Act, Texas Government Code, Section 551.074;
  - (2) Consult with Attorney about pending or contemplated litigation or settlement of same or, to consult with the attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter, in accordance with the Texas Open Meetings Act, Texas Government Code, Section 551.071; and
  - (3) To deliberate regarding security devices or security audits, security personnel. Texas Open Meetings Act, Texas Government Code, Section 551.076.

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### REGULAR MEETING ITEMS

**INVOCATION:** Greg Dowell, Central Church of Christ

1. **MINUTES:**  
Approval of the City Council minutes of the regular meeting held on February 23, 2016.
2. **PUBLIC HEARING – TEEN CURFEW RENEWAL:**  
This item conducts a public hearing to gather input on the potential renewal of the Juvenile Curfew Ordinance, which will expire on March 20, 2016. The Amarillo Police Chief will present data related to the Juvenile Curfew Ordinance and the Commission will receive comments from the public in order to determine if the curfew will be re-adopted, amended, or abolished per the requirements of Texas Local Government Code §370.002.
3. **ORDINANCE NO. 7587:**  
This is the first reading of an ordinance amending Chapter 10-3, Miscellaneous Offenses of the Amarillo Municipal Code to re-adopt a nocturnal (midnight and after) juvenile curfew for persons under the age of seventeen years. The City Commission last adopted a juvenile curfew in March 2013. Per state law, a juvenile curfew must be reviewed and re-adopted every three years. The re-adoption of this curfew is recommended by the Amarillo Police Department.

4. **ORDINANCE NO. 7588:**  
This is the first reading of an ordinance amending Ordinance No. 7559 to correct a clerical error relating to the legal description of the drainage easement that was vacated and abandoned.
5. **ORDINANCE NO. 7586:**  
This item is the second and final reading for an ordinance amending the Amarillo Municipal Code, Chapter 14-2 to reallocate a fractional use distribution of the Hotel Occupancy Tax (HOT).
6. **ORDINANCE NO. 7585:**  
This item is the second and final reading for an ordinance which would amend Amarillo Municipal Code, Chapter 18-2 to add a new Article VI, Sections 18-2-100 to 18-2-130, including procedures and definitions, adopt regulations and placing a Cross-Connection Program into the City of Amarillo Municipal Code. The purpose of said Article is to comply with Title 30 and to protect the water supply of the City from contamination due to any cross connections. The Public Hearing was conducted during the City Council Regular Session on February 16, 2016; the first reading was conducted February 23, 2016.
7. **RESOLUTION – 2016 REGIONAL SOLID WASTE GRANT PROGRAM APPLICATION:**  
This resolution approves the application for the FY2016 Regional Solid Waste Grant Program Application to the Panhandle Regional Planning Commission (PRPC). The Solid Waste Department will use the requested \$5,500.00 to fund the use of shipping trailers to collect and recycle scrap tires during a month-long neighborhood scrap tire cleanup program.
8. **RESOLUTION – SUSPENSION OF SOUTHWESTERN PUBLIC SERVICE COMPANY (DBA XCEL ENERGY) ELECTRIC RATE AND FUEL RECONCILIATION CHARGE INCREASE:**  
This resolution suspends until June 20, 2016, Xcel Energy's request filed February 16, 2016 with the Texas Public Utility Commission, for an increase in base revenue of about 14.41%. Approval of this resolution will allow the City time to review and evaluate Xcel Energy's rate and fuel filing on behalf of Amarillo residents and Xcel customers.
9. **RECEIPT AND ACCEPTANCE -- CITY OF AMARILLO COMPREHENSIVE ANNUAL FINANCIAL REPORT:**  
This item is receipt and acceptance of the City of Amarillo Comprehensive Annual Financial Report for the fiscal year ended September 30, 2015.
10. **APPOINTMENTS – BOARDS AND COMMISSIONS:**  
An appointment is needed for the following board:  
  
Construction Advisory and Appeals Board (3-year terms)  
09/13/2005                      Gary Ward    12/31/2015 - Heating and Air
11. **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:
  - A. **Award – Comprehensive Compensation and Classification Study:**  
Evergreen Solutions, LLC – \$135,000.00  
  
This item awards a professional services contract to provide a Comprehensive Compensation and Classification Study that will review the City's current pay and classification plan. Funding is available for this contract from the approved 2015-2016 budget.

B. <u>Approval - Change Order Two (2) – Job# 521941: 24<sup>th</sup> Pipeline 48” Well Water Transfer Line:</u>	
Original Contract:	\$ 11,740,159.00
Previous Change Orders:	\$ 238,412.49
Current Change Order:	<u>\$73,649.42</u>
For a total of Change Orders	<u>\$312,061.91</u>
Revised Contract:	\$12,052,220.91

This item approves Change Order No. 2 to the contract with Condie Construction Company, Inc. for additional work required on the 24<sup>th</sup> Pipeline.

- C. Approval – Aviation Clear Zone Easements:
- 1) Aviation Clear Zone Easement being 4,750 feet MSL above the plat of Sundown Estates Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land out of Section 177, Block 2, AB&M Survey, Randall County, Texas from Diego Flores, in the vicinity of Washington Street and Sundown Lane.
  - 2) Aviation Clear Zone Easement being 3,755 feet MSL above the plat of Whitaker Subdivision Unit No.3, an addition to the City of Amarillo, being a replat of all of Tracts 38 and 39, and a portion of Tract 40, Whitaker Subdivision, in Section 92, Block 2, AB&M Survey, Potter County Texas from Dao Tran, in the vicinity of East Amarillo Boulevard and Triangle Drive.

**PUBLIC FORUM**

Comments from interested citizens on matters pertaining to City policies, programs or services.

*(This is the opportunity for visitors and guests to address the City Council on any issue. The City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. Texas Attorney General Opinion JC-0169)*

**MISCELLANEOUS**

1. Planning and Zoning Commission, minutes of February 8, 2016
2. Boards and Commissions – appointments as listed on attached.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (Southeast 7<sup>th</sup> 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 26th day of February 2016.

Amarillo City Council meetings stream live on Cable Channel 95 and are available online at:  
[www.amarillo.gov/granicus](http://www.amarillo.gov/granicus)  
 Archived meetings are also available.



STATE OF TEXAS  
 COUNTIES OF POTTER  
 AND RANDALL  
 CITY OF AMARILLO

On the 23rd day of February 2016, the Amarillo City Council met at 4:00 p.m. for a work session and then at 5:00 p.m. for the regular session both held in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

PAUL HARPOLE	MAYOR
ELISHA L. DEMERSON	COUNCILMEMBER NO. 1
BRIAN J. EADES	COUNCILMEMBER NO. 2
RANDY BURKETT	COUNCILMEMBER NO. 3
MARK NAIR	COUNCILMEMBER NO. 4

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

TERRY CHILDERS	INTERIM CITY MANAGER
BRYAN MCWILLIAMS	ASSISTANT CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Kevin Deckard, Polk Street United Methodist Church. Mayor Harpole led the audience in the Pledge of Allegiance.

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

ITEM 1: Mayor Harpole presented the minutes for February 16, 2016. Motion was made by Councilmember Burkett to approve the minutes; motion was seconded by Councilmember Demerson, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance first reading for an ordinance amending the Amarillo Municipal Code, Chapter 14-2 to reallocate a fractional use distribution of the Hotel Occupancy Tax (HOT). Mr. Childers stated when City Council adopted the hotel tax, it specified an amount to be used for the Convention and Visitor Council (CVC). Bond Counsel recommended removing the distribution from the ordinance and not earmarking the funds. The City will continue to fund the CVC as it has in the past. Councilmember Nair stated it would now follow state statute. James Schenck, 6316 Gainsborough Street, expressed his concerns on leveraging the HOT tax for the parking garage and ballpark. Mr. Childers stated this ordinance amendment would allow the City to follow the state statute to support the two catalyst projects with the HOT. Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7586

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 14-2, ARTICLE III, SECTION 14-2-52(b)(4) TO REMOVE ALLOCATION RESTRICTIONS AND ALLOW DISTRIBUTION OF THE HOTEL OCCUPANCY TAX IN ACCORDANCE WITH STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance first reading for an ordinance which would amend Amarillo Municipal Code, Chapter 18-2 to add a new Article VI, Sections 18-2-100 to 18-2-130, including procedures and definitions, adopt regulations and placing a Cross-Connection Program into the City of Amarillo Municipal Code.

Andrew Holley, 51<sup>st</sup> Avenue, expressed concerns about Section 18-2-104, Irrigation Systems, specifically he asked if being 'more stringent' was necessary. He further inquired about Section 18-2-110, Residential Service Connection and Section 18-2-118, Violation and Fines. Mr. Hartman stated the purpose was to follow state law and current rules would apply. A garden hose would not be a material change but construction or reconstruction to a home would apply. He further stated that the ordinance does include an appeals process. Kevin Robinson, Assistant Building Official, stated that inspections have been going on since the late 1980's, and these laws are in place through TECQ rules to protect potable water. Councilmember Demerson expressed concern with government overreach and asked if this item was time sensitive. Mr. Hartman replied that it needed to be done by the end of March. Motion was made by Councilmember Nair, seconded by Mayor Harpole, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7585

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE TO ADD CHAPTER 18-2, CREATING NEW ARTICLE VI, SECTIONS 18-2-100 TO 18-2-130 AND PROVIDING FOR DEFINITIONS, REQUIREMENTS, GUIDELINES, AND OTHER; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Eades and Nair; Voting NO were Councilmembers Demerson and Burkett; the motion carried by a 3:2 vote of the Council.

ITEM 4: Mayor Harpole presented an ordinance rezoning Lot 11, Block 9, Fairview Townsite Addition, in Section 123, Block 2, AB&M Survey, Potter County, to change from Residential District 3 to Residential District 3 with a specific use permit for placement of a Type B manufactured home in the vicinity of Southeast 8<sup>th</sup> Avenue and Spring Street. Mr. Shaw stated there were no negative comments were received. Motion was made by Councilmember Demerson, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7584

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 SOUTHEAST 8<sup>TH</sup> AVENUE AND SPRING STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 5: Mayor Harpole advised that appointments are needed for a certain board. Motion was made by Councilmember Nair, seconded by Councilmember Eades to reappoint Bill Bandy, Thomas Jones, Mary Jane Nelson, Ruben Rivera and Jeffery Studer to the Community Development Advisory Committee, such terms to expire December 31, 2017.

Mr. Childers stated staff recommends reappointment of the Community Development Advisory Committee members and they have expressed their willingness to serve again. Councilmember Burkett inquired about the definition of Target Area. Mr. Allen stated that the last census noted that 51% of the people have low or moderate incomes, and the Target Area is approximately 40% of Amarillo.

Voting AYE were Mayor Harpole, Councilmembers Eades, Burkett and Nair; voting NO was Councilmember Demerson; the motion carried by a 4:1 vote of the Council.

ITEM 6: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Councilmember Nair inquired on Item B, Outdoor Warning Sirens. Councilmember Demerson asked that Items E and F be considered separately.

Mr. Kevin Starbuck, Emergency Management Coordinator, stated that these replacement sirens were installed in the 1960's. The older sirens cannot be fit with a battery backup in case of power failure. Their rating is also three times the coverage range. The sirens will be replaced at 10<sup>th</sup> and Roberts Street, Robert E. Lee and Avondale schools. Also, due to growth, a new siren will be installed at Hillside and Coulter Streets. Mr. Starbuck stated the sirens are inspected every year and tested every month. Councilmember Demerson inquired if the City collaborated with PRPC and other communities in the area. Mr. Starbuck replied that the surrounding areas may acquire the older sirens because they are still working. He further stated they maintain the sirens for Potter and Randall Counties. Councilmember Burkett inquired as to the total number of sirens. Mr. Starbuck stated there were 62 and 88 in the entire system. Mr. Starbuck stated the sirens are intended to warn the public who may be outdoors, the public should not count on this system as their sole source for warnings. Motion was made by Councilmember Nair to approve Items A-D and G of the consent agenda and authorizes the City Manager to execute all documents necessary for each transaction. Motion was seconded by Councilmember Demerson.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

Mr. James Allen, Community Development Administrator, stated these rehabs are primarily funded through HUD. He stated the property at 607 North Monroe would have at some point been demolished. A private developer has met HUD guidelines and qualifications. The four units will be monitored and maintained over the next 20-years. Mr. Allen stated the property at 3501 Southeast 21 Avenue is also a rental rehab. This property will provide three new affordable housing units, increase property value and collaborates with the private sector. Councilmember Burkett inquired if the owners would keep the properties or sell them. Mr. Allen replied that if they were sold the funds would come back for reinvestment in future projects. The Promissory Note was with no interest and would be pro rata if the property was sold. Roscoe Wiley, 3131 Redwood Street, stated these renovated apartments would improve the city. Jason Lamons, 4421 South Mirror Street, stated this new construction would add three new rental units for the community. Motion was made by Councilmember Burkett to approve Items E and F of the consent agenda and authorizes the City Manager to execute all documents necessary for each transaction. Motion was seconded by Councilmember Eades.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

- A. Purchase – Fire Truck, Grass and Wildland:  
Award using HGAC Contract meeting specifications:  
Hall Buick GMC (Ferrara Fire Apparatus Dealer) -- \$213,569.00

This item is the scheduled replacement of Fire Truck 5701, 2001 International Grass-Rig that has reached or exceeded useable life approved in the 2015-2016 budget. This award will be used by the City of Amarillo Fire Department for daily operational requirements.

- B. Award – Outdoor Warning Sirens:  
Federal Sign Corporation – \$76,340.00

This item is for the purchase of four (4) Federal Signal 508 outdoor warning sirens with controllers and metal poles. Project will add a new siren in the area of Hillside and Coulter and replace three (3) existing sirens at 10<sup>th</sup> Avenue and Roberts, Lee Elementary and Avondale School. Installation services will be bid separately.

- C. Award – Electrical System Components:  
B&D Industries, Inc. -- \$259,765.35

This contract is replacement of electrical system components at a sanitary sewer lift station, including upgrades to the building to meet current code requirements.

- D. Award – Water and Sewer Relocations:  
Brandt Engineers Corp. -- \$411,829.00

This contract is for professional engineering services to design the water and sewer main relocations for the TxDOT expansion project on Hollywood Road (Loop 335) from Bell Street to Soncy Road.

- E. Approval – Rental Housing Rehabilitation Project:  
Award to Roscoe Wiley -- \$120,597.00  
Property at: 607 North Monroe Street

This is approval of a rental housing rehabilitation project to renovate a multi-family unit at 607 North Monroe Street. Of the \$241,194 total cost for this project, the project owner will provide \$120,597 of the funding. The City Community Development Block Grant Home Rental Rehabilitation Program will provide the remainder or \$120,597 of project funding.

- F. Approval – Rental Housing Rehabilitation Project:  
Award to: Jason Lamons -- \$128,580.00  
Property at: 3501 Southeast 21<sup>st</sup> Avenue

This is approval of a rental housing rehabilitation project to renovate a multi-family unit at 3501 Southeast 21st Avenue. Of the \$257,160 total cost for this project, the project owner will provide \$128,580 of the funding. The City Community Development Block Grant Home Rental Rehabilitation Program will provide the remainder or \$128,580 of project funding.

- G. Approval – Engineering Services Agreement for Planning and Design Services:  
Parkhill Smith & Cooper (PS&C) -- \$192,270.00  
(\$247,032 if inclusion of optional Task 3)

This Engineering Services Agreement provides for preparation of a 5-year Strategic Plan for development of landfill disposal cells 10 and 11, airspace consumption, drainage, alternative daily cover, tire disposal, final cover and gas management. Additionally a second contract task provides for construction documents for expansion of landfill cell 10. An optional task in the agreement provides construction phase services to the City during the bidding and construction of Landfill Cell 10 expansion.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

Mayor Harpole announced that this is the end of the regular agenda, but this time is reserved to hear from any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City Council can respond with a statement of fact, a statement of City policy or decide whether to place an item on a future agenda.

Chris Searight, 1903 Beech Street, expressed concerns about Ordinance No. 7333 and the gaps in services. He inquired about the findings of the committee's report and his learning of a formed subcommittee. James Schenck, 6216 Gainsborough Street, inquired about Civic Center space that was donated to a recent event. Rusty Tomlinson, 5700 Canyon Drive, #22, stated he was a Green Party candidate for Mac Thornberry's position. He further suggested to the Council that they do research on the Housing First program. Allen Finegold, 2601 North Grand Street, stated the need for

unconventional shelters or a campground for the homeless; more patrol officers to do alley checks in high crime neighborhoods; and that the shift supervisors at the fire departments need to check if their personnel stay up before a night shift. Kent Russ, 5860 Grande Drive, stated he was concerned about the homeless and the need to make it a priority. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

\_\_\_\_\_  
Paul Harpole, Mayor

DRAFT

# Amarillo City Council Agenda Transmittal Memo



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<b>Meeting Date</b>	03/01/2016	<b>Council Priority</b>	N/A
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<b>Department</b>	Amarillo Police Department
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## Agenda Caption

### PUBLIC HEARING – TEEN CURFEW RENEWAL:

This item conducts a public hearing to gather input on the potential renewal of the Juvenile Curfew Ordinance, which will expire on March 20, 2016. The Amarillo Police Chief will present data related to the Juvenile Curfew Ordinance and the Commission will receive comments from the public in order to determine if the curfew will be re-adopted, amended, or abolished per the requirements of Texas Local Government Code §370.002.

ORDINANCE NO. \_\_\_\_:

This is the first reading of an ordinance amending Chapter 10-3, Miscellaneous Offenses of the Amarillo Municipal Code to re-adopt a nocturnal (midnight and after) juvenile curfew for persons under the age of seventeen years. The City Commission last adopted a juvenile curfew in March 2013. Per state law, a juvenile curfew must be reviewed and re-adopted every three years. The re-adoption of this curfew is recommended by the Amarillo Police Department.

## Agenda Item Summary

This item conducts a hearing gather input on the potential renewal of the Juvenile Curfew Ordinance, which will expire on March 20, 2016.

## Requested Action

Approval of the ordinance providing for a teen curfew in the same or similar format to the current ordinance.

## Funding Summary

N/A

## Community Engagement Summary

N/A

## City Manager Recommendation

This item is recommended for approval by the City Manager

ORDINANCE NO. 7587

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.

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WHEREAS, by prior action effective March 18th, 2013, the City Council renewed the 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 1st day of March, 2016; and PASSED on Second and Final Reading on the 8<sup>th</sup> day of March, 2016.

\_\_\_\_\_  
Paul Harpole, Mayor

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	March 1, 2016	<b>Council Priority</b>	Infrastructure
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<b>Department</b>	Planning
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## Agenda Caption

ORDINANCE NO. \_\_\_\_\_:

This is the first reading of an ordinance amending Ordinance No. 7559 that was approved by the City Council on October 13, 2015. This amendment is to correct a clerical error relating to the Legal Description of the Drainage Easement that was vacated and abandoned; and providing an effective date. This amendment is recommended by the Planning Department.

## Agenda Item Summary

This Ordinance is being passed for the sole purpose of correcting a clerical error made in Section 1 of No. 7559 and the Exhibit attached thereto.

## Requested Action

Planning and Legal Staff have reviewed the associated Ordinance and exhibit and recommends the City Council approve the item as submitted.

## Funding Summary

N/A

## Community Engagement Summary

Ordinance No. 7559, vacated a 154.59 acre blanket Drainage Easement in the vicinity of Tascosa Road and Ravewood Drive. The item was distributed to all applicable internal and external entities. No objections were received. The item was recommended for approval by the Planning and Zoning Commission at its Public Meeting of September 28, 2015. The City Council approved the item on October 13, 2015.

## Staff Recommendation

Staff recommends the approval of this Ordinance.

ORDINANCE NO. 7588

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS AMENDING ORDINANCE NO. 7559 TO CORRECT A CLERICAL ERROR RELATING TO THE LEGAL DESCRIPTION OF THE DRAINAGE EASEMENT BEING VACATED AND ABANDONED; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, on October 13, 2015 the Amarillo City Council passed Ordinance 7559 determining a lack of public necessity and purpose for a Drainage Easement in the vicinity of Tascosa Road and Ravenwood Drive in Amarillo, Potter County, Texas and vacating and abandoning said Drainage Easement; and

WHEREAS, Ordinance 7559 and an attached Exhibit was filed of record in the Official Public Records of Potter County, Texas, Instrument Number. 1283886 on November 16, 2015; and

WHEREAS, the legal location of the Drainage Easement set forth in Section 1 of Ordinance 7559 and in the attached Exhibit to Ordinance No. 7559 erroneously state that the Drainage Easement is in Sections 24 and 25, Block 9, BS&F Survey, Potter County, Texas whereas in fact the Drainage Easement is located in Sections 24 and 45, Block 9, BS&F Survey, Potter County, Texas; and

WHEREAS, the Amarillo City Council has determined that the erroneous location set forth in Ordinance 7559 and in the Exhibit to Ordinance No. 7559 were the result of a clerical error; and

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

SECTION 1. That Section 1 of Ordinance 7559 and the Exhibit attached thereto are hereby amended by changing said documents to reflect that the location of the Drainage Easement is in Sections 24 and 45 , Block 9, BS&F Survey Potter County, Texas and not in Sections 24 and 25, Block 9, BS&F Survey, Potter County Texas.

SECTION 2. This Ordinance is being passed for the sole purpose of correcting a clerical error made in Section 1 of No. 7559 and the Exhibit attached thereto, which Ordinance shall remain in full force and effect save and except as corrected by this Ordinance.

SECTION 3. This Ordinance shall become effective upon its second and final reading

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas on first reading on this \_\_\_\_ day of \_\_\_\_\_, 2016 and passed on Second and final reading on this \_\_\_\_ day \_\_\_\_\_, 2016.

\_\_\_\_\_  
Paul Harpole, Mayor

ATTEST:

\_\_\_\_\_  
France Hibbs, City Secretary

ORDINANCE NO. 7559

AN ORDINANCE DETERMINING LACK OF PUBLIC NECESSITY FOR A DRAINAGE EASEMENT IN THE VICINITY TASCOSA ROAD AND RAVENWOOD DRIVE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED DRAINAGE EASEMENT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

1483886 0RD  
11/16/2015 10:30 AM Total Pages: 2  
Julie Smith, County Clerk - Potter County, Texas

WHEREAS, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following-described DRAINAGE EASEMENT; and

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

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

SECTION 1: That the herein-described DRAINAGE EASEMENT be vacated and abandoned for public purposes:

Vacation of a 154.59 acre Drainage Easement in Sections 24 and 25, Block 9, BS&F Survey, Potter County, Texas as described by the instrument filed of record in the Official Public Records of Potter County, Volume 4332, Page, 8.

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 October 2015; and PASSED on Second and Final Reading this the 13th day of October 2015.

  
Paul Harpole, Mayor

ATTEST:

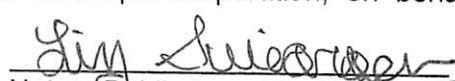
  
Frances Hibbs, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS §  
  §  
COUNTY OF POTTER §

This instrument was acknowledged before me on the 13th day of October 2015, by Paul Harpole, Mayor, of the City of Amarillo, a Texas municipal corporation, on behalf of said corporation.



  
Notary Public in and for the State of Texas

Return to:  
**FRANCES HIBBS**  
City Secretary, City of Amarillo  
P.O. Box 1971

# FILED and RECORDED

Instrument Number: 1283886

Filing and Recording Date: 11/16/2015 10:30:31 AM Pages: 2 Recording Fee: \$16.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Potter County, Texas.



A handwritten signature in cursive script that reads "Julie Smith".

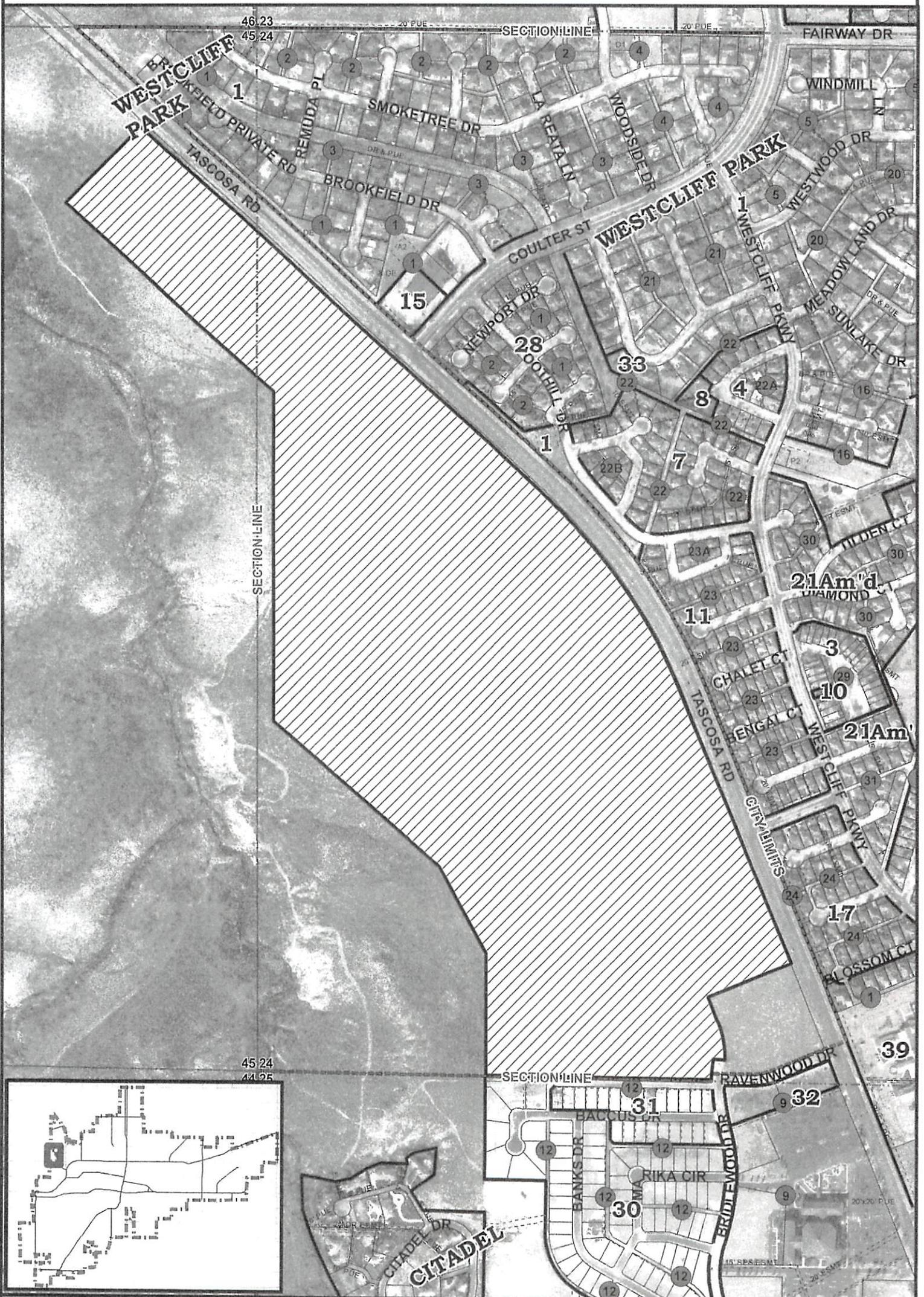
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Julie Smith, County Clerk  
Potter County, Texas

***DO NOT DESTROY - This document is part of the Official Public Record.***

lhinojosa

# VACATION OF DRAINAGE EASEMENT



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

Scale: 1" = 400'  
Date: 9-10-15  
Case No: V-15-04



V-15-04 Vacation of a 154.59 acre Drainage Easement in Sections 24 and 25, Block 9, BS&F Survey, Potter County, Texas.

Applicant: James Morgan

Vicinity: Tascosa Rd & Ravenwood Dr

AP: I-10 & J-10



## CITY OF AMARILLO

### MEMORANDUM

To: The Honorable Mayor and Members of the City Council  
Terry L. Childers, Interim City Manager

From: Mick McKamie, City Attorney

Date: February 17, 2016

Re: **Proposed Amendment to §14-2-52(b) of the Code of Ordinances regarding Use of Hotel Occupancy Tax Revenue)**

The current City Code provides in §14-2-52 a direction for allocation of the 7% Hotel Occupancy Tax revenues general as follows: 3% for construction, alteration and maintenance of a civic/convention center; 3% for tourism advertising and promotion; 0.5% for promotion and event development at civic/convention center facilities; 0.5% for direct promotion of events.

The Downtown Initiative – Catalyst Project involves the issuance of bonds secured by HOT revenues. At the City Bond Counsel’s request an amendment to the referenced section of the Code of Ordinances is necessary to allow for a pledge of such HOT revenues at a level sufficient to support the bond issue.

The proposed ordinance amends §14-2-52 (b) of the Code to remove restrictions and allow HOT revenues to be used as provided in state law, thereby allowing for sufficient revenues to support the bond issue. The City Manager has met with the Chamber and the Convention and Visitor’s Council staff to communicate that the change of the ordinance is necessary to allow for

the hotel occupancy tax pledge for the bond issue, however the City's intent is to continue to fund the Convention and Visitor's Counsel at the same level as it has with the existing ordinance, 3% for tourism advertising and promotion and 0.5% for direct promotion of events.

Please contact me directly with questions.

ORDINANCE NO. 7586

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 14-2, ARTICLE III, SECTION 14-2-52(b)(4) TO REMOVE ALLOCATION RESTRICTIONS AND ALLOW DISTRIBUTION OF THE HOTEL OCCUPANCY TAX IN ACCORDANCE WITH STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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**WHEREAS**, the City Council now desires to reallocate a fractional distribution of the use for the hotel occupancy tax to provide more flexibility in the use of the funds for the benefit of the community;

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

**SECTION 1.** The Amarillo Municipal Code, Chapter 14-2, Article III, Section 14-2-52(b) be and hereby is amended to read as follows:

\* \* \*

- (b) Revenues derived from the Occupancy tax levied in subsection (a) above shall be used only to promote tourism and the convention and hotel industry, as provided in Chapter 351, Texas Tax Code, as now or hereafter amended.

\* \* \* \*

**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, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

**SECTION 4.** Continuation. That nothing in this ordinance (or any code adopted herein) shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance

hereby repealed by this ordinance and such prior law is continued in effect for purposes of such pending matter.

**SECTION 5.** Effective Date. This ordinance shall be effective immediately upon its passage and approval.

**INTRODUCED AND PASSED** by the City Council of the City of Amarillo, Texas, on First Reading this the \_\_\_\_\_ day of February, 2016; and **PASSED** on Second and Final Reading the \_\_\_\_\_ day of March, 2016.

\_\_\_\_\_  
**Paul Harpole, Mayor**

**ATTEST:**

\_\_\_\_\_  
Frances Hibbs, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
William M. McKamie, City Attorney

DRAFT

# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	March 1, 2016	<b>Council Priority</b>	N/A
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<b>Department</b>	52110 Director of Utilities
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## Agenda Caption

This item is the second and final reading for an ordinance which would amend Amarillo Municipal Code, Chapter 18-2 to add a new Article VI, Sections 18-2-100 to 18-2-130, including procedures and definitions, adopt regulations and placing a Cross-Connection Program into the City of Amarillo Municipal Code. The purpose of said Article is to comply with Title 30 and to protect the water supply of the City from contamination due to any cross connections. The Public Hearing was conducted during the City Council Regular Session on February 16, 2016; the first reading was conducted February 23, 2016.

## Agenda Item Summary

This is the Second and Final Reading- Proposed Cross-Connection Control Ordinance.

## Requested Action

Conduct the second and final reading of the proposed ordinance for approval.

## Funding Summary

No funding required. No state or federal funds are involved.

## Community Engagement Summary

This ordinance will have a modest impact on the community. The purpose of the ordinance is to supplement existing plumbing code and provide the required authority to protect the City water supply where plumbing code may not apply. The Texas Commission on Environmental Quality rules requires municipalities to have the appropriate authority in place. City staff has met with developers, the local builders association and plumbing firms to solicit comments and concerns.

## Staff Recommendation

City Staff is recommending approval of the ordinance.

ORDINANCE NO. 7585

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE CHAPTER 18-2, BY ADDING NEW ARTICLE VI, CROSS CONNECTION PROGRAM, SECTIONS 18-2-100 TO 18-2-130; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, there is a desire to further protect and promote the public health, safety, welfare, by placing a Cross-Connection Program into the City of Amarillo Municipal Code of Ordinances as an enforceable ordinance of the City;

WHEREAS, prior to adoption of this Cross-Connection Program (the "Program"), a public meeting was held to receive comments and providing opportunity for public input in the preparation and development of this Program.

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

SECTION 1. The Amarillo Municipal Code, Chapter 18-2, be and hereby is amended to add an entirely new Article VI, Sections 18-2-100 to 18-2-130, to read as follows:

**ARTICLE VI.**  
**CROSS-CONNECTION PROGRAM**

**Section 18-2-100. Declaration of Policy, Purpose and Intent.**

Pursuant to Title 30, Texas Administrative Code, Sections 290.44, 290.46 and the 2015 International Plumbing Code (IPC), as amended, it is the responsibility of the City of Amarillo to protect its drinking water supply by instituting and enforcing a Cross-Connection Program. The purpose of this Article, therefore, is to comply with the above-cited regulatory requirements, and to protect the water supply of the City from contamination or pollution due to any cross-connections.

**Section 18-2-101. Authorization of Responsible Official.**

The Director of Utilities is hereby authorized and directed to implement the applicable provisions of this Program upon determination that such implementation is necessary to protect public health, safety and welfare of the community. The Director shall have the authority to initiate or terminate the Program as stated in this Article. The Director shall review and propose updates, if necessary or as required by the State of Texas.

**Section 18-2-102. Definitions.**

For the purpose of this Article, the following definitions shall apply unless the context clearly indicates or requires a different meaning. If a word or term used in this Article is not contained in the following list, its definition, or other technical terms used, shall have the meanings or definitions listed in the most recent edition of the *Manual of Cross-Connection Control* published by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California.

*Administrator:* The Director of Utilities or his/her designee.

*Air Gap:* The vertical physical separation between the free flowing discharge end of the potable water supply line and the overflow rim of the receiving vessel. The separation must be at least twice the inside diameter of the supply line, but never less than one inch. When located near walls, the air gap separation must be increased.

*Amarillo:* City of Amarillo or City.

*Approved Backflow Prevention Assembly:* An assembly to counteract backpressures or prevent backsiphonage. This assembly must appear on the list of approved assemblies issued by University of Southern California (USC) Foundation for Cross-Connection Control and Hydraulic Research.

*Atmospheric Vacuum Breaker:* A device, which contains a flat check (poppet), a check seat and an air inlet vent. When water pressure is reduced to a gauge pressure of zero or below, air enters the device, preventing backsiphonage. It is designed to protect against backsiphonage only.

*Auxiliary Supply:* Any water source or system other than the public water system that may be available in the building or on the property.

(1) Approved: An auxiliary water supply, which has been investigated and approved by the health authority, meets water quality regulations and is accepted by the water purveyors.

(2) Unapproved: An auxiliary water supply, which is not approved by the health authority.

Backflow: The flow in the direction opposite to the normal flow or the introduction of any foreign liquids, gases, or substances into the water system of the City's water.

Backflow Prevention Assembly Tester: A person who has met all of the requirements of TCEQ to be recognized as a certified tester in the State of Texas and is registered with the City. A certified tester who is employed by a state approved fireline contractor shall test fireline assemblies.

Boresight or Boresight to Daylight: Providing adequate drainage for backflow prevention assemblies installed in vaults through the use of an unobstructed drain pipe.

City: City of Amarillo.

City Manager: The City Manager of the City or his/her designee.

Combination Protection: An assembly installed for point-of-use isolation in addition to a premise isolation assembly.

Contamination: The entry into or presence in a public water supply system of any substance which may be deleterious to health and/or quality of the water.

Cross-Connection: Any physical arrangement where a potable water supply is connected, directly or indirectly (actual or potential), with any other non-potable water system, used water system or auxiliary water supply, sewer, drain conduit, swimming pool, storage reservoir, plumbing fixture, swamp coolers, air conditioner units, fire protection system, or any other assembly which contains, or may contain, contaminated water, sewage, or other liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change over assemblies, or other temporary or permanent assemblies through which, or because of which, backflow may occur are considered to be cross-connections.

Customer Service Inspector or CSI: An individual who has fulfilled the requirements set out in TCEQ Rules and Regulations for Public Water Systems, Title 30, Texas Administrative Code, Section 290.46(j)(1).

Degree of Hazard: The low or high hazard classification that shall be attached to all actual or potential cross-connections.

Director: The Director of Utilities or his/her designee.

Double Check Detector Assembly or DCDA: An approved assembly consisting of two (2) approved double check valve assemblies, set in parallel, equipped with a meter on the bypass line to detect small amounts of water leakage or use. This unit must be purchased as a complete assembly. The assembly may be allowed on fire line water services in place of an approved double check valve assembly upon approval by the local water authority.

Double Check Valve Backflow Prevention Assembly: An assembly which consists of two (2) independently operating check valves which are spring-loaded or weighted. The assembly comes complete with a gate valve on each side of the checks, as well as test cocks to test the checks for tightness. Also known as Double check assembly or double check or DC assembly or DC.

Health Hazard: An actual or potential threat of contamination of a physical or toxic nature to the public potable water system or the consumer's potable water system that would be a danger to health.

High Hazard: The classification assigned to an actual or potential cross-connection that potentially could allow a substance that may cause illness or death to backflow into the potable water supply.

Inspector: A person that is a cross-connection inspector recognized by the City.

Low Hazard: The classification assigned to an actual or potential cross-connection that potentially could allow a substance that may be objectionable but not hazardous to one's health to backflow into the potable water supply.

Mobile Unit: Any operation, which may have the potential to introduce contaminants into potable water systems from a mobile source. These include, but are not limited to: carpet-cleaning vehicles, water-hauling vehicles, street-cleaning vehicles, liquid-waste vehicles, power-wash operations, and pest-control vehicles.

Person: A natural person (an individual), corporation, company, association, partnership, firm, limited liability company, joint venture stock company or association, and other such entity.

Plumbing Hazard: An internal or plumbing-type cross-connection in a consumer's potable water system than may be either a pollutional or a contamination-type hazard.

Point-of-Use Isolation: The appropriate backflow prevention within the consumer's water system at the point at which the actual or potential cross-connection exists.

Pollution Hazard: An actual or potential threat to the physical properties of the water system or the potability of the public or the consumer's potable water system but which would not constitute a health or system hazard, as defined. The maximum degree of intensity of pollution to which the potable water system could be degraded under this definition would cause a nuisance, or be aesthetically objectionable, or could cause minor damage to the system or its appurtenances.

Potable Water Supply: Any water that has been tested as required by the state regulations for drinking water supplies and is considered safe for human consumption.

Premises: Any piece of property to which water is provided, including all improvements, mobile structures, and structures located on it.

Premises Isolation or Containment: The appropriate backflow prevention at the service connection between the public water system and the water user.

Pressure Vacuum Breaker Assembly: An approved assembly consisting of a spring-loaded check valve loaded to the closed position, an independently operating air inlet valve loaded to the open position and installed as a unit with and between two (2) resilient seated shutoff valves and with suitable connections for testing. It is designed to protect against backsiphonage only.

Public Water System or System: Any public or privately owned water system which supplies water for public domestic use. The system must meet all the health requirements set forth by the TCEQ. The system will include all services, reservoirs, facilities, and any equipment used in the process of producing, treating, storing or conveying water for public consumption.

Reduced Pressure Principle Backflow Prevention Assembly or RP Assembly: An assembly containing two (2) independently acting approved check valves together with a hydraulically-operated, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The assembly shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. Also known as reduced pressure principle assembly or RP Assembly.

Reduced Pressure Detector Assembly or RPDC: An approved assembly consisting of two (2) approved reduced pressure backflow assemblies, set in parallel, equipped with a meter on the bypass line to detect small amounts of water leakage or use. This unit must be purchased as a complete assembly. The assembly may be allowed on fire line water services in place of an approved reduced pressure backflow assembly, upon approval by the local water purveyor.

Residential Use: Shall include single family dwellings, duplexes, multiplex housing and apartments where the individual units are each on a separate meter.

(1) Non-residential use shall include, but is not limited to, all uses not specifically included in residential uses defined above.

Service Connection: Is the point-of-delivery at which the public water system ends and is connected to the private supply line or lateral.

SOP: A standard operating procedure manual on cross-connections written specifically for the City.

Spill Resistant Vacuum Breaker: An assembly containing an independently-operating, internally-loaded check valve, and an independently-operating, loaded air-inter valve, located on the discharge side of the check valve. The assembly is to be equipped with a properly located, resilient, seated test cock; a properly located bleed/vent valve, and a tightly-closing, resilient, seated shut-off valves attached at each end of the assembly. This assembly is designed to protect against a non-health hazard (i.e., pollutant) or a health hazard (i.e., contaminant) under a backsiphonage condition only.

System Hazard: An actual or potential threat of severe danger to the physical properties of the public or consumer's potable water supply, or of a pollution or contamination that would have a detrimental effect on the quality of the potable water in the system.

Thermal Expansion: Heated water that does not have the space to expand.

TCEQ: Texas Commission on Environmental Quality.

Used Water: Water supplied by a public water system to a water user's system after it has passed through the service connection.

### **Section 18-2-103. Backflow Prevention Assembly Requirements.**

A cross-connection inspector, employed by or under contract with the City, shall determine the type and location of a backflow assembly to be installed within the City's water service area. The assembly shall be required in each of the following circumstances, but the inspector is in no way limited to the following circumstances:

(a) When the nature and extent of any activity at a premise, or the materials used in connection with any activity at a premise, or materials stored at a premise, could contaminate or pollute the potable water supply.

- (b) When a premise has one or more cross-connections as that term is defined in section 18-2-102.
- (c) When internal cross-connections are present and those that are not correctable.
- (d) When intricate plumbing arrangements are present that make it impractical to ascertain whether cross-connections exist.
- (e) When a premise has a repeated history of cross-connections being established or re-established.
- (f) When entry to a premise is restricted so that inspections for cross-connections, or testing of required assemblies, cannot be made, a reduced pressure principle backflow prevention assembly will be required to be installed and maintained, in accordance with this Article, at the service connection.
- (g) When materials are being used such that, if backflow should occur, a health hazard could result.
- (h) When installation of an approved backflow prevention assembly is deemed by an inspector to be necessary to accomplish the purpose of these regulations.
- (i) When an appropriate cross-connection survey report form has not been filed with the Director.
- (j) In all new non-residential construction, there shall be installed an approved backflow assembly at the service connection. The type of the assembly will be commensurate with the degree of hazard as determined by an inspector.
- (k) When a building is constructed on a commercial premise, and the end use of such building is not determined, or could change, a reduced pressure principle backflow prevention assembly shall be installed at the service connection to provide protection of the public water supply in the event of the most hazardous use of the building.
- (l) Any used water-return system that has received approval from the Director.
- (m) If a point-of-use assembly has not been tested or repaired as required by this Article, the installation of a reduced pressure principle assembly will be required at the service connection.
- (n) If an inspector determines that additions or rearrangements have been made to the plumbing system, without the proper permits as required by the plumbing code, premise isolation shall be required.
- (o) All commercial multi-story buildings, or any buildings with a booster pump or elevated storage tank.

**Section 18-2-104. Irrigation Systems.**

- (a) All irrigation systems, which currently have no backflow protection or systems installed after the effective date of this Article, shall be required to meet all specifications pertaining to irrigation systems as stipulated by Title 30, Texas Administrative Code , Sections 290.44 and 290.46 or the 2015 IPC, or as amended by City ordinance. In the event that there is a conflict between these codes and regulations, the more restrictive shall apply.
- (b) All irrigation systems which do not currently meet the specifications, as stipulated in subsection (a), will be required to meet these specifications upon notification from the City or if the device fails a certification test.
- (c) In the event an assembly is removed each year to protect against freezing, it must be tested immediately upon re-installation.

**Section 18-2-105. Mobile Units.**

- (a) A person who owns or operates any mobile unit that uses water from the City's public water system shall make application, pay appropriate fees, and obtain a permit from the City's Utility Billing office before accessing the public water system. The Director may require a fixed air gap, or a backflow assembly commensurate with the degree of hazard, mounted either on the vehicle or piping.
- (b) The failure of the owner or operator of the vehicle to comply with this Article shall be grounds for the City to revoke any permit or license, required under the City Code to operate the vehicle, or the business for which such vehicle is used.
- (c) The Director may deny a permit to any person who is not in compliance with this Article, or who has a history of violating the requirements of this section.
- (d) All assemblies used to protect the water supply, when using a mobile unit, must abide by the maintenance and testing sections of this Article.
- (e) If there is a conflict between this section of the Article and Amarillo's Code of Ordinances, the more restrictive provision will apply.

**Section 18-2-106. Multiple Service Connections.**

If premises with multiple service connections require premises isolation, a backflow assembly shall be installed at each service connection. The assemblies shall be commensurate with the degree of the highest potential hazard.

**Section 18-2-107. Plumbing Code.**

As a condition of water service, customers shall install, maintain, and operate their piping and plumbing systems in accordance with the IPC. If there is a conflict between this Article and the IPC, the more restrictive provision shall apply, or a reduced pressure principle backflow prevention assembly will be required to be installed at the service connection.

**Section 18-2-108. Thermal Expansion.**

If a closed system has been created by the installation of a backflow assembly at the service connection, it is the responsibility of the property owner to eliminate the possibility of thermal expansion. Installations of the thermal expansion relief devices are to be installed by a state licensed plumber which requires a permit and inspection by the City.

**Section 18-2-109. Pressure Loss.**

Any water pressure drop caused by the installation of a backflow assembly shall not be the responsibility of the City.

**Section 18-2-110. Residential service connections.**

Any residential property which has been determined to have an actual or potential cross-connection, or has violated the plumbing code in any way, shall be equipped with an approved backflow prevention assembly, installed in accordance with this Article.

**Section 18-2-111. Fire Systems.**

- (a) An approved double check detector backflow prevention assembly (DCDA) shall be the minimum protection on all new fire sprinkler systems using piping material that is not approved for potable water use, and/or that does not provide for periodic flow-through during each 24-hour period. A reduced pressure principle detector backflow prevention assembly (RPDA) must be installed, if any solution other than the potable water can be introduced into the sprinkler system. If the cross-connection inspector determines a chemical loop system can be isolated by installing an RP Assembly at the point of the chemical injection, this, in conjunction with the installation of the DCDA, will be adequate protection. Retrofitting on fire sprinkler systems will be required in each of the following circumstances:
- (1) Where improper maintenance has occurred;
  - (2) On all high hazard systems; and
  - (3) Wherever an inspector deems necessary.
- (b) All fireline assemblies will be tested by fireline testers only, however a Customer Service Inspection is required.

**Section 18-2-112. Retrofitting.**

Approved backflow prevention assemblies, which shall be commensurate with the degree of hazard, shall be immediately installed on all actual or potential cross-connections, regardless of the date the potential hazard was created.

**Section 18-2-113. Wholesale Customers.**

Every wholesale customer that has a contract for water services with the City shall have an active, ongoing cross-connection program, approved by the Director. The City reserves the right to require a reduced pressure principle backflow prevention assembly, or an air gap, at the interconnect.

**Section 18-2-114. Responsibilities of Owners and Renters.**

It is the responsibility of all property owners and their agents and lessees to abide by the conditions of this Article.

**Section 18-2-115. Access to Premises.**

- (a) Every person provided water service by the City, directly or indirectly, shall permit the Director enter their premises and buildings for the purpose of inspecting pipes and fixtures and the manner in which the water is used to determine compliance with this Article.

- (b) If any water user refuses access to their premises for inspection by an inspector and/or the Director, the water user shall install a reduced pressure principle assembly at the service connection to the premises so as to ensure premises isolation or containment protection.
- (c) Any temporary, or permanent, obstruction to safe and easy access to the premises for the purposes of this Article shall be promptly removed by the water user at the written, or verbal, request of the Director, and shall not be replaced. The costs of clearing such access shall be borne by the user.
- (d) Any and all costs associated with premise isolation or containment protection shall be the sole responsibility of the property owner, lessee, and/or agent.

**Section 18-2-116. Right-of-Way Encroachment.**

- (a) No person shall install or maintain a backflow prevention assembly upon or within any City right-of-way except as provided by this section.
- (b) A backflow prevention assembly required by this Article may be installed upon or within any City right-of-way only if the owner proves to the City that there is no other feasible location for installing the assembly, and installing it in the right-of-way will not interfere with traffic or utilities and the owner executes a license and hold harmless agreement with the City. The City retains the right to approve the location, height, depth, enclosure, and other requisites of the assembly prior to its installation.
- (c) A property owner shall, at the request of the City and at the owner's sole expense, relocate a backflow prevention assembly which encroaches upon any City right-of-way when such relocation is necessary for alley, street or utility construction or repairs or for purposes of public safety.
- (d) All of Amarillo's ordinances relevant to easement issues will be recognized by and incorporated into this Article.

**Section 18-2-117. Jurisdiction.**

- (a) The Director may grant a variance for water uses that are otherwise prohibited under this Article if it is determined that either:
  - 1. Failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the person requesting; or
  - 2. Alternative methods can be promptly and fully implemented by the requestor which the Director finds will achieve the same level of reduction in water use for the Stage in effect.
- (b) Persons requesting a variance from the provisions of this Article shall file a written petition for variance with the Director. A petition for variances shall include the following information:
  - 1. Name and address of the petitioner(s).
  - 2. Purpose of the intended water use if variance is granted.
  - 3. Specific provision(s) of the Article from which the petitioner is requesting relief:
  - 4. Detailed statement as to how the specific provision of the Article adversely affects the petitioner; and, how damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
  - 5. Description of the relief requested.
  - 6. Period of time for which the variance is sought.
  - 7. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of the Article and the compliance date.
  - 8. Other pertinent information required in writing by the Director.
- (c) The Director shall review and make a decision to grant, deny, or modify a petition for variance no later than seven (7) business days after a petition is determined to be complete per subsection (b) criteria. A decision by the Director to deny a variance may be appealed to the City Manager whose decision shall be final. An appeal to the City Manager requires filing with the City Secretary a letter explaining specifically why or how the Director's denial is an abuse of discretion under the circumstances then existing in the community. Such letter must be filed no later than three (3) business days after the denial is issued. The City Manager or designee shall review the original petition and all relevant documents pertaining to the petition and the Director's denial, and thereupon issue a final decision within seven (7) business days after receiving the appeal letter.
- (d) Each variance granted shall include a timetable for compliance and shall expire six (6) months after it is granted.

- (e) Application for variance, pendency of same, or an appeal of same shall not be grounds for noncompliance with this Article.
- (f) A granted variance shall not be retroactive or otherwise justify a violation of this Article that occurred prior to the granting of the variance, unless such violation is found to have been essential to protect human health or a human life safety condition.

**Section 18-2-118. Violations; Enforcement; Penalty.**

- (a) It is an offense for a person(s) to use or allow the use of water from the City of Amarillo public water system in a manner or at a time that is contrary to a provision of this Article. This ordinance applies to and shall be enforceable against a property owner, manager, tenant, lessee and any other person in control of use of water at an address.
- (b) This Article may be enforced by citation issued by any peace officer or a Building Safety inspector of the City of Amarillo. This ordinance may also be enforced by the Director, Assistant Directors, or a supervisor in the City of Amarillo Utilities Division by submitting to the municipal court prosecutor for review, a sworn complaint against the title owner of property where a violation occurs. This section authorizes each official described in this section to enforce this Article as stated in this section. The City Attorney or designee is authorized to enforce this Article by civil injunction or other civil action.
- (c) Each violation of a required act or a prohibition prescribed in this Article by a water user is a separate offense.
- (d) A violation of this Article is punishable upon conviction in accordance with Amarillo Municipal Code, Sec. 1-1-5.

**Sections 18-2-119 to 18-2-130. Reserved.**

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 or resolutions ordinances, resolutions, and parts of resolutions that adopt resolutions that adopt a cross-connection program are hereby repealed. Further, any and all other ordinances or resolutions of any nature, or parts of either, that conflict with the terms of this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 4. Penalty. A violation of this ordinance is an offense punishable in accordance with the terms stated in SECTION 1 of this ordinance, to be codified at Section 18-2-118 of the Amarillo Municipal Code of Ordinances.

SECTION 5. Publishing and Effective Date. This ordinance shall be published according to law and be effective on the date below. Further, any and all other ordinances or resolutions of any nature, or parts of either, that conflict with the terms of this ordinance are hereby repealed to the extent of conflict with this ordinance.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the \_\_\_ day of February, 2016; and PASSED on Second and Final Reading the \_\_\_ day of March, 2016.

\_\_\_\_\_  
Paul Harpole, Mayor

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

# Amarillo City Council

## Agenda Transmittal Memo



Meeting Date	March 1, 2016	Council Priority	Community Appearance - Tires
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Department	Solid Waste Department
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### Agenda Caption

#### **Resolution – 2016 Regional Solid Waste Grant Program Application:**

This resolution approves the application for the FY2016 Regional Solid Waste Grant Program Application to the Panhandle Regional Planning Commission (PRPC). The Solid Waste Department will use the requested \$5,500.00 to fund the use of shipping trailers to collect and recycle scrap tires during a month - long neighborhood scrap tire cleanup program.

### Agenda Item Summary

The City Solid Waste Department is applying for grant funds (\$5,500.00) to implement a month-long community scrap tire cleanup program to be known as the **City of Amarillo Scrap Tire Recycling Project**. In cooperation with the **791City**, an Amarillo non-profit organization, the City will work with State Rubber and Environmental Solutions to transport and recycle 4 shipping container loads of scrap tires to Denver City, Texas. Each load will carry 450 to 600 tires @ \$1375.00 per load, therefore, removing 1800 to 2400 tires that are illegally placed in the alleys, right-of ways and private property. Plans are to limit the individuals to 6 tires per cleanup collection event. Commercial haulers and businesses (large volume generators) will not be allowed to dispose of more than 6 tires.

### Requested Action

Approval of a resolution to authorize the submission of a grant application to the Panhandle Regional Planning Commission (PRPC) to fund the transport and recycling of scrap tires.

### Funding Summary

If approved and funded, the costs of the transport and recycling the scrap tires will be initially funded through the Solid Waste Collection Department - Recyclables Fund: 1431: 51750 Beginning Fund \$36,000.00. The receivables will be applied to the Solid Waste Grant Revenue Receivable Account: 1431 : 35610 No initial funds budgeted

### Community Engagement Summary

The improvement of the appearance of the City of Amarillo is one of the initiatives under the "BluePrint for Amarillo". The cleanup of illegally disposed scrap tires is one of the top ten priority initiatives being addressed by the Community Appearance Committee. The 5 public meetings presently being conducted throughout the City has received several comments on tires during the meetings and on the community survey forms. Last year, the **791City**, non-profit organization approached the City about a joint effort scrap tire cleanup in the community, targeting disadvantaged areas of Amarillo.

### Staff Recommendation

City staff recommends approval to apply for the PRPC grant funding.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AUTHORIZING THE SUBMISSION OF A FY 2016 REGIONAL SOLID WASTE GRANTS PROGRAM APPLICATION TO THE PANHANDLE REGIONAL PLANNING COMMISSION (PRPC) AND AUTHORIZING THE CITY MANAGER TO REPRESENT THE CITY IN ALL MATTERS PERTAINING TO THIS APPLICATION; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

WHEREAS, the citizens of the State of Texas, either directly or indirectly, pay into a state-managed solid waste tipping fee fund which provides the Texas Commission on Environmental Quality (TCEQ) the funding to administer a variety of programs designed to afford the state a higher degree of environmental protection; and

WHEREAS, a portion of these TCEQ-administered tipping fee funds have been made available to the state's local governments through the regional councils of governments of Texas to provide grants for regional/local solid waste management projects; and

WHEREAS, the primary intent of these grant funds is that they be used to implement/enhance programs at the regional/local level which promote the management goals of the regional and state solid waste plans; and

WHEREAS, the City is eligible to receive these funds and desires to undertake a program which advances the solid waste management goals and objectives of the state solid waste management plan and the Panhandle Regional Solid Waste Management Plan.

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

SECTION 1.

- (A) That the City Council has reviewed the project details and has duly authorized the submission of a related grant application to the PRPC.
- (B) That City is applying for funds to equip and implement a program to be known as the City of Amarillo Scrap Tire Recycling Project.
- (C) That the City Council designates the City Manager to act as it's duly authorized representative in all matters pertaining to this application.
- (D) That any grant funds received will be used for their intended purpose.
- (E) That as a condition of funding, the City agrees to provide the necessary certifications and assurances required by the TCEQ.

SECTION 2. That should any part of this resolution conflict with any other resolution, then such of the resolution is repealed to the extent of the conflict with this resolution.

SECTION 3. That should any word, phrase, or part of this resolution be found to be invalid or unconstitutional, such finding shall not affect any other word, phrase, or part hereof and such shall be and continue in effect.

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas this \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Paul Harpole, Mayor

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

**PANHANDLE REGIONAL  
PLANNING COMMISSION'S**

**FY 2016/2017  
REGIONAL SOLID WASTE  
GRANTS PROGRAM APPLICATION**

**PANHANDLE REGIONAL PLANNING COMMISSION'S  
FY 2016/2017 REGIONAL SOLID WASTE GRANTS PROGRAM**

**APPLICATION**

**FORM 1: APPLICATION INFORMATION AND SIGNATURE PAGE**

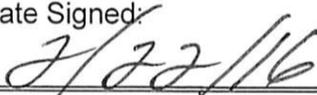
<b>Applicant:</b> City of Amarillo, Solid Waste Department	<b>Funding Amount Proposed:</b> \$ 5,500.00
<b>Address</b> PO Box 1971 Amarillo, Texas 79105	<b>Phone/Fax/Email:</b> <b>Phone:</b> 806-378-6810 <b>email:</b> steve.fisk@amarillo.gov
<b>Contact Person</b> Steve Fisk	<b>Date Submitted</b> February 19, 2016

**PROJECT CATEGORY**

<input type="checkbox"/> Source Reduction and Recycling Project	Check the box which best describes this project.
<input type="checkbox"/> Composting and Wood/Yard Waste Reduction Project	
<input checked="" type="checkbox"/> HHW Household Hazardous Waste Project	<input checked="" type="checkbox"/> New Project
<input type="checkbox"/> Local Enforcement Project	<input type="checkbox"/> Enhancement/expansion of an existing project
<input type="checkbox"/> Litter and Illegal Dumping Clean-up Project	<input type="checkbox"/> Continuation of an existing project
<input type="checkbox"/> Rural Waste Management Project	
<input type="checkbox"/> Technical Studies and Local Solid Waste Management Plans	

**SIGNATURE**

By the following signature, the Applicant certifies that it has reviewed the certifications, assurances, and deliverables included in this application, that all certifications are true and correct, that assurances have been reviewed and understood, and that all required deliverables are included with this application submittal.

<b>Signature:</b> 	<b>Title:</b> Assistant Solid Waste Superintendent
<b>Printed Name:</b> Steve Fisk	<b>Date Signed:</b> 

**FOR USE BY THE PRPC**

Date application was received:	
Does the application meet all of the required screening criteria:	_____ Yes _____ No
Is the application administratively complete:	_____ Yes _____ No

## FORM 2: AUTHORIZED REPRESENTATIVES

The Applicant hereby designates the individual(s) named below as the person or persons authorized to receive direction from the PRPC, to manage the work being performed, and to act on behalf of The Applicant for the purposes show:

1. **Authorized Project Representative.** The following person is authorized to receive direction, manage work performed, sign required reports, and otherwise act on behalf of the Applicant.

Signature	
Typed/Printed Name:	Terry Childers
Title:	Interim City Manager
Date:	

2. **Authorized Financial Representative.** In addition to the authorized project representative, the following person is authorized to act on behalf of the Applicant in all financial and fiscal matters, including signing financial reports and requests for reimbursement.

Signature	
Typed/Printed Name:	Terry Childers
Title:	Interim City Manager
Date:	

## FORM 3: CERTIFICATIONS AND ASSURANCES

### Certifications

In order to receive grant funds under this program, the proposed project must conform to the provisions set forth in the PRPC's Request for Applications (RFA). The following certifications are intended to help the PRPC to ensure that these provisions are met. By signing this application, the person acting on behalf of the Applicant makes the certifications listed below.

1. **Authority to Sign Application.** The person signing this application hereby certifies that he/she is the official contact regarding this application and has authority from the Applicant to sign the application and that such authority will bind the Applicant in subsequent agreements.
2. **Application Contains No False Statements.** Applicant certifies that this application has no known false statements and that the Applicant understands that signing this application with a known false statement is a material breach of contract and shall void the submitted application and any resulting contracts. The Applicant understands that the PRPC may not accept any amendment, revision, addition or alteration to this application after the final date and time for submission.
3. **Governmental Status.** Applicant certifies that it is located in the State of Texas and fits within one of the governmental classifications listed below, as determined under state law:
  - a. City
  - b. County
  - c. Public school or school district (not including Universities or post secondary educational institutions)
  - d. Other general and special law district with the authority and responsibility for water quality protection or municipal solid waste management, including river authorities
  - e. Council of Governments
4. **Conformance to Standards.** The Applicant certifies to the best of their knowledge and ability that the proposed project, including all activities in the proposed Scope of Work, conforms to the eligible category standards and allowable expense and funding standards as set forth in the Request for Applications.
5. **Solid Waste Fee Payments.** Applicant certifies that it is not delinquent in payment of solid waste disposal fees owed the State of Texas.
6. **Consideration of Private Industry.** The following certification only applies if the project is under one of the following grant categories:
  - a. Source Reduction and Recycling Project
  - b. Composting and Wood/Yard Waste Reduction Project
  - c. Rural Waste Management Project
  - d. A demonstration project under the Educational and Training Projects category

Applicant certifies that it has notified private service providers in accordance with the requirements set forth in the Request for Applications and the instructions provided with this application form. Applicant further certifies to the best of their knowledge and ability (after completing Form 5) that the proposed project will promote cooperation between public and private entities, is not otherwise readily available, and will not create a competitive advantage over a private industry that provides recycling or solid waste services.

7. **Consistency with Regional Solid Waste Management Plan.** Applicant certifies to the best of their knowledge and ability that the proposed project is consistent with applicable goals, objectives, and recommendations of the PRPC's regional solid waste management plan.
8. **Technical Feasibility.** Applicant certifies that it has carefully reviewed its Scope of Work and that to the best of their knowledge and ability all activities are technically feasible and can be satisfactorily completed within the grant period as set forth in the Request for Applications.
9. **Costs Reasonable and Necessary.** Applicant certifies to the best of their knowledge and ability that the proposed project activities in the Scope of Work and the expenses outlined in the Budget are reasonable and necessary to accomplish the project objectives, and that the proposed expenses are consistent with the costs of comparable goods and services.
10. **Certification by Law Enforcement Programs.** If the Applicant is a law enforcement entity regulated by Chapter 415 of the Government Code, the Applicant certifies that it is in compliance with all rules developed by the Texas Commission On Law Enforcement (TCOLE), pursuant to Chapter 415, Government Code; or that it is in the process of achieving compliance with such rules. If compliance is pending, a certification from TCOLE must be attached to indicate that the Applicant is in the process of achieving compliance with the rules.

### **Assurances**

If the application is approved for funding, the grant funds will be awarded through a contract between the Applicant and the PRPC. The grant contract will contain a number of standards, requirements, and processes that must be complied with as a condition of receiving the grant funds. In order to ensure an understanding by the Applicant of some of the main conditions that will be included in the contract; the Applicant is asked to review the following assurances. By signing this application, the person acting on behalf of the Applicant indicates their understanding of these conditions and provides assurances that these and other conditions set forth in the grant contract will be adhered to if funding is awarded.

1. **Compliance with Standard Pertaining to Real Property and Equipment.** Applicant provides assurances that, if funded, the Applicant will comply with the contract provisions pertaining to title to and management of real property and equipment. The contract will contain obligations and conditions regarding the use of the equipment and/or facilities (the "property") acquired under the agreement. Included in the provisions are obligations to provide adequate maintenance and conduct physical property inventories; restrictions and conditions on the use, replacement, sale, or transfer of the property; and obligations to continue to adhere to the provisions that grant funds not be used to create a competitive advantage over private industry, in the use or transfer of the property.
2. **Participation in TCEQ Recycling Surveys and Reporting.** Applicant provides assurances that, if funded, the Applicant will respond to annual recycling program surveys and/or other requests from the PRPC or the TCEQ for information on municipal solid waste management activities.
3. **Compliance with Progress and Results Reporting Requirements.** Applicant provides assurances that, if funded, the Applicant will comply with requirements for: reporting on the progress of the project tasks and deliverables; documenting the results of the project and providing those results to the PRPC on a schedule established in the contract, and additionally, to continue to document the results of the project activities for the life of the project; and to provide the PRPC with a follow-up results report approximately one year after the end of the grant term.

1. **Financial Management.** Applicant provides assurances that, if funded, the Applicant will comply with contract provisions and requirements necessary to ensure that expenses are reasonable and necessary, and to adhere to financial administration and reimbursement procedures and provide financial reports on a schedule established in the contract.
2. **Compliance with Americans with Disabilities Act.** Applicant provides assurances that, if funded, the Applicant will comply with all the applicable requirements of the Americans with Disabilities Act of 199, 42 U.S.C. §§ 12101 - 12213 (Pamph. 1995).
3. **Compliance with the Single Audit Act.** Applicant provides assurances that, if funded, the Applicant will comply with the Single Audit act as defined by the Uniform Grant Management Standards (UGMAS), January 1998.
4. **Compliance with Program and Fiscal Monitoring.** Applicant provides assurances that, if funded, the Applicant will comply with program and fiscal monitoring provisions of the contract, including: providing additional reports or information as may be requested to adequately track the progress of the project; and allowing site visits to evaluate the progress of the project and to view an grant-funded equipment or facility.

**FORM 4: EXPLANATION REGARDING PRIVATE INDUSTRY NOTIFICATION**

Applicable to Applicants under the following grant categories:

- a. Source Reduction and Recycling Project
- b. Composting and Wood/Yard Waste Reduction Project
- c. Rural Waste Management Project
- d. A demonstration project under the Educational and Training Projects category

**Form 4a: List of Private Service Providers Notified**

Private Service Providers Contacted	Telephone Number	Date Notified
Not Applicable		

**Form 4b: Summaries of Discussion with Private Industry**

Provide summaries of any input and concerns raised by the private service providers; summaries of any meetings or discussions held between the Applicant and the private service providers; an explanation of any changes made to the proposed project to address private service provider concerns; and an explanation of any remaining concerns that were not addressed any why the Applicant determined that the concerns are not valid under the statutory requirements. Attach to the application any written comments or concerns provided by a private service provider concerning the project. Attach additional pages as needed.

Not Applicable

## FORM 5: PROJECT SUMMARY

### Form 5a: Project Description

Provide a detailed description of the proposed project. As appropriate, briefly describe::

- |   |  |
|---|--|
| (1) Why the proposed project is needed;   | (7) If this proposed project is part of an overall program, provide a description of the program;                          |
| (2) The goal of the proposed project;   | (8) Adequately describe the expected benefits of the proposed project;   |
| (3) The number of people who would be served or benefited;                          | (9) Describe the project in sufficient detail to demonstrate its overall feasibility or workability;                       |
| (4) The geographic area affected;   | (10) As applicable, identify the levels of customer incentives, public education, or input, as appropriate to the project. |
| (5) The specific element(s) of the waste stream being targeted with the project;    |  |
| (6) Explain how any proposed equipment is appropriate for the work to be performed; |  |

Check the Solid Waste Management Plan goal or goals this project addresses and then provide a project description below as explained in the box above.

- Develop programs to facilitate the development and maintenance of local source reduction, waste minimization, recycling, and composting programs with the region, thus, conserving disposal capacity and resources to the extent technically and economically feasible. (*NOTE: Recycling includes yard waste composting.*)
- Develop regional cost-effective, efficient and environmentally-suitable solid waste management systems.
- Develop programs to assist regional and local entities in controlling and stemming illegal and improper disposal practices.
- Maintain administrative structures that will ensure at least some measure of local control over future systems operations and provide an element of control over siting of future landfills in the Region.
- Regionally, ensure continued, adequate disposal capacity.

#### #1 Need for Proposed Project:

The scrap tire issue is a growing problem for many Cities and Counties in the Panhandle. The City of Amarillo is not immune to this growing problem. City staff continues to find scrap tires dumped into dumpsters, along alleyways, vacant lots and county roads. It requires City staff time to either separate the tires from the municipal garbage at the landfill, or make special trips to retrieve the tires from alleyways or lots. Before staff is able to retrieve the scrap tires, those tires are out in the weather where they collect rain water and cause a public health issue due to mosquitoes and other vermin that may be attracted to the sitting water. The tires are also a public visual nuisance and affect the civic moral of the residents of Amarillo. The City has received several complaints from residents about the issue.

**#2 Goal of Proposed Project:**

The goal of the proposed project is to provide the City of Amarillo with an effective and cost efficient means of collection and disposal of the steady stream of scrap tires in the City.

**#3 Persons Served by Proposed Project:**

The project will directly serve the citizens of Amarillo, Texas in Potter and Randall Counties. The project will be a joint venture with the group 791City in an effort to clean up the areas that are most plagued by the tires. The non-profit group will have clean-up events in which volunteers gather discarded tires from alleyways

**#4 Geographic Area Affected by Proposed Project:**

The City of Amarillo is located in the center of the Panhandle, split almost evenly population wise between Potter and Randall Counties. The City has 190,695 residents according to the 2010 US Census.

**#5 Specific Elements Targeted by Proposed Project:**

This project targets the Household Hazardous Waste material of scrap tires. Scrap tires are tires with no future lifespan from vehicles such as passenger cars, motorcycles, light-duty trucks, agricultural equipment and heavy trucks. Once a tire is determined to have no future use as a used tire, it is discarded. Scrap whole tires are not eligible for landfilling; however, residents must pay a fee and very large loads of tires are not eligible. Therefore many tires gets dropped into dumpsters or alleyways, along with on private property as illegal dumping.

**#6 Equipment Appropriateness for Proposed Project:**

Many Cities across the region have purchased a trailer from State Rubber and Environmental Solutions which serves to both collect the tires as well as haul them off to the recycling market in Denver City, Texas when the shipping container/trailer is full. The City of Amarillo requests funding for 4 shipping container loads for the recycling of the used tires in order to conduct the clean-up events. State Rubber will pick-up the shipping containers/trailers and haul it the tires back to their location to recycle the tires.

**#7 Description of Overall Program:**

The City of Amarillo began its recycling program in 1994 when the received a recycling trailer to collect recyclables. The City has six used motor oil containers across town for residents to dispose of their used motor oil responsibly. The City of Amarillo also has several wood chipping locations where residents can bring wood waste to be chipped but they can also pick-up mulch. This program has benefited the residents by offering a great service for wood waste and the mulch as well as keeping these items out of the landfill.

**#8 Expected Benefits from Proposed Project:**

The City of Amarillo expects to benefit from this project by establishing a cooperative partnership with residents to clean-up their City and establish a process to get scrap tires recycled. With the rental of the scrap tire trailers the City will provide a viable way to clean-up illegal dumping of tires and encourage residents to invest in their neighborhood as they volunteer to help with the clean-up efforts. Removing the tires eliminates standing water for mosquitos as well as make shift homes for snakes, skunks, rats, or other vermin. The grant will include the rental of the 4 each 48 ft. shipping container loads as well as the cost to recycle the tires. A 48ft. shipping container can hold 450 to 600 tires per load, depending on the size of the tires and density of the load. The 4 loads will result in 1800 to 2400 tires being removed from the alleys and private property.

**#9 Proposed Project Description:**

The City will work with 791City, Amarillo non-profit organization to schedule the clean-up events. The City will then order the shipping containers for those clean-up events. The City and 791City will gather up the discarded tires, place them into the shipping container, then call State Rubber and Environmental Solutions to pick-up the container for recycling of the tires.

**#10 Customer Incentives, Public Education, and Input for Proposed Project:**

The Amarillo City Manager and City Council has outlined a number of initiatives in the "BluePrint for Amarillo" - the strategic direction for the City government in terms of focus and allocation of resources to improve our community. One of these initiatives, identified by Amarillo City Council is Community Appearance. The Community Appearance work group has been hosting a series of public meetings in the various quadrants of the City to gather input on ways to improve and enhance Amarillo. One of the commonly mentioned topics in the public meetings is the accumulation of illegally dumped tires on the private properties, in dumpsters and in the alley right of ways.

The City of Amarillo will pass a resolution showing support for the grant submission and the program. The City will work with 791City to schedule the clean-up events. The City will then place an article in the local newspaper regarding the clean-up events, giving credit to TCEQ for funding.

## Form 5b: Project Cost Evaluation

Provide an evaluation of the costs associated with the proposed project. Explain how the total cost of the proposed project was determined (including ongoing operational costs, if applicable). If possible, present the costs in unit terms, such as cost per ton, cost per customer, or cost per capita. Estimate any costs savings, or reasonably justified costs of the project.

### Determination of Total Cost for Proposed Project:

The City of Amarillo's Assistant Solid Waste Superintendent contacted State Rubber and Environmental Solutions to obtain quotes on the cost to recycle 4 full container load of tires at \$1375.00 per container load or at total of \$5,500.00. The total overall cost is \$5,500.00 for the 4 container loads of tires to be recycled at Denver City.

### Proposed Project Costs in Unit Terms:

This project will cost \$5,500.00 All advertising and education will be the responsibility of the City of Amarillo or 791City. The City of Amarillo had a population of 190,695 according to the 2010 US Census, which would give this project a \$0.03 per capita cost.

## Form 5c: Level of Commitment of the Applicant

Provide information related to the Applicant's level of commitment to preferred solid waste management practices. If the proposed project is an ongoing service, demonstrate the ability to sustain the program beyond the term of the grant. Explain the extent to which the appropriate governing bodies support the proposed project.

If the proposed project has received previous grant funding under this program, explain to what extent does the proposal involve expansion of current services or operations; present quantifiable documentation of the success of the project in order to warrant further funding. Demonstrate a good record of past grant contractual performance.

If the Applicant has received grant funding for another solid waste project(s) in the past, please provide a list of previously funded projects and give a brief description of the current status of the project(s). If the project is no longer in operation, please provide an explanation as why that is the case.

### Commitment to Preferred Solid Waste Management Practices:

The City has been recycling since 1994 and continues to look for new avenues to expand recycling services for the residents. The city has had success with both the wood waste chipping and used motor oil recycling programs.

### Ability to Sustain Proposed Program:

791City has assured the City of Amarillo that they will provide volunteers to follow through on the clean-up events. The City of Amarillo will pass a resolution showing their support of the project.

### Support for Proposed Project from Governing Bodies:

The City of Amarillo will pass a resolution at their March 1 meeting showing support for the project.

### Past Performance:

The City has expanded their recycling program since it began in 1994.

Grant Year	Funds Awarded	Project Description	Current Status
1994	\$ 6,875.00	Recycling Trailer	Active
1996	\$ 2,778.47	Recycling Center Construction	Active
1999	\$ 7,147.00	On Board Scales for Side Loading Truck	In-Active
2005	\$ 18,996.00	6 Used Motor Oil Containers	End of life
2007	\$ 15,645.00	3 Roll-Off Containers	Active

2008	\$ 33,319.00	Surveillance System	Active
2015	\$ 23,110.00	6 Used Motor Oil Containers	Active

## Form 5d. Scope of Work

Provide a work program with a schedule of deliverables for the proposed project or program. The work program with the schedule of deliverables will be considered the Scope of Work to be performed under the contract agreement, if funded.

As concisely as possible, for each task of the proposed project, describe the major steps or activities involved, identify the responsible entities and establish a specific timeframe to accomplish each task. The Scope of Work for the project or program must include.

- Detailed purpose and goal of the project
- Specific task statements with responsible entity identified
- List of deliverables/products/activities under each task
- Schedule of deliverables.

### ➤ **Detailed Purpose and Goal of the Project:**

The purpose of this project is to recycle 4 container loads of used tires to cleanup scrap tires and conduct clean-up events in a partnership with 791City.

### ➤ **Specific Task Statements with Responsible Entity Identified:**

Pay the recycling costs of 4 loads of used tires and operate clean-up events

#### **Task 1. Rent Scrap Tire Trailer**

Coordinate with 791City to schedule clean-up events

Contact State Rubber to order shipping containers

#### **Task 2. Conduct Clean-up Events**

Advertise and educate community on the clean-up events

Conduct clean-up events

Contact State Rubber for pick-up of the shipping containers

### ➤ **Schedule of Deliverables:**

Anticipated execution of contracts	March, 2016
Order tire containers from State Rubber	April, 2016
Conduct Clean-up Events	April - May, 2016
Contact State Rubber for final container pick-up	June, 2016
Completion goal date	June 30, 2016
Deadline	August 31, 2016

**FORM 6: GRANT BUDGET SUMMARY**

Please provide the following breakdown of the total amount of grant funding being requested:

Budget Category	Funding Amount
1. Personnel/Salaries	\$
2. Fringe Benefits	\$
3. Travel	\$
4. Supplies	\$
5. Equipment	\$
6. Construction	\$
7. Contractual	\$ 5,500.00
8. Other	\$
9. <b>Total Direct Charges</b> ( <i>sum of 1 - 8</i> )	\$ 0.00
10. Indirect Charges <sup>(b)</sup>	\$
11. <b>Total</b> ( <i>sum of 9 and 10</i> )	\$ 0.00

12. Fringe Benefit Rate:	%	
13. Indirect Cost Rate:	%	
<p>Identify, in detail, each budget category to which your indirect cost rate applies and explain any special conditions under which the rate will be applied:</p>		
<p><sup>(b)</sup> In accordance with UGMS, indirect charges may be authorized if the Applicant has a negotiated indirect cost rate agreement signed within the past 24 months by a federal cognizant agency or state single audit coordinating agency. Alternatively, the Applicant may be authorized to recover up to 10% of direct salary and wage costs (excluding overtime, shift premiums, and fringe benefits) as indirect costs, subject to adequate documentation. If you have an approved cost allocation plan, please enclose documentation of your approved indirect rate.</p>		

**Please complete any of the following detailed budget forms which are applicable.**

## Form 6a: Detailed Matching Funds/In-Kind Services

This budget form should be completed if the Applicant is providing any level of matching funds or in-kind services directly related to the proposed project.

Matching Funds: \$ \_\_\_\_\_

In the space below, please explain in detail the application of any matching funds to be provided by the Applicant, as directly related to the proposed project.

In-Kind Services: \$ \_\_\_\_\_

In the space below, please explain in detail the application of any in-kind services to be provided by the Applicant, as directly related to the proposed project.

What is the TOTAL COST of the proposed project, considering the total grant funding requested, any matching funds being provided by the Applicant, and the monetary equivalent of any in-kind services being provided by the Applicant:

\$ 5,500.00

### Form 6b: Detailed Personnel/Salaries Expenses

For each employee to be funded wholly or in part by this grant, complete one of the lines in the table below. Please refer to the definitions provided in the instructions in completing this sheet. If funds are awarded, changes to grant-funded positions will have to be approved in advance by the PRPC.

Position Title	Function	FTE	Status	Salary
<b>TOTAL</b> <i>(Must equal Line 1 of the Overall Budget Summary - Form 6)</i>				\$

### Form 6c: Detailed Travel Expenses

This budget form provides a more detailed breakdown of the total expenses for travel indicated on Line 3 of the Overall Budget Summary (Form 6).

Please describe the types of routine in-region travel expenses expected and purposes for travel.

In-Region Destination(s)	Purpose of Travel	Estimated Cost
		\$
		\$
		\$
		\$
		\$
		\$

All out-of-state travel expenses and other non-routine travel, such as out-of-region travel to special training or events must be pre-approved by the PRPC. Complete the following information for all requested non-routine travel, including any out-of-state travel. If those details are not presently known, the PRPC will need to approve those travel costs before the travel occurs.

#### Non-Routine Travel Expenses

Date(s)	Purpose & Destination	Person(s) Traveling	Estimated Cost
			\$
			\$
			\$
			\$

<p><b>TOTAL TRAVEL EXPENSES</b>  <i>(Must equal Line 3 of the Overall Budget Summary - FORM 6)</i>    \$ _____</p>
--

## Form 6d: Detailed Supply Expenses

This budget form provides a more detailed breakdown of the total expenses for supplies indicated on Line 4 of the Overall Budget Summary.

Please list the general types of supplies you expect to purchase with grant funding.

General Types of Supplies	Estimated Cost
General office/desk supplies	\$ _____
Other supplies ( <i>explain below</i> ):	\$ _____ \$ _____ \$ _____
<b>TOTAL</b> ( <i>Must equal Line 4 of the Overall Budget Summary - FORM 6</i> )	\$ _____ 0.00

## Form 6e: Detailed Equipment Expenses

All equipment purchases must be pre-approved by the PRPC/TCEQ. If the specific details of an equipment purchase are known, show that equipment on the list below. If the specific details of the equipment costs are not known at this time, list the general details on this form. The specific details of the equipment will then need to be provided to and approved by the PRPC before the costs are incurred.

Equipment (Show description, type, model, etc.)	Unit Cost	No. of Units	Total Cost
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
<b>Total</b> (Must equal Line 5 of the Overall Budget Summary - FORM 6)			\$ 0.00

**Form 6f: Detailed Construction Expenses**

All construction projects must be pre-approved by the PRPC/TCEQ. If the specific details of the construction costs are not known at this time, list the general details on this form. The specific details of the construction will then need to be provided to and approved by the PRPC before the costs are incurred.

Types of Construction	Subcontracted? Yes/No	Estimated Cost
		\$
		\$
		\$
		\$
		\$
		\$
		\$
<b>TOTAL</b> (Must equal Line 6 of the Overall Budget Summary)		\$ <u>0.00</u>

## Form 6g: Detailed Contractual Expenses

All contractual expenses must be pre-approved by the PRPC/TCEQ. If the specific details of the contractual costs are not known at this time, list the general details on this form. The more specific details of the contractual costs will then need to be provided to and approved by the PRPC before the costs are incurred. In addition, the sub-contract scope of work must be approved by the PRPC before work begins.

Purpose	Contractor(s)	Contract Amount
Transport 4 containers loads of scrap tires to and from Amarillo to State Rubber in Denver City for 4 neighborhood tire cleanups. This firm already collects tires from several communities in the region.	State Rubber and Environmental Solutions, LLC P. O. Box 732 Denver City, Tx 79323	\$ 5,500.00
		\$
		\$
		\$
		\$
<b>TOTAL</b> (Must equal Line 7 of the Overall Budget Summary - FORM 7)		\$ 0.00

## Form 6h: Detailed Other Expenses / Basic Other Expenses

This budget form provides a more detailed breakdown of the total other expenses indicated on Line 8 of the Overall Budget Summary. *Please note that the final totals are at the bottom of the next page.*

Please identify the basic "Other" category expenses you expect to incur appropriate to the project.

Basic Other Expenses	Estimated Cost
Books and reference materials	\$
Postage, telephone, FAX, utilities	\$
Printing/reproduction	\$
Advertising/public notices	\$
Registration fees for training ( <i>if approved</i> )	\$
Repair and maintenance	\$
Basic office furnishings	\$
Space and equipment rentals	\$
Signage	\$

**Form 6i: Detailed Other Expenses / Additional Other Expenses**

The specific details of additional "Other" category expenses, not included on the list of basic Other expenses, must be pre-approved by the PRPC. If the specific details of the additional Other expenses are not known at this time, list the general details on this form. The more specific details of the Other expenses will then need to be provided to and approved by the PRPC before the costs are incurred.

Additional Other Expenses	Unit Cost	No. of Units	Total Cost
Computer software ( <i>itemize each expense below including description, type, model, etc.</i> ):			
Additional Other expenses ( <i>itemize each expense below including description, type, model, etc.</i> ):			

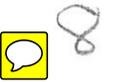
<b>TOTAL</b> (Must equal Line 8 of the Overall Budget Summary - <b>FORM 6</b> )	\$ _____ <u>0.00</u>
--	----------------------

## REQUIRED ATTACHMENTS TO THE APPLICATION

1. If indirect costs are included in the project budget, attach the Applicant's latest **indirect cost allocation plan**, including documentation of approval of the plan and the indirect cost rate by the Applicant's Federal Cognizant Agency or State Coordinating Agency.
2. If applicable, attach any written comments submitted by private industry (*see instructions for Form 5*).
3. If the Applicant is a law enforcement entity, and if compliance with TCOLE rules is still pending, attach a certification from TCOLE to indicate that the Applicant is in the process of achieving compliance with the rules (*see Form 3, Certification No. 10*).
4. A resolution by the Applicant's governing body authorizing the submission of the application.

**Attachment:**

Sample Resolution



**CITY OF AMARILLO**

**MEMORANDUM**

To: Terry L. Childers, Interim City Manager

From: Mick McKamie, City Attorney

Date: February 24, 2016

Subject: **SPS Rate Case/Fuel Reconciliation-March 2016-Suspension Resolution**

**BASE RATE INCREASE OF ABOUT \$71.9 MILLION WHICH IS AN INCREASE OF ABOUT 14.41%**

On about February 16, 2016, Southwestern Public Service Company (SPS) filed an application to increase its base rates by approximately \$71.9 million in annual revenue, which represents an increase in base revenue of about 14.41%. SPS' application requests an effective date of March 22, 2016 for its proposed increase in rates. Below are some of the key elements of SPS' rate application:

1. SPS proposes to allocate the increase among the customer classes as follows:

	Present Base Rate Revenue	Proposed Base Rate Revenue	Proposed Increase	Percent Increase
<b>Residential</b>	\$178,397,744	\$198,439,873	\$20,042,129	11.23%
<b>Small General</b>	17,510,035	21,103,451	\$3,593,416	20.52%
<b>Secondary Genl Svc</b>	94,393,963	116,922,976	\$22,529,013	23.87%
<b>Primary Genl Svc</b>	61,690,880	74,098,349	\$12,407,469	20.11%
<b>Lg Genl Svc-69kV-115kV</b>	21,889,865	23,926,611	\$2,036,746	9.30%
<b>Lg Genl Svc - &gt;115kV</b>	98,556,936	107,650,566	\$9,093,630	9.23%
<b>Sm. Muni &amp; School</b>	1,130,811	1,200,019	\$69,208	6.12%
<b>Lg. Muni &gt;10kW</b>	7,113,751	7,728,890	\$615,139	8.65%
<b>Lg. School &gt;10kW</b>	9,160,707	11,339,537	\$2,178,830	23.78%
<b>Muni &amp; State Street Light</b>	4,169,752	4,490,925	\$321,173	7.70%
<b>Guard &amp; Flood Light</b>	4,709,540	3,686,847	<b>\$1,022,693</b>	<b>-21.72%</b>
<b>TOTAL Tx Retail</b>	<b>\$498,723,984</b>	<b>\$570,588,044</b>	<b>\$71,864,060</b>	<b>14.41%</b>

2. SPS proposes a return of 10.25% on its common equity and a capital structure of 53.97% equity and 46.03% debt.

**3. Residential Customer – Impact on Bill:**

- a. An increase in the Residential customer charge (Service Availability Charge) from \$9.50 to \$10.50 per month;

- b. For a Residential customer that is not in an all-electric home, and that uses 1000 kWh per month, SPS' proposed increase would result in a monthly increase of about \$12.00 in the Summer, and an increase of \$8.34 in the Winter (which equates to about a 14.07% increase in the Summer and 11.11% increase in the Winter, over current rates); these amounts exclude fuel costs;
- c. The estimated effect of SPS' *proposed* increase on Residential Customer's bill, with and without fuel costs and excluding franchise fees and taxes, is as shown below:

Proposed Increase in Residential Customer's Bill (excluding franchise fees and taxes)					
		Amounts Shown Below Include All Charges Except Franchise Fees and Taxes - Non-Space Heating Customers			
	Consumption	1000 kWh	1500 kWh	2000 kWh	3000 kWh
	<b>Summer Increase</b>	\$12.00	\$17.50	\$23.00	\$34.00
	<b>Percent Increase Including Fuel</b>	10.85%	10.85%	10.86%	10.86%
	<b>Percent Increase Excluding Fuel</b>	14.07%	14.21%	14.28%	14.36%
	<b>Winter Increase</b>	\$8.34	\$12.01	\$15.69	\$23.03
	<b>Percent Increase Including Fuel</b>	8.28%	8.21%	8.17%	8.13%
	<b>Percent Increase Excluding Fuel</b>	11.11%	11.14%	11.15%	11.17%

**4. Small General Service Customer – Impact on Bill:**

- a. A *decrease* in the Small General Service customer charge (Service Availability Charge) from \$12.70 to \$11.70 per month;
- b. For a Small General Service customer using 2000 kWh per month, SPS' increase would result in a monthly increase of about \$29.61 in the Summer (which equates to about a 25.76% increase in the Summer), and an increase of \$26.47 in the Winter (which equates to about a 17.61% increase in the Winter) over current rates; these amounts exclude fuel costs.

The table below shows the effect on a Small General Service customer's bill at varying levels of consumption.

Proposed Increase in Residential Customer's Bill (excluding franchise fees and taxes)					
		Amounts Shown Below Include All Charges Except Franchise Fees and Taxes			
	Consumption	1000 kWh	1500 kWh	2000 kWh	3000 kWh
	<b>Summer Increase</b>	\$14.31	\$21.96	\$29.61	\$44.92
	<b>Percent Increase Including Fuel</b>	16.04%	17.23%	17.87%	18.54%
	<b>Percent Increase Excluding Fuel</b>	22.41%	24.56%	25.76%	27.04%
	<b>Winter Increase</b>	\$12.74	\$19.60	\$26.47	\$40.21
	<b>Percent Increase Including Fuel</b>	15.62%	16.91%	17.61%	18.35%
	<b>Percent Increase Excluding Fuel</b>	22.80%	25.32%	26.74%	28.28%

5. SPS identifies the following items as the major drivers of its request for its proposed increase:
  - a. Transmission investment - \$27.0 million
  - b. Depreciation Expenses - \$18.7 million
  - c. Weather Adjustment - \$10.1 million
  - d. Change in Allocation Factors - \$10.9 million
  - e. Return on Equity & SPS' Proposed Capital Structure - \$11.7 million
  
6. Note that in SPS' recently concluded rate case (Docket No. 43695), in which the Public Utility Commission of Texas ("PUC"), issued its final order in February, 2016, the PUC approved a Return on Equity ("ROE") of 9.70% and a Capital Structure (i.e., its equity-to-debt ratio) of 51% equity to 49% debt. SPS in its new 2016 rate case is proposing an ROE of 10.25% and a Capital Structure of 53.97% equity and 46.03% debt. This departure from the PUC's very recent decision accounts for about \$11.0 million of its proposed increase of \$71.9 million.

### **City Action Required By March 22, 2016:**

The City must take action by no later than **March 22, 2016**, SPS' proposed effective date. Based on SPS' proposed effective date as filed, if the City does not take action by **March 22, 2016**, SPS' proposed increase in rates as filed will be deemed approved by operation of law.

#### **RATE CASE EXPENSES:**

The Alliance of Xcel Municipalities' (AXM) reasonable rate case expenses are subject to reimbursement by the Company.

#### **RECOMMENDATION: SUSPEND PROPOSED EFFECTIVE DATE FOR THE PERIOD ALLOWED BY LAW**

SPS' rate-filing package presents a complex set of ratemaking issues. Moreover, given the volume of data presented in SPS' application, AXM's lawyers and consultants cannot reasonably conclude their review and analysis of SPS' filing by March 22, 2016.

Therefore, the AXM Steering Committee and AXM's Special Counsel recommend that the Council/Commission suspend SPS' proposed effective date for its rate increase for the period allowed by law. The standard period of suspension is 90 days. Based on SPS' proposed effective date of March 22, 2016, the 90<sup>th</sup> day is March 22, 2016. Should SPS, however, extend its proposed effective date of March 22, 2016, the 90-day suspension period would extend accordingly to correspond to the revised effective date. Also, should SPS' published notice or its application be found deficient, then SPS' proposed effective date would change as would the period of suspension.

Because the City is today *suspending* SPS' proposed effective date to undertake its review of SPS' proposed increase in rates, the City will need to take a second step and final action on SPS' proposed increase in the near future. But the attached Resolution does nothing more than to suspend SPS' proposed effective date to allow AXM's attorneys and consultants review SPS' application.

**The City must take action by no later than March 22, 2016.**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION BY THE CITY OF AMARILLO, TEXAS (“CITY”) SUSPENDING SOUTHWESTERN PUBLIC SERVICE COMPANY’S PROPOSED EFFECTIVE DATE IN CONNECTION WITH ITS STATEMENT OF INTENT SUBMITTED ON ABOUT FEBRUARY 16, 2016; AUTHORIZING THE CITY TO JOIN WITH OTHER CITIES IN THE ALLIANCE OF XCEL MUNICIPALITIES (“AXM”) TO DIRECT THE ACTIVITIES OF LAWYERS AND CONSULTANTS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; REQUIRING PROOF OF NOTICE; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE**

**WHEREAS**, Southwestern Public Service Company (“SPS”) filed a Statement of Intent with the City of Amarillo, Texas (“City”) to increase its base-rate revenue requirement for its Texas retail service area by approximately \$71.9 million, which is an increase in base revenue of about 14.41%; and

**WHEREAS**, the City is a regulatory authority under the Public Utility Regulatory Act (“PURA”) and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over SPS’ rates, operations, and services within the municipality; and

**WHEREAS**, in order to maximize the efficient use of resources and expertise in reviewing, analyzing and investigating SPS’ rate request and its changes in tariffs it is prudent to coordinate the City’s efforts with a coalition of similarly situated municipalities; and

**WHEREAS**, the City, in matters regarding applications by SPS to change rates, has in the past joined with other local regulatory authorities to form the Alliance of Xcel Municipalities (“AXM”) and hereby continues its participation in AXM; and

**WHEREAS**, SPS’ rate request, which was filed on about February 16, 2016, consists of a voluminous amount of information including SPS’ rate-filing package, pre-filed direct testimony, exhibits, schedules, and workpapers; and

**WHEREAS**, SPS proposed March 22, 2016 as the effective date for its requested increase in rates, which is the 35<sup>th</sup> day after the date SPS submitted its application; and

**WHEREAS**, it is not possible for the City to complete its review of SPS’ filing within 35 days; and

**WHEREAS**, the City will need an adequate amount of time to review and evaluate SPS’ rate application to enable the City to adopt a final decision as a local regulatory authority with regard to SPS’ requested rate increase.

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

**Section 1.** The findings set out in the preamble are in all things hereby approved.

**Section 2.** SPS’s proposed effective date of March 22, 2016 for its filing of February 16, 2016, is hereby suspended for an additional ninety (90) days, or at least until June 20, 2016.

**Section 3.** The statutory suspension period will be extended automatically day for day should SPS extend its proposed effective date, and may be further extended if SPS does not provide timely, meaningful, and proper public notice of its request to increase rates, or if its rate-filing package is materially deficient.

**Section 4.** The City continues its participation with other cities in a coalition of cities known as the Alliance of Xcel Municipalities (“AXM”) with the understanding that the Steering Committee of AXM is to provide direction and guidance to Special Counsel representing said cities.

**Section 5.** The City hereby retains Herrera & Boyle, PLLC as Special Counsel to represent the City with regard to SPS’ requested increase in rates and related proceedings before local and state regulatory authorities and any court of law and authorizes Special Counsel to employ such rate experts as may be necessary for review and evaluation of SPS’ rate application.

**Section 6.** The City, in coordination with the Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to SPS for reimbursement.

**Section 7.** SPS shall reimburse the City on a monthly basis, through AXM’s coordinating city, the City of Amarillo, Texas, for the reasonable costs of attorneys and consultants and expenses related thereto, upon the presentation of invoices reviewed by the City of Amarillo.

**Section 8.** Not later than seven days after SPS has completed publication of notice of its proposed increase in rates, SPS shall notify AXM that it has completed notice by providing proof of notice to AXM’s Special Counsel, Herrera & Boyle, and such proof shall be in the form of an affidavit from a representative from SPS that has personal knowledge that SPS has published notice; such affidavit shall include a copy of notice SPS published.

**Section 9.** The City Secretary or other appropriate city official shall notify SPS of this Resolution by sending a copy of the Resolution to Evan Evans, Regional Vice President, Rates and Regulatory Affairs, and Brooke Trammell, Rate Case Manager, Southwestern Public Service Company, P.O. Box 1261 Amarillo, Texas 79105-1261 and also Stephen Fogel and Matthew Loftus, Xcel Energy Services, Inc., 816 Congress Ave., Suite 1650, Austin, Texas 78701-2471; and AXM shall be notified by sending a copy of this Resolution to Mr. Alfred R. Herrera, Herrera & Boyle, PLLC, 816 Congress Ave., Suite 1250, Austin, Texas 78701.

**Section 10.** The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**Section 11.** This Resolution shall become effective from and after its passage.

**Section 12.** **This Resolution supersedes any other resolution in conflict with this Resolution regarding SPS’ Statement of Intent and application to increase rates submitted to the City on about February 16, 2016.**

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

\_\_\_\_\_  
Paul Harpole, Mayor

**ATTEST:**

\_\_\_\_\_  
Frances Hibbs, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
William M. McKamie, City Attorney

# Amarillo City Council Agenda Transmittal Memo



Meeting Date	3/1/2016	Council Priority	Best Practices Initiative
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Department	Finance
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### Agenda Caption

#### **RECEIPT AND ACCEPTANCE -- CITY OF AMARILLO COMPREHENSIVE ANNUAL FINANCIAL REPORT:**

This item is receipt and acceptance of the City of Amarillo Comprehensive Annual Financial Report for the fiscal year ended September 30, 2015.

### Agenda Item Summary

The City of Amarillo has an annual audit of its financial statements and required supporting schedules each fiscal year by an outside auditing firm. This is in compliance with Article III, Section 27 of the City Charter. The financial statements must be prepared in accordance with standards prescribed by the Governmental Accounting Standards Board (GASB), the Government Finance Officers Association of the United States and Canada (GFOA) and other rule-making bodies.

### Requested Action

Receipt and acceptance of the fiscal year ended September 30, 2015 Comprehensive Annual Financial Report.

### Funding Summary

N/A

### Community Engagement Summary

This item was presented to the Council and citizens in attendance at the February 23, 2016 work session.

### City Manager Recommendation

The City Manager recommends acceptance of this item.

# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	March 1, 2016	<b>Council Priority</b>	Best Practice Initiative-COMPENSATION
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<b>Department</b>	Human Resources
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## Agenda Caption

Award – Comprehensive Compensation and Classification Study:  
Evergreen Solutions, LLC -- \$135,000

This item awards a professional services contract to provide a Comprehensive Compensation and Classification Study, that will review the City's current pay and classification plan. Funding is available for this contract from the approved 2015-2016 budget.

## Agenda Item Summary

The RFP Process for the completion of a Comprehensive Compensation and Classification Study opened on December 18, 2015, with the all RFP's submitted to the City by the closing date of January 28, 2016. The Compensation Study Committee was then tasked with evaluating, scoring and ranking the four (4) proposals submitted, with Evergreen Solutions, LLC, receiving the highest score and ranking. This study will identify the most efficient and effective way to align overall compensation concerns to the City's Compensation Philosophy.

## Requested Action

Approval and award the Comprehensive Compensation and Classification contract to Evergreen Solutions, LLC.

## Funding Summary

The cost of the complete Comprehensive Compensation and Classification Study is not to exceed \$135,000.

## Community Engagement Summary

N/A

## City Manager Recommendation

The Compensation Study Committee recommends approval of the contract to complete a Comprehensive Compensation and Classification Study to **EVERGREEN SOLUTIONS, LLC**.



**TO:** Terry Childers, Interim City Manager

**FROM:** Clifton Beck, Director of Human Resources

**Cc:** Paula Hertwig-Hopkins, Interim Assistant City Manager  
Bob Cowell, Deputy City Manager  
Michelle Bonner, Assistant City Manager

**DATE:** February 16, 2016

**RE:** **RECOMMENDING EVERGREEN SOLUTIONS, LLC**

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The Compensation Study Committee has completed the evaluation of proposals submitted in response to Request for Proposals (RFP) for a Comprehensive Compensation and Classification Study.

The RFP Process opened on December 18<sup>th</sup>, 2015; with the City receiving at total of four (4) RFP's submitted by the closing date/time of January 28<sup>th</sup>, 2016 at 5:00 PM. All proposals were reviewed for responsiveness and compliance, with all of them being deemed compliant and meeting the minimum requirements outlined in the overall RFP (Scope of Work).

The Compensation Study Committee consisted of the following:

Trent Davis, Purchasing Agent  
Viola Frausto, Recruiting Coordinator  
Paula Hertwig-Hopkins, Interim Assistant City Manager  
Bob Cowell, Deputy City Manager  
Michelle Bonner, Assistant City Manager  
Clifton Beck, Director of Human Resources

The Compensation Study Committee was tasked with evaluating, scoring and ranking the four (4) proposals submitted in accordance with the criteria outlined within the RFP. The preliminary scores are listed below (see next page).

Proposer/Company	Overall Score (500 Max)	Price/Cost Submitted	Rank
<b>Evergreen Solutions</b>	<b>360</b>	<b>\$135,000</b>	<b>1</b>
JJ Fitzgerald Consultants	327.5	\$57,000	2
Public Sector	311	\$150,000*	3
Arthur Gallagher & Co.	253	\$275,000	4

- This amount does not include the revision of each job description.

The Compensation Study Committee recommends that the City Manager proceeds with awarding Evergreen Solutions, LLC the contract to complete the Comprehensive Compensation and Classification Study. We feel that Evergreen Solutions, LLC is capable of meeting all of the functional requirements outlined within the RFP that will then allow the City the ability to attract, retain and motivate qualified and outstanding employees.



**REQUEST FOR PROPOSAL**  
**Comprehensive Classification/Compensation Pay Plan for the City of Amarillo**  
**P03-16**

The City of Amarillo (City) is soliciting a Request for Proposal (RFP) from respondents who are experienced with compensation studies, who can develop a Comprehensive Classification/Compensation Pay Plan for the City of Amarillo.

**Brief History of the City of Amarillo**

The City of Amarillo is located in Potter and Randall Counties in the High Plains of the Texas Panhandle, and is the county seat of Potter County. The City is located at the crossroads of Interstate Highway 40 and Interstate Highway 27. Amarillo is approximately 120 miles north of Lubbock, 360 miles northwest of Dallas-Fort Worth, 285 miles east of Albuquerque, New Mexico, and 265 miles west of Oklahoma City, Oklahoma. The Burlington Northern Santa Fe Railway has major rail yards in the City. Geographically, Amarillo is located within the High Plains portion of the Great Plains. The regional trade and service area consists of 55 counties and parts of five states.

Amarillo has a diversified economy. The economy includes businesses and industries ranging from energy research and development to beef processing, agriculture, copper refining, wholesale distribution, fiberglass production, defense contracting, aviation maintenance, metal machining and finishing, and oil and gas production. The economy consists of all the manufacturing and service activities necessary for the functioning of the City and the region.

The City of Amarillo has a Mayor and four Council members all elected at large. The City's approximately 2,200 full-time employees and 400 part-time/seasonal employees provide an array of services including police and fire protection, court, libraries, water and sewer service, solid waste collection & landfill operations, street construction and maintenance, and parks and recreational activities. For more information about the City of Amarillo, visit [www.amarillo.gov](http://www.amarillo.gov).

**REQUEST FOR PROPOSAL**  
**Comprehensive Classification/Compensation Pay Plan for the City of Amarillo**  
**P03-16**

**Approximate Timeline**

Issuance of RFP	December 18, 2015
1 <sup>st</sup> Advertisement	December 21, 2015
2 <sup>nd</sup> Advertisement	December 28, 2015
Deadline for RFP Questions	January 15, 2016
Deadline for Responses to RFP Questions	January 21, 2016
Proposal Due Date	January 28, 2016
Best and Final Offers (week of)	February 8, 2016
Presentation to the City Council	February 23, 2016
City Council Approval	March 1, 2016
Project Begins	March 2, 2016
Project Completed	April 22, 2016

**Attachments**

- Attachment A No Award to Debarred or Suspended Vendors
- Attachment B Insurance 2.04
- Attachment C Cities Excluded Parties List
- Attachment D References
- Attachment E Respondent Info

**DUE DATE AND DELIVERY LOCATION**

**PROPOSAL DUE DATE AND DELIVERY LOCATION**

**Six copies** (1) Original signed paper response of your RFP and (5) copies of your response containing all items and information required by this RFP must be submitted in a sealed envelope or box clearly marked with:

**RFP P03-16 Comprehensive Classification/Compensation Pay Plan for the City of Amarillo** on the outside of the envelope or box and must be received in the Purchasing Department at the following address **no later than Thursday, January 28, 2016 at 4:00 p.m. Central Standard Time** to be considered:

City of Amarillo  
Purchasing Department, Room 307  
509 S.E. 7<sup>th</sup> Avenue  
Amarillo, Texas 79101

**REQUEST FOR PROPOSAL**  
**Comprehensive Classification/Compensation Pay Plan for the City of Amarillo**  
**P03-16**

**GENERAL CONDITIONS**

**OWNERSHIP OF WORK PRODUCT**

Respondent acknowledges and agrees that all work produced pursuant to this RFP is work made for hire and accordingly, all data and reports are owned exclusively by the City. A complete copy of same shall be provided to the City and any further use of these work products shall be only with the express written consent of the City.

**LEGAL ADDRESSES**

All notices, letters, and other communications to the respondent will be mailed, faxed, emailed or delivered to the respondent's business address, fax number or email address listed in your response. The respondent may change the address or contact information at any time by notice in writing to the City.

**INDEMNIFICATION**

Respondent shall indemnify and hold harmless City and its officers, employees, agents, successors, and assigns from and against all claims, demands, suits, judgments, damages of every kind and type (bodily injury, death, property loss or destruction), attorney fees, costs, and interest that arise out of or relate to acts or omissions of respondent or respondent's officers, agents, employees, or subcontractors in the course of performing the contract.

**PROPOSALS BECOME PUBLIC RECORDS**

During the evaluation process, the City treats all responses with the highest level of confidentiality. However, once the evaluation process has been completed and a contract is awarded, the entire procurement becomes public information. Any proprietary information revealed in the proposal should therefore be clearly identified as such.

**CONFIDENTIAL OR PROPRIETARY INFORMATION**

If you consider any portion of your response to be confidential and/or proprietary and that disclosure of its contents to competitors would cause you substantial competitive harm, you must clearly identify those portions of your response by putting the term **CONFIDENTIAL OR PROPRIETARY** in bold letters on the applicable page(s). The City will attempt to protect the identified portions from disclosure to the extent possible under the law. You will be given notice of any request for disclosure of the identified information and given the opportunity to support your claim of confidentiality before the Texas Attorney General.

**QUESTIONS, CLARIFICATIONS and CORRESPONDENCE**

All questions and requests for clarification must be submitted to the Purchasing Agent in writing and will be answered by the Purchasing Agent in writing. No questions will be accepted or answered verbally. **Except as provided in this section, upon issuance of this RFP, respondents are specifically directed not to contact other City personnel to include any Engineers or**

**REQUEST FOR PROPOSAL**  
**Comprehensive Classification/Compensation Pay Plan for the City of Amarillo**  
**P03-16**

**Architects and anyone other than Purchasing Department personnel for answers to questions, clarifications, meeting, conferences, or technical discussions or anything else related to this RFP. Failure to strictly abide by this policy may result in the immediate disqualification of the respondent from this and other bidding opportunities.**

If the answers do not change the information published in the original documents, they will be sent as a clarification only. Clarifications do not require acknowledgement. If the answers do change the information published in the original documents, they will be sent an addendum. **Addendums require a signed acknowledgement of receipt of the addendum be submitted with the response to the RFP.**

**It is the responsibility of the respondent to verify if any addendum(s) or clarification(s) have been issued and to make sure the respondent has received all copies. Contact the Purchasing Department at 806-378-3028 to verify this information. Respondents may also go to [www.amarillo.gov](http://www.amarillo.gov) and look under Departments, Purchasing, and then Bid Opportunities to check and see if an addendum has been issued. Addendums and clarifications will be faxed and emailed to the contact information we have on file. If an addendum(s) or clarification(s) is not able to be faxed due to size or for any other reason, then it may be mailed or registered respondents may be called and asked if they would like to pick up a copy from the Purchasing Department.**

**All questions must be submitted at least ten (10) days prior to the proposal due date. All questions will be answered at least seven (7) days prior to the proposal due date. If the questions cannot be fully answered by that time, the opening date of the bid will be extended by addendum to allow sufficient time for all questions to be answered and those answers to be provided to all registered respondents.**

Submit your questions to:  
Trent Davis, Purchasing Agent  
City of Amarillo  
P.O. Box 1971  
Amarillo, TX 79105

If you wish to e-mail questions, send them to [purchasing2@amarillo.gov](mailto:purchasing2@amarillo.gov)  
If you wish to fax your questions, the Fax number is (806) 378-9494.

**ACCEPTANCE OR REJECTION OF PROPOSALS**

The City reserves the right to accept or reject any or all responses or parts of responses, to waive any formalities and technicalities, and to accept the best evaluated response.

**CANCELLATION**

The RFP may be cancelled (in part or in its entirety) at any time with written notice by the City.

**REIMBURSEMENTS**

There is no express or implied obligation for the City to reimburse respondents for any expenses incurred in preparing responses to this Request for Proposals. The City will not reimburse

**REQUEST FOR PROPOSAL**  
**Comprehensive Classification/Compensation Pay Plan for the City of Amarillo**  
**P03-16**

respondents for these expenses, nor will the City pay any subsequent costs associated with the provision of any additional information or presentation, or to procure a contract for these services.

**DISPUTES**

In case of any doubt or difference of opinion as to the services and deliverables herein, the decisions of the City shall be final and binding on both parties. The laws of the State of Texas will govern interpretation and performance of the obligations imposed on the parties pursuant to this order. Further, the successful respondent agrees that the courts of the State of Texas shall have jurisdiction over the successful respondent with respect to any action brought by the City relating to the performance of the respondent's obligation hereunder. Venue and jurisdiction of any suit, right or cause of action arising under or in connection with these specifications, shall lie exclusively in Potter County, Texas.

**REQUEST FOR NON-CONSIDERATION**

Request for non-consideration or withdrawal of a response must be made in writing to the Purchasing Agent and received by the City prior to the time set for opening.

**DEFAULT**

In case of default by the successful responder, the City of Amarillo may procure the services from other sources.

**CONDITIONS FOR PROPOSAL SUBMITTAL**

All responses to this RFP become the property of the City. The City will not return responses or other information supplied to the City.

All respondents shall comply with all conditions, requirements, and specifications contained herein. Any departure will constitute sufficient cause for rejection of the response.

Responses to this RFP are to be signed by an officer of the company authorized to bind the company in a contract submitted and to its provisions submitted in the RFP. **Failure to manually sign the response will disqualify the respondent.** Responses are to contain a statement indicating the period during which the response will remain valid. A period of not less than ninety (90) days is required.

**FAMILIARITY WITH SCOPE OF WORK**

This RFP is based on the Scope of Work and information included in this document. Prior to submission of any response, each respondent should be thoroughly familiar with the scope, information, and the general terms and conditions in this package. The failure or omission of any respondent to examine any form, instrument or document shall in no way relieve any respondent from any obligation in respect to his/her response. No allowance will be made because of lack of knowledge of this document. It is the responsibility of each respondent to ascertain the completeness of the information contained herein and thoroughly address those concerns in their response to this RFP.

**REQUEST FOR PROPOSAL**  
**Comprehensive Classification/Compensation Pay Plan for the City of Amarillo**  
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**SPECIFIC PERFORMANCE**

This RFP will require specific performance on all criteria as stated in your response. All specifications are as written unless specifically taken exception to by you. Any exception accepted by the City will be strictly adhered to. Responders must submit written requests for exceptions to any specifications/conditions with their response. Exceptions made without submission of a written request may result in disqualification.

**SUBMISSION OF RFP RESPONSES AND REQUIRED CONTENT**

This RFP is intended to provide responders with an opportunity to demonstrate their ability to perform the required tasks. The content of the RFP response should respond to information presented in the RFP. To assist the City in evaluation of your RFP response, the following are **minimum** requirements that must be included in your response in order to be deemed a responsive RFP.

A narrative describing the understanding of the scope of services, your approach to the project, project plan that outlines your approach and methodology.

The response must include a designation of the individual who will be the City's primary contract person or persons during the course of the project. This individual must be acceptable to the City of Amarillo's Director of Human Resources to perform the respondent's program management functions. The program manager shall be the single point of all communications between the City of Amarillo and the respondent.

Attachment A must be signed and returned with your response.

Attachment D must be filled out with at least three (3) similar references that you have performed this service for.

Attachment E must be signed and returned with your response.

Address each numbered item below in the RFP scope of work in the order listed.

Sign and return all addendums before the due date and time.

**RFP SCOPE OF WORK**

This request is to solicit proposals from consultants experienced with compensation studies, who can develop a Comprehensive Classification/Compensation Pay Plan for the City of Amarillo. At minimum, the scope of work shall include the following:

Scope of work shall include, but not be limited to the following:

1. Review the City's existing classification/compensation system.
2. Work with the City's Human Resources Director and staff to identify a market position for the City of Amarillo.
3. Gather necessary information through the use of questionnaires, job audits, some personal interviews or any other accepted method.

**REQUEST FOR PROPOSAL**  
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4. Discuss and determine the appropriate labor market for compensation survey.
5. Analyze existing internal hierarchy based on job relationships and propose implementation methods to correct any identified specific problems.
6. Develop a pay plan identifying specific parameters.
7. Review and assign all positions to an appropriate pay grade.
8. Recommend implementation strategies including calculating the cost of implementing the study.
9. Provide the Human Resources staff with training to maintain and revise the system as needed.
10. Provide system documentation and computer formats as approved by the Human Resources Director.
11. Prepare a cost analysis for positions that fall below the proposed minimum salaries following reclassification.
12. Develop recommendations and an instrument for the ongoing internal administration and maintenance of the proposed classification/compensation system.

**EVALUATION OF PROPOSALS**

After the responses are opened on the established date and time, they will be reviewed for responsiveness. In order for a response to be considered responsive, it must conform to all the substantial material terms and conditions required in the RFP. A response that does not conform to all the substantial material terms and conditions in the RFP will be declared non-responsive and will not be further evaluated.

Responses will undergo an evaluation process conducted by senior members of the Cities Manager's Department and the Human Resources Department. The respondent selected for award will be chosen on the basis of the best evaluated response to the City. The committee will evaluate the responses based upon the following evaluation criteria and scoring matrix:

**EVALUATION CRITERIA**

This proposal will be awarded to the best evaluated proposer. The following scoring will be used to evaluate each proposer's response to the RFP.

A.	Scope of Work	30 pts
B.	Qualifications/documented experience of proposed comp team	10 pts
C.	Past Performance as described by references	15 pts
D.	Ability to meet schedules/ timelines	20 pts
E.	Pricing	25 pts
	Total possible	100 pts

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**Comprehensive Classification/Compensation Pay Plan for the City of Amarillo**  
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**NEGOTIATIONS**

Negotiations may be conducted with responsible respondents who submit Proposals that are reasonably susceptible of being selected. All respondents reasonably susceptible of being selected based on criteria set forth in this RFP may be given an opportunity to make a presentation and/or interview with the Evaluation Committee. Following any presentation and/or interviews, firms will be ranked in order of preference and contract negotiations will begin with the top ranked respondent. Should negotiations with the highest ranked respondent fail to yield a contract, or if the respondent is unable to execute said contract, negotiations will be formally ended and then commence with the second highest ranked respondent, etc. However, the City may in its sole discretion, award a contract without interviews, based solely on information supplied in the proposal responses.

**CONDITIONS FOR AWARD OF CONTRACT**

**CONTRACT FORM**

Please submit a sample contract that your company uses for this service. We will work with the awarded respondent to negotiate a contract that is acceptable to both parties if there is a conflict with the contract and the proposal, the proposal will be used. All other documents including the original Request for Proposal package together with all proposal addendums and clarifications and the successful respondents bid documents will be included by reference.

**ASSIGNMENT OF PROPOSAL / CONTRACT**

Once the Contract is awarded to the successful Respondent, the Respondent cannot assign or subcontract the work or any part thereof, without the previous written consent of the City. Such consent shall not relieve the assignor of liability in event of default by their assignee.

**CONTRACT DOCUMENT REQUIREMENTS**

After the proposal has been awarded by the governing body, the Purchasing Department will send the awarded respondent a Notice of Award which will include a contract and a listing of other documentation required prior to fully executing the contract. Upon receipt of this notice, the vendor will have ten (10) calendar days to provide the Purchasing Department with all of the insurance, signed contracts and any other documentation that is required by the terms and conditions of the proposal. **The Contracts must be signed by the City, insurance, and all other conditions required by the terms and conditions of the proposal must also be met before any work may begin.** If there is failure to demonstrate good faith effort in providing the necessary documentation, then the respondent will be considered to have abandoned his proposal. The proposal will then be considered as non-responsive and may be promptly re-awarded to the next best evaluated proposal.

**INSURANCE**

Prior to the award of the contract, the recommended respondent must furnish and place on file in the Purchasing Department, an insurance certificate in compliance with the City Standard Certificate of Insurance Specification 2.04 including a Waiver of Subrogation (Attachment B).

**DEBARMENT CERTIFICATION**

Respondent will be required to certify that neither it nor its principals are currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in

**REQUEST FOR PROPOSAL**  
**Comprehensive Classification/Compensation Pay Plan for the City of Amarillo**  
**P03-16**

the Contract resulting from these specifications by any federal department or agency. A 'No Award to Debarred or Suspended Vendor's Assurance' form is attached (Attachment A).

**INDEBTEDNESS TO THE CITY OF AMARILLO**

Per City Ordinance No. 6706, the City of Amarillo will not award a proposal to vendors who are delinquent in any indebtedness to this City.

**CITY EXCLUDED PARTIES LIST**

Please note the City's Excluded Parties List attached and submit your bid accordingly (Attachment C).

**CONFLICT OF INTEREST**

Per the terms of Chapter 176 of the Local Government Code, should any vendor be awarded all or any part of the goods or services on which this Proposal solicits a return, then it is the vendor's sole responsibility to provide the City, with an updated Conflict of Interest Questionnaire, Form CIQ. The vendor must file the updated form within 7 days after learning that a prior filing (if any) is no longer accurate. This form and the names of the City Council Members, Mayor, City Manager, Deputy City Manager, and Assistant City Managers is available on the City's website located at [www.amarillo.gov](http://www.amarillo.gov)

**NO AWARD TO DEBARRED OR SUSPENDED VENDOR'S ASSURANCE**

Revised 7/25/2014

**NOTE: The City will not award a contract to:**

Any contracting entity or any principals of contracting entities that are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal, State or Local Government entity may be considered ineligible to be awarded a contract by the City of Amarillo.

Any contracting entity or any principals of contracting entities that are within a three-year period preceding any bid or proposal convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; may be considered ineligible to be awarded a contract by the City.

Any contracting entity or any principals of contracting entities that are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph two may be considered ineligible to be awarded a contract by the City.

Any contracting entity or any principals of contracting entities that within a five year period preceding the application of proposal being evaluated had any public transactions, or contracts (Federal, State, or Local) terminated for cause or default, may be considered ineligible to be awarded a contract by the City.

Any contracting entity or any principals of contracting entities that are within a five year period preceding the application or proposal being evaluated had in the course of any public transactions (Federal, State, or Local) forfeited, payment or a performance bond on any contracted job, may be considered ineligible to be awarded a contract by the City.

Any contracting entity or any principals of contracting entities that involve the City in any kind of litigation without the express written permission of the City may be considered ineligible to be awarded a contract by the City.

Any contracting entity that fails to comply with City Policies and Procedures by starting any work without proper authorization from the Purchasing Department in writing and in hand prior to the commencement of the job or project may be disqualified or suspended for failure to comply with City Policies and Procedures. Any entity that knowingly or unknowingly assists or facilitates any employee of the City in avoiding or circumventing any City Purchasing Policy or Procedure may be subject to debarment or suspension for failure to comply with City Purchasing Policies and Procedures.

If in the course of any job or contract, any of the above items occur and the contractor may become, ineligible for public transactions with any Federal, State or Local agency, the City may have the right to take any steps it considers necessary to insure the timely and successful completion of the pending contract. This may include anything from additional monitoring and reporting requirements up to suspension and removal of a contractor or subcontractor from a jobsite.

**The System for Award Management and the City's Excluded Parties List must be verified by the Purchasing Department and the recommended vendor must be declared eligible for award in writing, prior to any award.**

By signing this form the bidder acknowledges that they have read this entire document and certifies by their signature that none of the above exclusions apply to their company or business entity. Failure to return this executed document with submitted bid documents may cause the bid to be deemed as unresponsive.

Signed \_\_\_\_\_ Title \_\_\_\_\_

Company \_\_\_\_\_ Date \_\_\_\_\_

This document must be signed by a person authorized to bind the company in a contract.

Client: 1881

CITYAMA

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)  
01/01/00

**PRODUCER**  
Any Company  
1234 Purchasing Drive  
Amarillo, TX 79000

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW

### INSURERS AFFORDING COVERAGE

**INSURED**  
Motivation, Inc.  
3890 Ambition Drive  
Amarillo, TX 79124-1000

INSURER A: First Pick Insurance Company  
INSURER B:  
INSURER C:  
INSURER D:  
INSURER E:

### COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	XYZ 9101112	01/01/00	01/01/01	EACH OCCURRENCE \$500,000 FIRE DAMAGE (Any one fire) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$500,000 GENERAL AGGREGATE \$500,000 PRODUCTS-COMP/OP AGG \$500,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	XYZ 9101112-1	01/01/00	01/01/01	COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$250,000 BODILY INJURY (Per accident) \$500,000 PROPERTY DAMAGE (Per accident) \$100,000 AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO EXCESS LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	XYZ 9101112-2	01/01/00	01/01/01	WC STATU-TORY LIMITS   OTH-ER E.L. EACH ACCIDENT \$100,000 E.L. DISEASE-EA EMPLOYEE \$100,000 E.L. DISEASE-POLICY LIMIT \$500,000
	OTHER				

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS**  
Certificate Holder is named as Additional Insured as respects the Auto & General Liability & Waiver of Subrogation in favor of the City of Amarillo applies to Work Comp for all work performed on behalf of the city.

### CERTIFICATE HOLDER

ADDITIONAL INSURED; INSURER LETTER: \_\_\_\_\_

### CANCELLATION

City of Amarillo  
Attn: Purchasing Dept  
P. O. Box 1971  
Amarillo, TX 79105

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.  
AUTHORIZED REPRESENTATIVE

## CITY EXCLUDED PARTIES LIST

Updates through 07/10/2015

The information provided in this list is intended for official use only. Any request for the release of this information should first be reviewed by the City Attorney's Office. Every effort is made to maintain this list accurately; however, mistakes may occur. Therefore, you are strongly advised to contact the Purchasing Department to verify current status of any party listed here, before making a decision about a vendor listed here.

As of Friday, July 10, 2015, the following vendors have either failed to comply with their contracts or are serving as a board member and have been debarred from doing business with the City of Amarillo, Texas for the period of time indicated.

Please review the attached list and submit your bid accordingly.

### A & R DEMOLITION & CLEARANCE

REASON: POOR PERFORMANCE      EXPIRATION DATE: REVIEW AFTER 5 YEARS  
JANUARY 11, 2016

### ASHTON ENTERPRISES

REASON: POOR PERFORMANCE      EXPIRATION DATE: REVIEW AFTER 5 YEARS  
JANUARY 11, 2016

### BATTLE & TWIN ROOFING & CONSTRUCTION

REASON: POOR PERFORMANCE      EXPIRATION DATE: REVIEW AFTER 5 YEARS  
JANUARY 11, 2016

### BOISE CASCADE OFFICE PRODUCTS

REASON: POOR PERFORMANCE      EXPIRATION DATE: REVIEW AFTER 5 YEARS  
JANUARY 11, 2016

### BOYD, RON

CITY COUNCIL MEMBER      EXPIRATION DATE: WHEN APPOINTMENT EXPIRES

### BURKETT OUTDOOR ADVERTISING LP

BURKETT, RANDY (OWNER)      EXPIRATION DATE: WHEN APPOINTMENT EXPIRES  
CITY COUNCIL

### BURKETT, RANDY

CITY COUNCIL MEMBER      EXPIRATION DATE: WHEN APPOINTMENT EXPIRES

### COMMERCIAL BLINDS & DRAPERIES

OWNER/PRESIDENT –      JEFFREY D STOCKER      CITY EMPLOYEE

### CPI/ELBERT CROW

REASON: POOR PERFORMANCE      EXPIRATION DATE: REVIEW AFTER 5 YEARS  
JANUARY 11, 2016

### CRUZ CONSTRUCTION INC.

JOHN CRUZ      EXPIRATION DATE: WHEN TAX DELINQUENCY  
HAS BEEN SETTLED.

### DYNA TEN

POOR PERFORMANCE      EXPIRATION DATE: REVIEW AFTER 5 YEARS  
JANUARY 11, 2016

### DEMERSON, ELISA

CITY COUNCIL MEMBER      EXPIRATION DATE: WHEN APPOINTMENT EXPIRES

### EADES, DR. BRIAN J. - PHYSICIAN

CITY COUNCIL MEMBER      EXPIRATION DATE: WHEN APPOINTMENT EXPIRES

### GENERAL TRAFFIC EQUIPMENT CORPORATION

POOR PERFORMANCE	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 11, 2016
<u>Giant Atom</u> MARK NAIR, CITY COUNCIL MEMBER	EXPIRATION DATE: WHEN APPOINTMENT EXPIRES
<u>HARPOLE, PAUL</u> CITY COUNCIL - MAYOR	EXPIRATION DATE: WHEN APPOINTMENT EXPIRES
<u>HEADRICK OUTDOOR ADVERTISING</u> BURKETT, RANDY (OWNER) CITY COUNCIL	EXPIRATION DATE: WHEN APPOINTMENT EXPIRES
<u>IDEAL GENERAL CONTRACTING</u> POOR PERFORMANCE	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 11, 2016
<u>JAN'S CONCRETE (WORK AS SUBCONTRACTOR ONLY)</u> POOR PERFORMANCE	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 11, 2016
<u>LAMAR OUTDOOR ADVERTISING</u> BURKETT, RANDY (OWNER) CITY COUNCIL	EXPIRATION DATE: WHEN APPOINTMENT EXPIRES
<u>MARTY'S CONCESSIONS</u> (MGC FOOD SERVICE) OWNER - MICHAEL CARDUCCI NON-COMPLIANCE OF CONTRACT	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 1, 2017
<u>MCBRIDE PLUMBING</u> POOR PERFORMANCE	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 11, 2016
<u>NAIR, MARK</u> CITY COUNCIL MEMBER	EXPIRATION DATE: WHEN APPOINTMENT EXPIRES
<u>PRIDE CONSTRUCTION /PERRY ROWELL DBA</u> POOR PERFORMANCE	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 11, 2016
<u>REAGAN OUTDOOR ADVERTISING</u> BURKETT, RANDY (OWNER) CITY COUNCIL	EXPIRATION DATE: WHEN APPOINTMENT EXPIRES
<u>ROOF MAINTENANCE OF AMARILLO</u> POOR PERFORMANCE	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 11, 2016
<u>SECOND CHANCE BODY ARMOR INC</u> UNABLE TO FILL PURCHASE ORDER	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 11, 2016
<u>SPEEDTECH LIGHT</u> UNABLE TO FILL PURCHASE ORDER	EXPIRATION DATE: REVIEW AFTER 5 YEARS AUGUST 15, 2017
<u>TASCOSA TOOL SERVICE</u> OWNER/PRESIDENT -- ANDY BUTT	CITY EMPLOYEE
<u>UNIVERSAL DIE-CUT CORPORATION</u> REASON: POOR PERFORMANCE	EXPIRATION DATE: REVIEW AFTER 5 YEARS JANUARY 11, 2016

WETMORE DITCHING  
PER THEIR REQUEST

EXPIRATION DATE: REVIEW AFTER 5 YEARS  
JANUARY 11, 2018

## ATTACHMENT D REFERENCES

Provide references for similarly successful projects from three governmental agencies (or regional districts), including the name of the agency, address, contact name, telephone number and a brief description of services provided:

1. \_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_

STREET ADDRESS	CITY	STATE	ZIP
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\_\_\_\_\_

CONTACT PERSON	TELEPHONE NUMBER
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\_\_\_\_\_

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2. \_\_\_\_\_  
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SERVICES PROVIDED

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\_\_\_\_\_

SERVICES PROVIDED

# Request for Proposal

## City of Amarillo

### Comprehensive Classification/Compensation Pay Plan for the City of Amarillo

**P03-16**

#### **RESPONDENT'S INFORMATION AND SIGNATURE**

The undersigned affirms that they are duly authorized to execute this contract, that this RFP has not been prepared in collusion with any firm, and that the contents of this RFP has not been communicated to any other firm prior to the official opening of this RFP.

Date: \_\_\_\_\_

Company Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

Email \_\_\_\_\_

Mailing Address: \_\_\_\_\_

PO Box or Street, City, State and Zip

Remit Address (if different than above) \_\_\_\_\_

PO Box or Street, City, State and Zip

Federal Tax ID No.: \_\_\_\_\_

Signed By: \_\_\_\_\_



December 30, 2015

Addendum No. 1  
Proposal P03-16  
Comprehensive  
Classification/Compensation  
Pay Plan for the City of  
Amarillo

Dear Vendor,

Please note the following change in our **Proposal P03-16** and submit your response accordingly:

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**Answer:** Yes, both Police and Fire.

**Question:** Is the City interested in streamlining the number of distinct job titles?

**Answer:** Yes.

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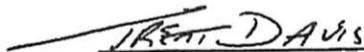
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Trent Davis, Purchasing Agent

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Authorized Representative of Vendor



January 11, 2016

Addendum No. 2  
Proposal P03-16  
Comprehensive  
Classification/Compensation  
Pay Plan for the City of  
Amarillo

Dear Vendor,

Please note the following change in our **Proposal P03-16** and submit your response accordingly:

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**Answer:** Between 400-425 working job titles.

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**Answer:** Job Titles/Classes, Industry, Tenure, Geography

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Company Name

\_\_\_\_\_  
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\_\_\_\_\_  
Trent Davis, Purchasing Agent

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Authorized Representative of Vendor



January 11, 2016

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Comprehensive  
Classification/Compensation  
Pay Plan for the City of  
Amarillo

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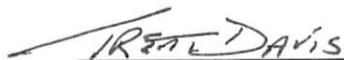
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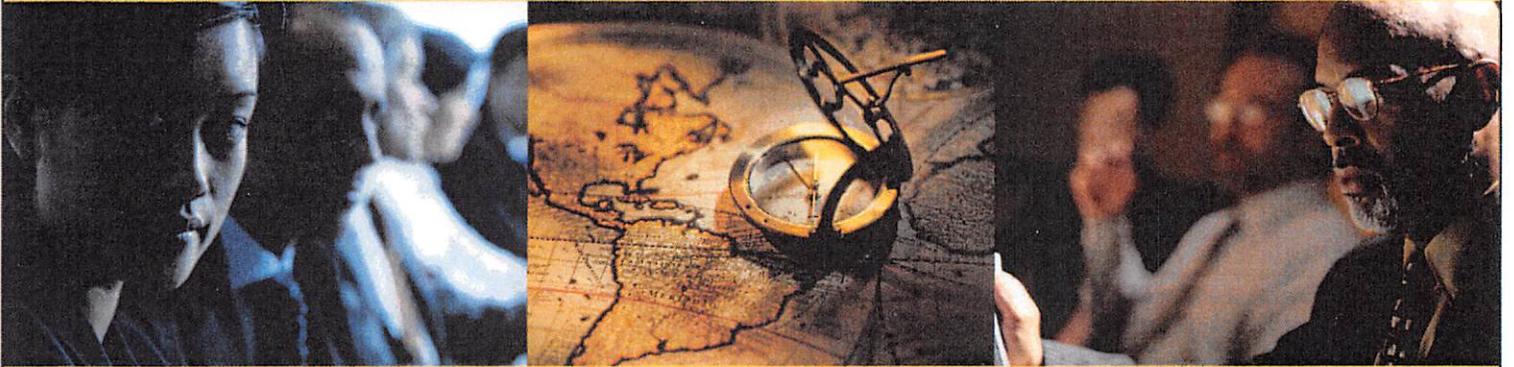
  
\_\_\_\_\_  
Trent Davis, Purchasing Agent

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Authorized Representative of Vendor

# A Proposal to Develop a Classification and Compensation Pay Plan for the City of Amarillo, TX

ORIGINAL



Evergreen Solutions, LLC

January 28, 2016

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# A Proposal to Develop a Classification and Compensation Pay Plan for the City of Amarillo, TX

Submitted to:

City of Amarillo  
Purchasing Department, Room 307  
509 S.E. 7<sup>th</sup> Avenue  
Amarillo, Texas 79101

Submitted by:



Evergreen Solutions, LLC  
2878 Remington Green Circle  
Tallahassee, Florida 32308  
(850) 383-0111 (ph) / (850) 383-1511 (fax)

**January 28, 2016**



# Evergreen Solutions, LLC

2878 Remington Green Circle - Tallahassee, Florida 32308  
850.383.0111 - fax 850.383.1511

---

January 26, 2016

Mr. Trent Davis, Purchasing Agent  
City of Amarillo  
Purchasing Department, Room 307  
509 S.E. 7<sup>th</sup> Avenue  
Amarillo, Texas 79101

Dear Mr. Davis:

Evergreen Solutions, LLC is pleased to submit our proposal to provide a Classification and Compensation Pay Plan to the City of Amarillo. Our response is based on our review of your Request for Proposal (RFP - P03-16), our understanding of the Texas labor market, our experience in working with hundreds of local governments and other public sector organizations, and our knowledge of best practices in human resource management.

Evergreen Solutions was formed to provide an alternative to traditional consulting firms. We provide an innovative and effective option to our clients by focusing on creating a partnership with you and not simply being another service provider. Evergreen Solutions is a woman-owned limited liability company, certified as an M/WBE in many states and municipalities throughout the country. Evergreen is registered to transact business in the State of Texas.

As a national firm, Evergreen Solutions continues to grow and our territory includes 43 states, including many clients in the State of Texas. For example, Evergreen has worked with, or is currently on contract to work with, the following public sector organizations in various human resources capacities: City of Southlake; City of Rowlett; City of Seguin; City of Mont Belvieu; City of Pearland; City of Frisco; City of Sachse; City of Gonzales; City of Schertz; City of Duncanville; City of Pflugerville; City of Fredericksburg; City of McKinney; City of Fate; City of Cedar Park; City of Austin; City of Sunset Valley; Denton County; Travis County; Town of Little Elm; Texas City Management Association; Bexar Metropolitan Water District; Denton County Fresh Water Supply District; Brazos River Authority; South Texas College; Tarrant County College District; Sul Ross State University; Lone Star College System; El Paso Community College District; Midwestern State University; and Austin Community College.

In other states, Evergreen has worked with the following local government clients: City of Santa Fe, NM; City of Carlsbad, NM; Pinal County, AZ; Town of Sahuarita, AZ; San Miguel County, CO; City of Manitou Springs, CO; Ellis County, KS; Sedgwick County, KS; Jefferson County, MO; St. Charles County, MO; City of Lee's Summit, MO; City of Branson, MO; City of Columbia, MO; City of Evanston, IL; City of Pittsburgh, PA; City of Kalamazoo, MI; Blount County, TN; Kent County Levy Court, DE; Allegany County, MD; Tri-County Council for Southern Maryland; City of Gaithersburg, MD; City of Hyattsville, MD; City of Rockville, MD; City of Bowie, MD; City of Salisbury, MD; County of Culpeper, VA; Gloucester County, VA; York County, VA; City of Suffolk, VA; City of Newport News, VA; Town of Blacksburg, VA; New Hanover County, NC; Durham County, NC; Guilford County, NC; Brunswick County, NC; Duplin County, NC; Isle of Wight County, NC; Charleston County, SC; Town of Mount Pleasant, SC; Town of Hilton Head Island, SC; City of Lancaster, SC; City of Chester, SC; City of Greer, SC; City of Columbia, SC; City of Mauldin, SC; City of Fairhope, AL; City of Kingsland, GA; City of Alpharetta, GA; City of Douglasville, GA; City of Savannah, GA; City of Garden City, GA; City of Roswell, GA; City of Brookhaven, GA; Forsyth County, GA; City of Bushnell, FL; City of Ft. Myers, FL; City of Dania Beach, FL; City of Panama City, FL; City of Hollywood, FL; City of Winter Park, FL; City of Palm Beach Gardens, FL; City of Delray Beach, FL; City of Doral, FL; City of Ocala, FL; Manatee County, FL;

[www.ConsultEvergreen.com](http://www.ConsultEvergreen.com)

Seminole County, FL; Charlotte County, FL; Miami-Dade County, FL; Lake County, FL; Osceola County, FL; Citrus County, FL; Gadsden County, FL; Monroe County, FL; Bay County, FL; and many others. Information regarding the services provided to some of these clients can be found in **Section 2** of our proposal.

The Evergreen Team is fully able to comprehend the challenges and goals of the City of Amarillo because of our vast understanding of local government human resources. Our team has considerable expertise in providing classification and compensation pay plans and similar human resources work to local governments and other public sector organizations throughout the country. Specific information about the qualifications of our proposed project team can be found in **Section 3** of our proposal. Detailed resumes are available upon request.

Some of the human resource services Evergreen has focused on include: classification and compensation pay plans; salary and benefits surveys; staffing studies and workload analyses; performance evaluation and appraisal system design; recruitment, hiring, and retention studies; strategic and workforce planning; and labor pool availability.

Through our experiences in conducting this wide range of projects, we have gained knowledge of all operations in local government human resources management. As a result, our team knows how critical an effective classification and compensation system is to the overall operation of a proficient and progressive municipality. Moreover, we have developed helpful methods and tools that assist our clients in implementing and maintaining our study recommendations and results.

Evergreen's approach to providing a classification and compensation pay plan draws not only from extensive human resources work with public sector clients, but also from direct feedback of our past local government clients. In essence, we offer you tools that are innovative as well as those that have been proven to work in real places with real people.

Some of the key facets of Evergreen's approach include:

- We emphasize communication as the key to successful study completion as well as implementation. Our team understands that compensation by its very nature creates anxiety in staff and managers alike. In order to ensure a successful study process and "buy-in" at implementation, City administrators, department heads, mid-management staff, and employees need to be involved in the process. This is a critical component of our communication plan.
- Our methodology utilizes the latest in technology. In order to reduce the cost to our client partners and enhance wider participation, we offer all of our tools in an electronic format. In essence, every step of the process can be done on the Web. Further, our web-based *JobForce* tool allows our client partners to facilitate implementation and eases the ongoing maintenance.
- We understand that one size does not fit all. Some consultants provide the same overall solution to every client. We take great pride in providing a variety of alternatives that allow our client partners to select the solution that best meets their business and human capital needs.

As President of Evergreen Solutions, LLC, I am authorized to commit our firm contractually to this assignment. Attached are the required forms from the RFP.

We appreciate this opportunity and pledge to you our best effort if selected. If you have any questions, please feel free to contact me at (850) 383-0111 or via email at [jeff@consultevergreen.com](mailto:jeff@consultevergreen.com).

Sincerely,



Dr. Linda Recio, President  
Evergreen Solutions, LLC



**ATTACHMENT D  
REFERENCES**

Provide references for similarly successful projects from three governmental agencies (or regional districts), including the name of the agency, address, contact name, telephone number and a brief description of services provided:

1. City of Pflugerville, TX  
COMPANY NAME  
100 East Main Street, Pflugerville, TX 78660  
STREET ADDRESS CITY STATE ZIP  
Elizabeth Taplin (512) 990-6195  
CONTACT PERSON TELEPHONE NUMBER  
Classification and Compensation Study  
SERVICES PROVIDED

2. City of Frisco, TX  
COMPANY NAME  
6101 Frisco Square Blvd. Frisco, TX 75034  
STREET ADDRESS CITY STATE ZIP  
Lauren Safranek (972) 292-5200 x5210  
CONTACT PERSON TELEPHONE NUMBER  
Job Evaluation and Compensation Study  
SERVICES PROVIDED

3. City of Sequin, TX  
COMPANY NAME  
205 N. River Street, Sequin, TX 78155  
STREET ADDRESS CITY STATE ZIP  
Nona Vogel (830) 401-2472  
CONTACT PERSON TELEPHONE NUMBER  
Classification and Compensation Study  
SERVICES PROVIDED

# Request for Proposal

## City of Amarillo

### Comprehensive Classification/Compensation Pay Plan for the City of Amarillo

**P03-16**

#### RESPONDENT'S INFORMATION AND SIGNATURE

The undersigned affirms that they are duly authorized to execute this contract, that this RFP has not been prepared in collusion with any firm, and that the contents of this RFP has not been communicated to any other firm prior to the official opening of this RFP.

Date: 1-25-16

Company Name: Evergreen Solutions

Printed Name: Dr. Jeff Liny

Title: Ex-Vice-President

Phone number: (850) 383-0111

Fax number: (850) 383-1511

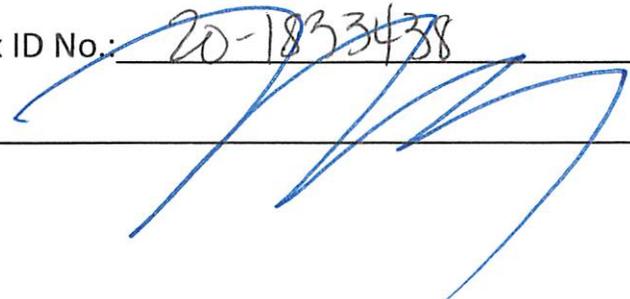
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Mailing Address: 2878 Remington Green Circle, Tallahassee, FL 32308  
PO Box or Street, City, State and Zip

Remit Address (if different than above) \_\_\_\_\_

PO Box or Street, City, State and Zip

Federal Tax ID No.: 20-1833438

Signed By: 



December 30, 2015

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Comprehensive  
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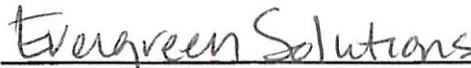
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\_\_\_\_\_  
Trent Davis, Purchasing Agent

  
\_\_\_\_\_  
Company Name

  
\_\_\_\_\_  
Authorized Representative of Vendor



January 11, 2016

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Classification/Compensation  
Pay Plan for the City of  
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TRENT DAVIS  
Trent Davis, Purchasing Agent

Evergreen Solutions, LLC  
Company Name

[Signature]  
Authorized Representative of Vendor

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*Section 1*  
*Understanding of Scope of Services*



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# 1.0 Understanding of Scope of Services

In this section we provide our understanding of the scope of services; our overall approach and methodology for completing this study; and a detailed work plan, identifying the tasks, activities, and milestones necessary to accomplish the scope of work of the Request for Proposal (RFP).

## 1.1 Understanding of the Scope of Services

Evergreen understands that the City of Amarillo is seeking an outside consultant who is experienced with compensation studies who can develop a Comprehensive Classification and Compensation Pay Plan for the City. According to the scope of work of the RFP, the City desires the following:

1. *review the City's existing classification/compensation system;*
2. *work with the City's Human Resources Director and staff to identify a market position for the City of Amarillo;*
3. *gather necessary information through the use of questionnaires, job audits, some personal interviews or any other accepted method;*
4. *discuss and determine the appropriate labor market for compensation survey;*
5. *analyze existing internal hierarchy based on job relationships and propose implementation methods to correct any identified specific problems;*
6. *develop a pay plan identifying specific parameters;*
7. *review and assign all positions to an appropriate pay grade;*
8. *recommend implementation strategies including calculating the cost of implementing the study;*
9. *provide the Human Resources staff with training to maintain and revise the system as needed;*
10. *provide system documentation and computer formats as approved by the Human Resources Director;*
11. *prepare a cost analysis for positions that fall below the proposed minimum salaries following reclassification; and*
12. *develop recommendations and an instrument for the ongoing internal administration and maintenance of the proposed classification/compensation system.*



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## 1.2 Evergreen's Approach

Evergreen Solutions is uniquely qualified to develop a Classification and Compensation Pay Plan for the City of Amarillo as our team includes recognized experts in local government human resources management and understands that there is not a "one size fits all" solution to compensation management. Our approach is built on working collaboratively with all parties to make sound, implementation-focused recommendations.

Specifically, we have developed a methodology that:

- focuses on market competitiveness;
- is based on the organization's compensation philosophy;
- recognizes that compensation is comprised of more than just base pay levels;
- reflects changes in recent compensation strategies;
- designs custom solutions that take into account the diversity of needs present in the organization and allows you to select the components and options that best meet your overall needs; and
- produces a structure that improves the organization's ability to recruit, reward, motivate, and retain talent in a competitive environment that includes both public and private sector employers.

We will work closely with the City's designated Project Manager (i.e., Human Resources Director and designated staff throughout the process to ensure constant communication of issues, concerns, and potential outcomes. We work closely with your staff to gain a solid understanding of your current operational realities, challenges, and desired outcomes. Moreover, Evergreen Solutions will work with you to balance your need to meet your performance goals while carefully managing the organization's resources.

Compensation management has undergone significant transformation in the private sector and over time public sector organizations have mirrored these changes. While compensation once centered on the separate administration of base pay and core benefits, a shift has occurred that has transformed compensation management. Progressive organizations now recognize that to effectively recruit, reward, motivate, and retain employees, compensation management requires strategic thinking and planning.

Compensation management must support an organization's overall strategic direction. To accomplish this, effective organizations design a compensation philosophy that spells out where an organization wants to be in relation to the market in key areas. These key areas include cash compensation, benefits, and work/life balance.



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Compensation is thus a reflection of the organization's philosophy.

Evergreen Solutions realizes that we will need to tailor our approach to fit the operating, fiscal, and competitive needs of the organization. Recommendations must always reflect competitive needs while supporting the organization's overall mission.

Listed below is an overview of the typically recommended approach that Evergreen takes when conducting a study of this nature.

**Kick Off Meeting**

Evergreen Solutions begins each engagement by meeting with our client's leadership team. Frequently, this initial meeting will accomplish several goals, including:

- finalizing the project work plan;
- identifying milestone and deliverable dates;
- gaining insight into the management structure and approach;
- collecting classification and compensation data;
- identifying additional data needs; and
- developing preliminary schedules for subsequent tasks.

At this time, we will also request a copy of the employee database that reflects current classification and compensation data.

**Communication Plan**

Communication is a critical component of any classification and compensation study. Communicating with employees directly and early in the process builds support for the process and the accompanying outcomes. As part of our communication plan, we meet first with key project staff to fully understand the nature and scope of the project. The results of these meetings are then communicated to employees during the project outreach through employee orientation sessions, focus groups, and interviews. Regular updates are provided to the client's Project Manager and can be posted on the client's intranet site, if available and desired. Additionally, the communication plan for the distribution of the end product, particularly how the results will be distributed to employees, is also critical.

**Employee Orientation and Focus Groups**

Based on client feedback and a review of best practices, we have designed an orientation curriculum that provides employees insight into the process as well as provides a forum for answering questions and soliciting participation. Following the orientation sessions, we begin the focus group process. Focus groups are used to gain detailed insight into employee perceptions, concerns, and issues. The protocol for the sessions is provided to your project team in advance and refined to meet your needs.

We have found that employee orientation sessions and focus groups are critical venues for building employee participation and buy-in. Since they take place at the outset of the project, they are a critical introduction to the project and the question and answer formats allow employees to become engaged in the process. During these sessions, Evergreen



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**Department Head Interviews**

Solutions consultants can also help to manage expectations since some employees may have unrealistic expectations based on anecdotal information.

**Job Assessment Tool and Management Issue Tool**

Evergreen Solutions staff conduct one-on-one interviews with department heads and/or senior management (in addition to any other employees the client determines is necessary) to identify challenges for consideration. These interviews will allow our staff to add details to our understanding of the organization and its needs. They also allow our consultants the opportunity to better understand the organizational structure of each department as well as the unique recruiting and retention issues that may be present in each department. Frequently, department directors and senior management serve as invaluable resources in explaining how internal equity relationships have evolved over time and explaining the nuances between the differences in jobs.

Another important activity undertaken at this time is the distribution of Evergreen Solutions' Job Assessment Tool© (JAT). These questionnaires are central components of the job evaluation process. The JAT asks a series of questions regarding an employee's job that captures the nature of the job and how it interacts with work within the organization.

The JAT contains questions that ask about each of the following areas:

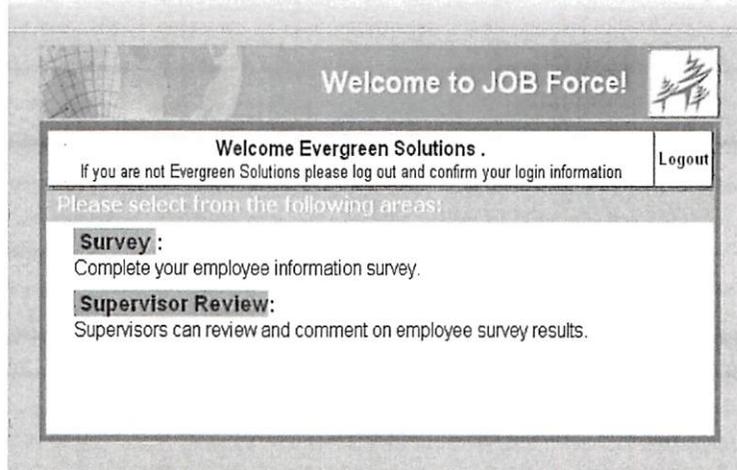
- scope of duties;
- complexity of work;
- supervision received and exercised;
- physical requirements;
- financial responsibilities;
- analytical/mental requirements;
- knowledge and skills required for the job; and
- level of responsibility/reporting relationships.

Evergreen Solutions will contact the client's Project Manager should there be a need to clarify question responses or issues with information collected from the JAT. Due to budgetary constraints faced by many of our clients, we have designed the JAT as a web-based tool so that data can be collected electronically. If requested, we can also provide a paper-based version of the tool.



**Exhibit 1-1** below depicts a screenshot of the JAT home screen showing the levels of access for a Supervisor. Supervisors have access to their own surveys in addition to the ability to review and approve the surveys of their direct reports. The supervisor review process ensures validation of the JAT data collected from employees and prevents comments made by employees from being taken out of context.

**Exhibit 1-1**  
**Supervisor's JAT Home Screen**



Source: Evergreen Solutions, 2015

**Exhibit 1-2** shows an example of the basic employee demographic information validation that takes place within the JAT. In addition to employee email, Evergreen Solutions collects employee phone information to facilitate contact after the JAT is complete. It is also important for us to have a complete understanding of their work schedule.



Exhibit 1-2  
Personal and Job Information

The screenshot shows a web-based form titled "Job Assessment Tool" with a logo of a stylized tree. The main heading is "Basic Personal and Job Information". Under "Personal Information", there is a "Contact Information" section with fields for Name (filled with "Evergreen Solutions (1008)"), E-mail (filled with "jal@consultevergreen.com"), and Phone/Extension (empty). Below this is "Section 1.0 Job Overview" with a "Job Title" field filled with "NA". The "Official Workweek in hours" section includes a text prompt and radio button options: "Less than 15", "15 - 20", "21 - 30", "31 - 37.5", "40", and "Greater than 40". The "Status" section has radio button options for "Full time" and "Less than full time". A paragraph of instructions follows, and a "Save and Continue" button is at the bottom.

Source: Evergreen Solutions, 2015

**Exhibit 1-3** illustrates how Evergreen Solutions uses the JAT to collect functional details of employee's jobs. Seeking to understand how employees summarize their responsibilities in their own words allows our analysis to expand beyond what may be conveyed in a traditional job description. An informal survey of municipal employees revealed that 90 percent felt that the job descriptions held on file with their employers were inaccurate or incomplete representations of their duties. Understanding this, Evergreen Solutions designed the JAT to fill in those gaps to ensure that the entirety of an employee's job is analyzed within the context of the study.



Exhibit 1-3  
Job Description and Responsibilities

Job Assessment Tool 

### Job Description and Responsibilities

**Section 2.0 Job Description**

*Briefly provide an overview of your job, including a description of the purpose of your job and the type of work you do. This may be the same as the introduction to your current job description, but it does not need to be.*

*Please indicate below the number of people you supervise directly and/or indirectly.*

Supervise Directly\*

Full-time:  part-time, reduced hours, and temporary

Supervise Indirectly\*\*

Full-time:  part-time, reduced hours, and temporary

\* Direct supervision is the management or supervision of employees who report work to you and who you evaluate without assistance. Please do not include subcontractors.

\*\* Indirect supervision is the management or oversight of employees who report to you through another supervisor who reports directly to you. Please do not include subcontractors.

Submit and save your responses to this page by clicking below. If you do not have time to complete the entire process at this time, the information you have stored will be available the next time you log in to the site.

Source: Evergreen Solutions, 2015

**Exhibit 1-4** shows a similar page in which employees are asked to list the Essential Functions of their job. These are the tasks and activities that define the classification and make it unique. Gathering information such as this allows Evergreen Solutions to assess the validity of the present classification structure and identify classifications or individuals within classifications that need to be restructured or reclassified.



**Exhibit 1-4  
Job Functions**

Job Assessment Tool

### Job Description and Responsibilities

**Section 3.0 Job Functions**

In the table provided, please include all essential job functions you perform. For every function you list, please note how often you perform the function - Daily, Weekly, Monthly, A Few Times Per Year, or Annually. Then, estimate the total percent of your time spent on each function on an annual basis. Lastly, please check off the five most important functions you perform.

Job Function	Most Important Function (Choose five)	Frequency	% Time Spent on Task
1. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
2. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
3. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
4. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
5. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
6. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
7. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
8. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
9. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
10. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
11. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
12. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
13. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
14. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>
15. <input style="width: 90%;" type="text"/>	<input type="checkbox"/> Yes	Choose One ▼	<input style="width: 50%;" type="text"/>

Submit and save your responses to this page by clicking below. If you do not have time to complete the entire process at this time, the information you have stored will be available the next time you log in to the site.

Source: Evergreen Solutions, 2015



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In addition to the JAT, Evergreen will also distribute our Management Issues Tool (MIT). The MIT is distributed to supervisors and managers and is used to collect specific information from supervisors and managers related to such issues as recruitment and retention problems, classification issues, pay equity issues, problems with titles, and other related issues. Each MIT will be logged and a specific response will be provided. The MIT process is designed to allow supervisors and managers to give direct input into the process and they serve as “red flags” to Evergreen Solutions staff during the analysis portion of the project.

**Job Evaluation**

The next step in the process is to review responses to the JATs and identify any possible misclassifications. Once the review of the JATs has been completed, Evergreen’s consultants will evaluate all jobs on each of the compensatory factors, score each position, and determine if there is any need for further investigation of specific positions. If serious discrepancies exist, Evergreen’s consultants will work directly with the Client Project Manager to resolve any issues.

Once work has been properly classified, changes in the current classification system rankings can be recommended. Our goal is to produce a classification system that reflects the internal equity relationships suggested by the JAT scoring conducted earlier.

**Compensation**

Our approach to compensation analysis is based on the belief that compensation should be organization-specific, fair, equitable, and directly tied to strategic goals. To ensure that all these criteria are met, we will conduct an extensive analysis on the relevant labor market, the internal structure and inter-relatedness of jobs within the organization, and the relative worth of jobs within the organization vis-à-vis the compensation philosophy.

The most traditional component of a total compensation program is base pay (fixed pay). However, inclusion of benefits in total compensation strategy is not a new concept. Provision of benefits was originally a recruitment tool, though over time the provision of core benefits has become an expectation. Research shows that public sector organizations commonly use superior benefits packages as a way to offset structural disadvantages in base pay. The purpose of the survey is to collect information for comparison to current offerings, and making recommendations for change consistent with the parameters of the organization’s compensation philosophy.

**Market Survey**

A key component of assessing compensation is to consider market position, which is sometimes referred to as external equity or competitiveness. Evergreen’s consultants wait until well into the classification analysis to design the market survey to ensure that jobs are understood, anomalies in classification characteristics are documented, and sufficient input has been received. The market survey will obtain standard range information related to minimum, midpoint, and maximum salaries. Data collection will focus on the public sector, but will include information from the private sector where applicable. Further, we will



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**Benchmarks**

look to include any employers to whom the organization has recently lost employees.

One of the most important components of the external assessment is in the selection and utilization of benchmark positions for the labor market survey. We will work with the client to identify the appropriate number of benchmark positions to best suit the client's needs in the labor market survey. Based on our experience, we have found that it is simply not practical to survey all positions within the organization—the resulting surveys become too cumbersome for labor market peers to complete, and the response rate on the whole suffers. We ensure, through multiple checks and balances, that the benchmark positions chosen will represent a broad spectrum of positions across the organization, from all job families, pay levels, and functional areas.

**Targets**

To conduct an external labor market assessment, we work with the client to identify the most appropriate targets to survey. Evergreen selects peer organizations based on the local labor competition, regional markets, and class-specific markets. Peer organizations should be those organizations that compete with the client for labor in at least one job family. An appropriate mix of peers in the public and private sectors will be included in the survey, and if necessary, augmented with published secondary data sources.

Typically, Evergreen waits until the outreach process has been completed to identify the complete list of market peers. This is because we often will uncover specific information during the focus group and interview sessions that identifies potentially critical survey targets. Ideally, we would like to work with the client after the outreach has been concluded to identify the final list of potential market peers.

An important factor of our methodology is that the client has the final approval of all aspects of the study. We will not proceed with the analysis unless the client is completely comfortable with the survey targets chosen. Often, there are different factors impacting an organization, such as proximity to a major metropolitan area, technology corridor, or specific market (i.e., military base), that have a direct effect on its ability to recruit and retain employees in specific positions. These factors have to be taken into account when selecting survey targets. Once the targets are selected and approved, the survey instrument is developed and sent to the client for final approval. Subsequent to client approval, the survey is then distributed to the targets in both paper and electronic formats.

Evergreen Solutions uses a four-fold method of communicating with respondents. Our staff notifies the target group that the survey is being sent or made available, confirms receipt, and encourages participation. Once the data are received, they are cleaned, validated, and summarized. A separate report is issued that shows the results of the salary survey.



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**Unifying the Solution**

After determining the appropriate division of work and market position, the compensation structure can be created. There is not a single, perfect solution for every client partner. The nuances and unique characteristics of each client necessitate a customized solution to best meet the organization's needs.

The Evergreen Team has considerable experience in developing multiple solutions and working with client partners to determine the one that best meets their needs. Our analytical team uses a variety of tools to produce various potential solutions: regression analysis, market thresholds, and other human resource models. Several major options are presented to the client's team before the implementation plan is created.

It is at this stage in the process that we typically meet with the client to identify the direction of the final solution. We will present to the client a draft report for review and comment. We typically ask the client to examine the draft solution objectively and provide insights and recommendations on the direction of the report. When this process is completed, Evergreen's consultants will proceed with the final solution. The solution also contains information regarding fiscal impact and implementation.

**Compensation Administration Guidelines**

In order for clients to maintain the recommended compensation system, Evergreen develops compensation administration guidelines for use by the client after completion of the study. The guidelines will include recommendations on installation and continuing administration of the system. The team first conducts a review of current practices and procedures then assesses their effectiveness, compliance with legal guidelines, and applicability to the recommended system.

Once this review and assessment are complete, revisions to the current practices and/or new guidelines can be recommended, as needed. At a minimum, the recommendations will address areas such as:

- how employees will move through the pay structure/system as a result of transfers, promotions, or demotions;
- how to pay employees whose base pay has reached the maximum of their pay range or value of their position;
- the proper mix of pay and benefits;
- how often to adjust pay scales and survey the market;
- timing of implementation; and
- how to keep the system fair and competitive over time.

**System Maintenance**

Our goal is to produce recommendations that are effective and that can be maintained by our clients. We are strongly committed to providing transparent and replicable solutions. In essence, when we complete our core assignment, our goal is that our client's staff can maintain and



### 1.3 Detailed Work Plan

update the system on their own. We are readily available to provide assistance, but our goal is to give our clients all the tools and training that are needed. Towards this end we will provide the Human Resources Department with all necessary tools and training to maintain the system over time.

The detailed work plan that Evergreen Solutions proposes to use to develop the Classification and Compensation Pay Plan for the City of Amarillo is provided in this section. **Note:** Evergreen understands that the City has 2,200 full-time employees and 400-425 job titles that will be included in this study. According to the Addendum #2, part-time employees will not be included in this study.

Our work plan consists of the following 13 tasks:

- Task 1: Project Initiation
- Task 2: Collect and Review Current Environment Data
- Task 3: Evaluate the Current System
- Task 4: Develop Compensation Philosophy
- Task 5: Evaluate and Build Projected Classification Plan
- Task 6: Identify List of Market Survey Benchmarks
- Task 7: Identify Approved List of Targets
- Task 8: Conduct Market Survey and Provide External Assessment Summary
- Task 9: Develop Strategic Positioning Recommendations
- Task 10: Conduct Solution Analysis
- Task 11: Develop and Submit Draft and Final Reports
- Task 12: Develop Recommendations for Compensation Administration
- Task 13: Provide Revised Class Descriptions

#### Task 1.0 Project Initiation

##### TASK GOALS

- Finalize the project plan with the City of Amarillo (City).
- Gather all pertinent data.
- Finalize any remaining contractual negotiations.
- Establish an agreeable final time line for all project milestones and deliverables.

##### TASK ACTIVITIES

- 1.1 Meet with the City's Project Manager (i.e., Human Resources Director) and select staff to discuss the following objectives:
- the classification and pay plan study process;



**Task 2.0  
Collect and Review  
Current  
Environment Data**

- understand mission and current compensation philosophy (if any) of the City;
- review our proposed methodology, approach, and project work plan to identify any necessary revisions;
- reach agreement on a schedule for the project including all assignments and project milestones/deliverables; and
- establish an agreeable communication schedule.

1.2 Identify potential challenges and opportunities for the study. Discuss the strategic direction of the City and some of the short- and long-term priorities. This activity serves as the basis for assessing where the City is going and what type of pay plan will reinforce current and future goals.

1.3 Obtain relevant materials, including:

- any previous projects, research, evaluations, or other studies that may be relevant to this project;
- organizational charts for the departments and divisions, along with related responsibility descriptions;
- current position and classification descriptions, salary schedule(s), and classification system;
- strategic business plans and budgets; and
- personnel policies and procedures, and the step placement policies.

1.4 Review and edit the project work plan and submit a schedule for the completion of each project task.

**KEY PROJECT MILESTONES**

- Comprehensive project management plan
- Comprehensive database of City staff

**TASK GOALS**

- Conduct statistical and anecdotal research into the current environment within the City.
- Guide subsequent analytical tasks.



**Task 3.0  
Evaluate the  
Current System**

**TASK ACTIVITIES**

- 2.1 Schedule and conduct employee orientation sessions.
- 2.2 Meet with department heads to obtain relevant information and statistical/anecdotal data on specific compensation issues and policies. Obtain insight into perceived current compensation system strengths and weaknesses.
- 2.3 Hold focus groups with a representative sample of employees to obtain additional relevant information and statistical/anecdotal data on specific compensation issues and policies.
- 2.4 Work with the City's Project Manager (CPM) to administer the JATs (referred to as Position Description Questionnaire in the RFP) and MITs. Our staff utilizes a web-based tool for data collection, but we can provide paper copies as well as those for classifications without computers or Internet access. We will seek approval from the CPM before distribution of the JAT/MIT questionnaire.
- 2.5 Review any data provided by the City that may provide additional relevant insight.
- 2.6 Review internal career ladders and make recommendations to keep positions competitive.

**KEY PROJECT MILESTONES**

- JAT and MIT distribution
- Department head interviews
- Employee focus groups and orientation sessions

**TASK GOAL**

- Conduct a comprehensive preliminary evaluation of the existing compensation plan(s) for the City.

**TASK ACTIVITIES**

- 3.1 Obtain the existing pay structure and compensation philosophy. Review the existing pay structure and look for potential problems to be resolved.
- 3.2 Determine the strengths and weaknesses of the current pay plan(s).
- 3.3 Complete an assessment of current conditions that details the pros and cons of the current system as well as highlights areas for potential improvement in the final adopted solution.



**Task 6.0  
Identify List of  
Market Survey  
Benchmarks**

- 5.5 Develop preliminary recommendations for the classification structure. The classification system designed at this point would be based solely on internal equity relationships and would be guided by the JAT scores for each classification. Essentially, a structure of classifications would be established, and classifications with similar scoring would be grouped into pay grades. Spacing between jobs would be determined, and each classification would be assigned to a pay grade. The final decision on the minimums and maximums of the pay grades would be determined after the market data have been collected.
- 5.6 Review recommendations with the CPM.

**KEY PROJECT MILESTONES**

- JAT scores by class
- Recommended classification changes
- Preliminary job structure based on internal equity

**TASK GOAL**

- Identify the proper benchmark positions for the external labor market assessment to reach an appropriate number.

**TASK ACTIVITIES**

- 6.1 Conduct a thorough review of all materials to date, including the employee database, classification listing, interviews, compensation review, and meetings with the CPM.
- 6.2 Identify, from the initial review, a list of classifications (benchmarks) to include in the labor market survey. **Note:** Evergreen will work with the CPM to select between 40 – 50 benchmark positions that are representative of the City.
- 6.3 Submit the proposed list of positions to the CPM for review.
- 6.4 Based on the review, make revisions to the benchmark list and finalize consistent with Evergreen's analysis.

**KEY PROJECT MILESTONES**

- Preliminary list of benchmark classifications
- Final list of benchmark positions for the external labor market assessment



**Task 7.0  
Identify Approved  
List of Survey  
Targets**

**TASK GOAL**

- Identify and develop a comprehensive list of targets for conducting a successful external labor market assessment.

**TASK ACTIVITIES**

- 7.1 For each employee group, review with the CPM peer organizations that must be included in the survey. **Note:** Evergreen will work with the CPM to select between 10-15 targets for the salary survey.
- 7.2 Develop a preliminary list of organizations for the external labor market survey, placing a comparative emphasis on characteristics such as:
- size of the organization;
  - geographic proximity to the Amarillo area;
  - economic and budget characteristics; and
  - other demographic data.
- 7.3 Develop a list of survey targets by employee group. Develop a system for use of secondary data including potential sources and weighting of secondary data, if necessary.
- 7.4 Review survey methodology with the CPM and refine survey methodology prior to distribution of survey.
- 7.5 After approval of survey methodology, develop contact list of peer organizations and notify peers of impending survey.

**KEY PROJECT MILESTONES**

- Initial list of survey peers
- Survey methodology
- Final list of survey organizations and contacts

**Task 8.0  
Conduct Market  
Survey and  
Provide External  
Assessment  
Summary**

**TASK GOALS**

- Conduct the external labor market salary survey.
- Provide a summary of the survey results to the CPM for review.

**TASK ACTIVITIES**

- 8.1 Prepare a customized external labor market salary survey for approval by the CPM. Discuss questions and categories for the market survey.



**Task 9.0  
Develop Strategic  
Positioning  
Recommendations**

- 8.2 Contact the targets for electronic completion of the survey. Provide paper copies by fax, if requested.
- 8.3 Conduct necessary follow-up through e-mails, faxes, and phone calls.
- 8.4 Collect and enter survey results into Evergreen's electronic data analysis tools.
- 8.5 Validate all data submitted.
- 8.6 Develop summary report of external labor market assessment results.
- 8.7 Submit summary report of external labor market assessment results to the CPM.

**KEY PROJECT MILESTONES**

- Market survey instrument
- Summary report of external labor market assessment results

**TASK GOALS**

- Assess the appropriateness of the current compensation philosophy for the City.
- Plan for all employees, providing issue areas and preliminary recommendations for strategic improvement.

**TASK ACTIVITIES**

- 9.1 Identify the compensation philosophy and accompanying thresholds.
- 9.2 Using the market salary data collected in **Task 8.0** and the classification data reviewed in **Task 5.0**, determine the proper pay plan for the City.
- 9.3 Identify highly competitive positions within the City and customize recommendations for compensation where required.
- 9.4 Produce a pay plan(s) for the City that best meets the needs of City from an internal equity and external equity standpoint.

**KEY PROJECT MILESTONES**

- Proposed compensation strategic direction, taking into account internal and external equity
- Plan for addressing unique, highly competitive positions



**Task 10.0  
Conduct Solution  
Analysis**

**TASK GOALS**

- Conduct analysis comparing JAT values.
- Survey results for the benchmark positions.
- Produce several possible solutions for implementation.

**TASK ACTIVITIES**

- 10.1 Conduct regression analysis or other appropriate techniques to properly slot each classification into the proposed pay plan.
- 10.2 Place all classifications into pay grades based on **Task Activity 10.1**. Sort alphabetically by job class title, in descending order by range, and by old class title and new class specifications.
- 10.3 Create implementation solutions for consideration that take into account the current position of the City as well as the findings from the classification and compensation analysis. Identify and prepare a range of compensation policy alternatives.
- 10.4 Meet with the CPM discuss the potential solutions.
- 10.5 Determine the best solution to meet the needs of the City in the short-term and long-term.
- 10.6 Document the accepted solution.

**KEY PROJECT MILESTONES**

- Initial regression analysis
- Potential solutions
- Documented final solution

**Task 11.0  
Develop and  
Submit Draft and  
Final Reports**

**TASK GOALS**

- Develop and submit a draft and final report of the Classification and Compensation Pay Plan to the City of Amarillo.
- Present the final report to the City.

**TASK ACTIVITIES**

- 11.1 Produce a comprehensive draft report that captures the results of each previous step. Provide the draft report to the CPM for review and approval. The report will include a cost analysis for positions that fall below the proposed minimum salaries following reclassification.



**Task 12.0  
Develop  
Recommendations  
for Compensation  
Administration**

- 11.2 Make edits and submit necessary copies of the final report to the CPM.
- 11.3 Present the final report to the City Council and City Management, if requested.
- 11.4 Develop a communication plan for sharing study results with the City's employees.
- 11.5 Develop a maintenance manual.

**KEY PROJECT MILESTONES**

- Draft and final reports
- Final presentation
- Communication plan
- Maintenance manual

**TASK GOALS**

- Develop recommendations for continued administration by City staff to sustain the recommended compensation and classification system.
- Train Human Resources staff.

**TASK ACTIVITIES**

- 12.1 Develop recommendations and guidelines for continued administration and maintenance of the classification and compensation system, including recommendations and guidelines related to:
  - how employees will move through the pay structure/system as a result of transfers, promotions, or demotions;
  - how to pay employees whose base pay has reached the maximum of their pay range or value of their position;
  - the proper mix of pay;
  - how often to adjust pay scales and survey the market;
  - the timing of implementation; and
  - how to keep the system fair and competitive over time.



**Task 13.0**  
**Provide Revised**  
**Class Descriptions**

- 12.2 Recommend recruitment/retention strategies, where appropriate.
- 12.3 Present recommendations to the CPM for review.
- 12.4 Finalize recommendations and develop an instrument for the ongoing administration and maintenance of the proposed classification and compensation system over time.
- 12.5 Train Human Resources staff on how to maintain and revise the system as needed.

**KEY PROJECT MILESTONES**

- Recommendations for compensation administration
- Recommendations for recruitment/retention policies
- Training

**TASK GOALS**

- Update existing class descriptions.
- Create new class descriptions as needed.
- Provide final version of all class descriptions/specifications in electronic format (i.e., MS Word) after approval by the CPM and Human Resources.

**TASK ACTIVITIES**

- 13.1 Assess current class descriptions for form, content, validity, and ADA compliance.
- 13.2 Discuss new class description format with the CPM.
- 13.3 Revise classification descriptions based on data gathered from the JAT process.
- 13.4 Create new class descriptions for new classifications, as needed. Provide complete listing of the allocation of job classes to salary range assignments.
- 13.5 Recommend a systematic, regular process for reviewing job descriptions.

**KEY PROJECT MILESTONES**

- Updated class descriptions
- New class descriptions, as needed



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**1.4  
Proposed  
Timeline**

Evergreen Solutions possesses the ability, staff, skills, and tools to provide the Classification and Compensation Pay Plan to the City of Amarillo within 60 days of the project start date and following the signing of the contract. This is based on a tentative start date of March 2, 2016, and a completion date of April 29, 2016, which is within the recommended timeline identified in Addendum #2.

This timeline can be modified in any way to best meet the needs of the City of Amarillo.



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*Section 2*  
*Qualifications and Experience*



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**Evergreen Solutions, LLC**

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## 2.0 Qualifications and Experience

Evergreen Solutions is well qualified to develop a Classification and Compensation Pay Plan for the City of Amarillo as we have provided similar studies to hundreds of local governments and other public sector organizations throughout the country, including many in the State of Texas. In this section we provide background information on our firm and a list of similar projects we have conducted.

### 2.1 Firm's Background

Evergreen Solutions, LLC is a national, multidisciplinary, public sector management consulting firm, which specializes in working with local governments across the nation. We provide a unique approach, rather than the "consulting as usual" approach, by partnering with our clients to find innovative, real world solutions to public management.

Evergreen Solutions was formed in 2004 provide a modern, practical alternative to the typical consulting options. The firm is made up of management and information technology professionals as well as strategic partners who came together to form an innovative alternative that places clients and their needs before any individual, model, or corporate goal.

Evergreen is a certified as a W/MBE in many states and municipalities throughout the country. Evergreen is registered to transact business in the State of Texas.

Evergreen's main focus is on people, management, and technology. This focus allows our team to provide a broad variety of services, including, but not limited to: classification and compensation pay plans; salary and benefits surveys; performance appraisal reviews; workload analyses; staffing studies; disparity studies; training assessments; and strategic planning.

We invite you to browse our Web site at [www.ConsultEvergreen.com](http://www.ConsultEvergreen.com) or visit us on Facebook at [www.facebook.com](http://www.facebook.com) or LinkedIn at [www.linkedin.com](http://www.linkedin.com) for more information about our services, staff, and past experience.



Evergreen Solutions assists public sector professionals in exercising control over the inter-related elements that determine success or failure. We do that by applying a situation-responsive discipline that emphasizes:



- 
- full visibility into the entire organization through research and discovery;
  - a spirit of partnership with local government staff and leadership;
  - sound recommendations based on best practices and proven methods; and
  - a practical go-forward plan that leads to quantifiable results.

Collectively, the members of the Evergreen Solutions Team have:

- extensive experience in providing classification and compensation pay plans to local governments and other public sector organizations throughout the country, including many in the State of Texas;
- comprehensive experience in all components vital to the successful completion of this engagement;
- knowledge of relevant Texas statutes and regulations as well as federal regulations;
- objectivity and flexibility due to the fact that we have no vested interests; and
- specialized analytical tools that we bring to the project.

Clients nationwide have been successfully implementing recommendations from our team of professional consultants for decades. Evergreen has contracted with public sector, quasi-governmental, and non-profit organizations in 43 states throughout the country.

**Exhibit 2-1** includes a list of the public sector clients in the State of Texas that our consultant team has worked with, or is currently in contract to work with, in providing work similar in scope to the services being requested by the City of Amarillo.

In addition to our Texas clients, **Exhibit 2-2** includes a list of some of the local governments outside of Texas that our consultant team has worked with, or is currently in contract to work with, that involved work similar in scope to the services being requested by the City of Amarillo.



# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	March 1, 2016	<b>Council Priority</b>	Infrastructure Initiative
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<b>Department</b>	Capital Projects and Development Engineering
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**Agenda Caption**

Approval - Change Order Two (2) – Job# 521941: 24<sup>th</sup> Pipeline 48" Well Water Transfer Line

Original Contract: \$ 11,740,159.00

Previous Change Orders: \$ 238,412.49

Current Change Order: \$73,649.42

For a total of change orders \$312,061.91

Revised Contract: \$12,052,220.91

This item approves Change Order No. 2 to the contract with Condie Construction Company, Inc. for additional work required on the 24<sup>th</sup> Pipeline.

**Agenda Item Summary**

Change Order Two (2) is to pay the contractor for additional work required on the project including street improvements and adjustments to tunneling work.

**Requested Action**

Consider and approval of Change Order Two (2)

**Funding Summary**

Job # 521941 has a budget of \$17,991,765.21 with available funds for this change order.

**Community Engagement Summary**

N/A

**Staff Recommendation**

City Staff is recommending approval of Change Order Two (2)

CHANGE ORDER  
CITY OF AMARILLO  
UTILITIES DIVISION

PROJECT NO. 521941

DATE: 2-18-16

CONTRACTOR: Condie Construction Co., Inc.

CHANGE ORDER NO. 02

DESCRIPTION OF CHANGE

ITEM NO.	DESCRIPTION	ORIGINAL ESTIMATE QUAN.	REVISED ESTIMATE QUAN.	NET CHANGE IN QUAN.	UNIT MEASURE	UNIT PRICE	NET CHANGE IN DOLLARS
1	Remove And replace valley gutters at Spring St. as detailed in CPR 04			1	LS	\$ 73,649.42	\$73,649.42
2	Change Tunnel depth due to existing utility actual depth per Field Order 02 and as detailed in CPR 05 (Added 12 days)			1	LS	\$ 23,908.27	\$23,908.27
3	Extend tunnel at Philadelphia and 34th Ave. due to public safety concerns as detailed in CPR 06 (Added 2 days)			1	LS	\$ 19,907.26	\$19,907.26

NET THIS CHANGE ORDER	\$	117,464.95
PREVIOUS CHANGE ORDERS	\$	238,412.49
TOTAL OF CHANGE ORDERS	\$	355,877.44
ORIGINAL CONTRACT TOTAL	\$	11,740,159.00
REVISED CONTRACT TOTAL	\$	12,096,036.44
PERCENT CHANGE		3.03%
REVISED CONTRACT TIME IN WORKING DAYS -		14

APPROVED:

CONDIE CONSTRUCTION Co., Inc.  
Contractor

[Signature]  
By

[Signature] 2/22/16  
City Manager

RECOMMENDED:

[Signature] 2-18-16  
Project Manager

[Signature] 2/19/16  
Director of Utilities

cc: Departmental  
Accounting  
Contractor  
Project Representative

[Signature]  
02.18.2016

**Condie Construction Company, Inc.**

**Change Proposal**

PROJECT NAME & NUMBER: 1503 - 24th Street Pipeline 48" Well Water Transfer Line

OWNER: City of Amarillo

SUBMITTED TO: David Mullins

DATE: 11/5/2015

CHANGE PROPOSAL NUMBER: 4

CHANGES TO BE MADE TO ORIGINAL CONTRACT:

Item	Description	Quantity	Units	Price	Total
1	Valley Gutter Replacement Costs			-	-
2	Demo, Remove, & Replace Valley Gutters	4290.00	SF	\$18.55	\$79,559.59
3	Remove and Replace H/C Ramp at 24th	1.00	LS	\$2,109.53	\$2,109.53
4	Credit per Contract for Remove/Replace Valley Gutters	(1116.00)	SF	\$9.40	(\$10,492.04)
5	Additional Traffic Control Barricades	1.00	LS	\$2,472.33	\$2,472.33
				<b>TOTAL</b>	<b>\$73,649.42</b>

Original contract:	\$11,740,159.00
Previous change orders:	\$238,412.49
Total this change order:	\$73,649.42
Adjusted contract:	<u>\$12,052,220.91</u>

**DESCRIPTION:**

Additional costs to remove and replace existing valley gutters, including curb and spandrels as deemed necessary by City to provide proper slope/drainage, from 24th Ave to Amarillo Blvd. Includes 24th Ave, 22nd Ave, 18th Ave (both sides), 17th Ave (both sides), 16th Ave (both sides), 15th Ave, and 12th Ave. Also includes removal and placement of a new ADA ramp and walk, with truncated domes, at the corner of 24th and Spring as required by the City. Credit is given for width of valley gutters disturbed and to be replaced per the contract documents and included in contract amount. Note that cost for valley gutter work is higher than original bid amount included in contract. The timing was such that the only concrete contractor available to do the work had much higher prices. We used him due to the urgent situation and direction that the valley gutters be replaced right away and prior to paving work.

Added contract time: 0

Requested and Approved by Owner /Engineer:

Name: *Lance Ferland 2-18-16*  
Lance Ferland

Title: Project Manager

Signature: *Lance Ferland 2-18-16*

Accepted and Approved by Condie Construction Company, Inc.

Name: JASON LANGRISH

Title: Project Manager

Signature: *Jason Langrish 2/18/16*

**Condie Construction Company, Inc.**

**Change Proposal**

PROJECT NAME & NUMBER: 1503 - 24th Street Pipeline 48" Well Water Transfer Line

OWNER: City of Amarillo

SUBMITTED TO: David Mullins

DATE: 11/5/2015

CHANGE PROPOSAL NUMBER: 5

CHANGES TO BE MADE TO ORIGINAL CONTRACT:

Item	Description	Quantity	Units	Price	Total
1	<b>Lower Tunnel and Pipe</b>				
2	Tunnel Contractor Additional Excavation and Trench Safety	1.00	LS	\$7,534.05	\$7,534.05
3	Additional Excavation and Material Handling Pipeline Elevation Change	1.00	LS	\$6,432.92	\$6,432.92
4	Pipe Spool Pieces	1.00	LS	\$3,598.96	\$3,598.96
5	Additional Trench Safety Boxes and Arch Spreaders due to Depth at Casing	1.00	LS	\$2,273.56	\$2,273.56
5	Revised Height/Length for Tunnel Vent Pipes	2.00	EA	\$347.73	\$695.45
6	Additional Supervision	1.00	LS	\$2,359.13	\$2,359.13
7	Additional Survey & Layout Costs	1.00	LS	\$1,014.20	\$1,014.20
				<b>TOTAL</b>	<b>\$23,908.27</b>

Original contract:	\$11,740,159.00
Previous change orders:	\$238,412.49
Total this change order:	<u>\$23,908.27</u>
Adjusted contract:	\$12,002,479.76

**DESCRIPTION:**

Additional costs for changes to tunnel depth due to actual verified depths of existing utilities at Tunnel #4, per Field Order 02. Tunnel was lowered approximately 6 feet. Costs for Tunneling contractor include additional excavating, trench boxes, and trench safety engineering due to depth being 20 feet or greater. Additional costs for pipeline crew include additional excavating, additional trench boxes and trench safety measures due to depth, additional spool pieces, and adjustment of pipe elevations back approximately 7 joints on each side of the tunnel in order obtain grade.

Added contract time: 12 Days

Requested and Approved by Owner /Engineer:

Name: *Lance Ferland*

Title: *Project Manager*

Signature: *L. Ferland* 2-11-16

Accepted and Approved by Condie Construction Company, Inc.

Name: **JASON LANGFORD**

Title: **PROJECT MANAGER**

Signature: *J. Langford* 2/18/16

**Condie Construction Company, Inc.**

**Change Proposal**

PROJECT NAME & NUMBER: 1503 - 24th Street Pipeline 48" Well Water Transfer Line

OWNER: City of Amarillo

SUBMITTED TO: David Mullins

DATE: 11/9/2015

CHANGE PROPOSAL NUMBER: 6

CHANGES TO BE MADE TO ORIGINAL CONTRACT:

Item	Description	Quantity	Units	Price	Total
1	Extend Tunnel at 34th Ave			-	-
2	Additional footage of tunnel and carrier pipe	11.00	LF	\$1,495.00	\$16,445.00
3	Modification of existing pipe	1.00	LS	\$3,462.26	\$3,462.26
				<b>TOTAL</b>	<b>\$19,907.26</b>

Original contract:	\$11,740,159.00
Previous change orders:	\$238,412.49
Total this change order:	<u>\$19,907.26</u>
Adjusted contract:	\$11,998,478.75

**DESCRIPTION:**

Additional costs for changes to tunnel length at Tunnel #9 (34th Ave.). It was determined that the launch shaft/beginning of the tunnel was too close to passing traffic on 34th Ave and Condie Construction was directed by the City to move the beginning of the tunnel back 11 feet. The above costs include the tunnel, casing, and carrier pipe. It also includes costs to adjust the pipe which was already fabricated to allow for the additional carrier pipe.

Added contract time: 2 Days

Requested and Approved by Owner /Engineer:

Name: *Lance Ferland*

Title: *Project Manager*

Signature: *L Ferland 2-18-16*

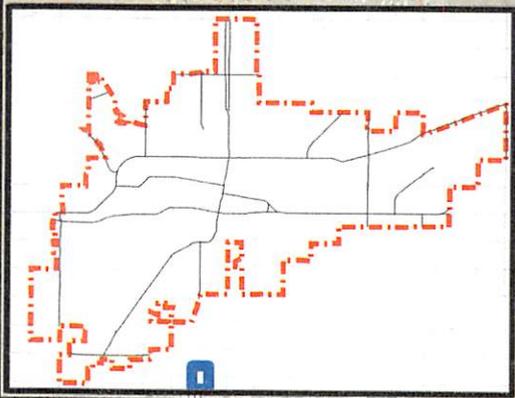
Accepted and Approved by Condie Construction Company, Inc.

Name: *JASON LANGFORD*

Title: *PROJECT MANAGER*

Signature: *J Ferland 2/18/16*

# AVIATION CLEAR ZONE EASEMENT



## CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1" = 400'  
Date: 1-27-16  
Case No: ACZ-16-02



ACZ-16-02 Aviation Clear Zone Easement, being 4,750 feet above mean sea level above the plat of Sundown Estates Unit No. 1, an Suburban Subdivision to the City of Amarillo, being an unplatted tract of land out of Section 177, Block 2, AB&M Survey, Randall County, Texas.

Grantor: Diego Flores

Vicinity: Washington St & Sundown LN

AP: N-19

# AVIATION CLEAR ZONE EASEMENT



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

Scale: 1" = 450'  
Date: 1-20-16  
Case No: ACZ-16-01



ACZ 16-01 Aviation Clear Zone Easement, being 3,755 feet above mean sea level above the plat of Whitaker Subdivision Unit No. 3, an addition to the City of Amarillo, being a replat of all of tracts 38 and 39, and a portion of tract 40, Whitaker Subdivision, in Section 92, Block 2, AB&M Survey, Potter County, Texas.

Grantors: Dao Tran

Vicinity: East Amarillo Blvd & Triangle Drive

AP: S-11



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

On the 8<sup>th</sup> day of February 2016, the Amarillo Planning and Zoning Commission met in a work session in Room 206, second floor of City Hall, at 2:45 PM to review agenda items, then convened in regular session at 3:00 PM in the City Council Chamber on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
David Craig, Chairman	Y	106	87
Dean Bedwell	N	173	163
Mike Good, Vice-Chairman	Y	88	64
Rob Parker	Y	41	32
Jessie Phifer	N	11	5
Rick Thomason	Y	11	9
Bowden Jones	Y	2	2

PLANNING DEPARTMENT STAFF:

Kelley Shaw, Planning Director  
 Laura Bergey, Planner I

Jan Sanders, Recording Secretary

Chairman Craig opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. Kelley Shaw, Planning Director, read the staff reports, and gave the recommendations for each item.

ITEM 1: Approval of the minutes of the January 25, 2016 meeting

A motion to approve the minutes of the January 25, 2016 meeting was made by Commissioner Good, seconded by Commissioner Thomason, and carried 4:0:1, with Commissioner Parker abstaining.

ITEM 2: Z-16-05 Rezoning of Lot 11, Block 9, Fairview Townsite Addition, Section 123, 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 to Residential District 3 with a specific use permit for placement of a Type B Manufactured Home. (Vicinity: SE 8th Ave & Spring St.)  
 APPLICANT: Judy Jurado

Mr. Shaw stated the applicant has submitted the request for a brand new manufactured home. A market analysis was provided indicating no adverse impacts to the surrounding area if the request is approved. Mr. Shaw advised staff feels the request is appropriate as the manufactured home does fit with the character of the existing area, and would recommend approval of the request as submitted.

Chairman Craig asked if anyone wanted to speak in favor or against said request. Brian Sagan 614 S. Vernon St. asked if an appraisal was submitted with the market analysis. Mr. Shaw advised an appraisal was not submitted with the market analysis, but the Potter Randall Appraisal District would assess the value after the home is established on the site.

A motion to approve Z-16-05 was made by Commissioner Thomason, seconded by Commissioner Good, and carried unanimously.

ITEM 3: V-16-01 Vacation of S.E. Eighth Avenue extending from the East right-of-way line of Grant Street Easterly for a distance of 160 feet; Section 155, Block 378 and Block 397, AB&M Survey, Potter County, Texas. (Vicinity: S. Grant Street & S.E. Eighth Avenue)  
APPLICANT: Darin Hudson

Mr. Shaw commented the applicant is in process of redeveloping a warehouse into 25 residential units, and is requesting the vacation for the development of outdoor courtyards. Other than a fire hydrant, there are no utilities within the right-of-way. Mr. Shaw advised staff recommends retaining a 15' Public Utility Easement (PUE) and a 20'x35' Public Ingress/Egress Easement to allow city solid waste vehicles to have access in and out of an existing alley to the south of the street segment. In regards to paying for fair market value to acquire the area, the property owner to the south has signed an agreement stating the applicant may be given all the right-of-way. The property owner to the south has also signed an agreement stating the portion of the right-of-way being vacated may remain open, allowing access to the dumpster. Mr. Shaw stated staff believes the vacation would be appropriate and would recommend approval as submitted.

Chairman Craig asked if anyone wanted to speak in favor of said request. Darin Hudson, applicant, appeared to answer any questions.

A motion to approve V-16-01, retaining the 15' Public Utility Easement and 20'x35' Public Ingress/Egress easement, was made by Commissioner Parker, seconded by Commissioner Jones, and carried unanimously.

ITEM 4: P-16-06 Sundown Estates Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land out of Section 177, Block 2 AB&M Survey, Randall County, Texas. (Vicinity: FM Hwy 1541& Sundown Ln)  
DEVELOPER(S): Diego Flores  
SURVEYOR: Robert Keys

Mr. Shaw stated the plat is not ready for consideration today, but the applicant had submitted a waiver of 30 day action request. This plat will be given a maximum of an additional 60 days before consideration.

ITEM 5: P-16-07 Famous Heights Addition Unit No. 43, an addition to the City of Amarillo, being a replat of a portion of Lot 6, Block 1, Lots 1 and 10, Block 12, and vacated right-of-way in the Famous Heights Addition in Section 122, AB&M Survey, Potter County, Texas. (Vicinity: SE 22nd Ave & Bolton St)  
DEVELOPER(S): Richard Johnson  
SURVEYOR: Philip Slaughter

Mr. Shaw stated the plat is not ready for consideration today, but the applicant had submitted a waiver of 30 day action request. This plat will be given a maximum of an additional 60 days before consideration.

#### **CARRY OVERS:**

ITEM 6: P-16-03 South Lawn Unit No. 39, an addition to the City of Amarillo, being an unplatted tract of land in Section 184 and Section 185, Block 2, AB&M Survey, Randall County, Texas.(2.17 acres) (Vicinity: SW 46<sup>th</sup> & S Washington St)  
DEVELOPER(S): Jeff Mitchell  
SURVEYOR: Jessie Arredondo

Chairman Craig stated that the plat was signed by the Deputy City Manager on January 27, 2016.

ITEMS 7-8: P-16-04 Soncy Estates Unit No. 5, P-16-05 Whitaker Subdivision, Unit No.3.

No action was taken on these plats.

#### **PENDING ITEMS:**

ITEMS 9-20: P-11-31 Sundown Acres Unit No. 6, P-12-45 Redstone Addition Unit No. 1, P-12-52 Bowns Industrial Park Unit No. 1, P-13-72 Park Hills Unit No. 2, P-14-25 Arrowhead Addition Unit No. 8, P-14-28 Silverpointe Addition Conceptual Development Plan, P-14-41 Skyline Terrace Unit No. 12, P-14-72 The Colonies Unit No. 59, P-14-75 Madden Addition Unit No. 6, P-14-91 Coulter Acres Unit No. 16, P-14-96 Lonesome Dove Estates Unit No. 7, P-15-07 Canode-Com Park Unit No. 45.

No action was taken on these plats.

ITEM 21: P-15-09 Ridgeview Medical Center Unit No. 23, an addition to the City of Amarillo, being an unplatted tract of land in Section 43, Block 9, BS&F Survey, Potter County, Texas. (2.35 acres)(Vicinity: Coulter St. & Outlook Dr.)  
DEVELOPER(S): Greg Mitchell  
SURVEYOR: Richard Johnson

Chairman Craig stated that the plat was signed by the Deputy City Manager on January 25, 2016.

ITEMS 22-26: P-15-10 Reed's Unit No. 1, P-15-22 Hillside Terrace Estates Unit No. 24, P-15-38 Tull Addition Unit No. 2, P-15-43 Highland Park Village Unit No. 3, P-15-49 City View Estates Unit No. 16.

No action was taken on these plats.

ITEM 27: P-15-67 Avonbell Unit No. 4, an addition to the City of Amarillo, being a replat of all of Avonbell Addition Unit No. 2, and portions of lots 14, 15, and 16, Block 10, Avonbell Addition, in Section 9, Block 9, B.S.F. Survey, Potter County, Texas. (acres ) (Vicinity : Plains Blvd & Bell St)  
DEVELOPER(S): Greg Mitchell & Joseph R. Walters  
SURVEYOR: Richard Johnson

Chairman Craig stated that the plat was signed by the Deputy City Manager on January 25, 2016.

ITEM 28: P-15-69 Canode-Com Park Unit No. 47, an addition to the City of Amarillo, being a replat of a portion of Lot 9-C, Block 4, Canode-Com Park Unit No. 29, and a portion of Lot 1D, Block 2, Canode-Com Park Unit No. 41, in Section 42, Block 9, BS&F Survey, Potter County, Texas.(2.07 acres)(Vicinity: IH-40 W & Cinema Dr)  
DEVELOPER(S): Ethan Prescott  
SURVEYOR: Daryl Furman

Chairman Craig stated the plat was withdrawn by the developer.

ITEM 29: P-16-01 University Heights Unit No. 7, an addition to the City of Amarillo, being a replat of Lots 1 through 48, Block 47, the entire alley in Block 47 and 9th Avenue between Blocks 47 and 48 and between Fannin and Bonham Street, all of Lots 1 through 24, and the remaining portion of Lots 25 through 48, and the previously vacated alley in Block 48, all University Heights Addition, in Section 189, Block 2, AB&M Survey, Potter County, Texas. (7.686 acres) (Vicinity: Amarillo Blvd & Fannin St)  
DEVELOPER(S): John Brown  
SURVEYOR: Matt Thomas

Chairman Craig stated that the plat was signed by the Deputy City Manager on January 25, 2016.

ITEM 30: P-16-02 University Heights Unit No. 8, an addition to the City of Amarillo, being a replat of Lots 9 through 40, Block 50, and a portion of the alley adjacent to Lots 9 through 40, Block 50, University Heights Addition, all in Section 189, Block 2, AB&M Survey, Potter County, Texas. (2.745 acres) (Vicinity : NW 10th Ave & Rusk St)  
DEVELOPER(S): Wayne Osteen  
SURVEYOR: Matt Thomas

Chairman Craig stated that the plat was signed by the Deputy City Manager on January 25, 2016.

ITEM 31: Public Forum: Time is reserved for any citizen to comment on City zoning or planning concerns; however, the Commission can take no action on any issue raised.

No comments were made.

ITEM 32: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:20 P.M.

  
\_\_\_\_\_  
Kelley Shaw, Secretary  
Planning & Zoning Commission

## BOARDS AND COMMISSIONS – VACANCIES

### Amarillo Economic Development Corporation (3-year terms)

04/09/2013	Roy Bara	03/31/2016
04/09/2013	John Kritser	03/31/2016

### Board of Review-Landmarks & Historic District (3-year terms)

06/19/2001	Carson Burgess	05/21/2015
08/27/2008	Kim Crawford	05/21/2016
11/27/2012	L.V. Perkins	05/21/2015
11/27/2012	Tom Thatcher	05/21/2015
07/13/2004	Mason Rogers	05/21/2016 (resigned)
09/23/2008	Howard Smith	05/21/2016 (resigned)

### Construction Advisory and Appeals Board (3-year terms) – Executive Session

09/13/2005	Gary Ward	12/31/2015 - Heating and Air
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