

AGENDAS
FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, MARCH 20, 2018 AT 4:00 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 5:00 P.M., CITY HALL, 509 SOUTHEAST 7th AVENUE, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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

WORK SESSION

- A. City Council will discuss or receive reports on the following current matters or projects.
 - (1) Review agenda items for regular meeting and attachments;
 - (2) Update on ACE Project;
 - (3) Discussion on Council Policies;
 - (4) MPEV Construction Update; 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) Section 551.087 - Deliberation regarding economic development negotiations; discussion regarding commercial or financial information received from a business prospect.
 - (a) Economic development incentive request in the vicinity of the 10th Avenue and Prospect Street.

REGULAR MEETING ITEMS

INVOCATION: Davlyn Duesterhaus, BSA Staff Chaplain

PROCLAMATION: "National Safe Place Week"

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

1. **CONSENT AGENDA:**

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

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

A. **MINUTES:**

Approval of the City Council minutes of the regular meeting held on March 13, 2018.

B. **APPROVAL – OUTDOOR WARNING SIRENS:**

(Contact: Chip Orton, Emergency Management Coordinator)

Award to Ideacom -- \$53,000.00

This agenda item is to approve the winning bid to install (8) outdoor warning sirens for the Amarillo Area Office of Emergency Management Outdoor Warning System.

REGULAR AGENDA

2. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7723:**

(Contact: Sherry Bailey, Senior Planner)

This is a public hearing and first reading of an ordinance rezoning of a 2.86 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to General Retail District (GR). (Vicinity: Southwest 58th Avenue and Georgia Street.)

3. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7724:**

(Contact: Sherry Bailey, Senior Planner)

This item is a public hearing and first reading of an ordinance adding a category for Shooting Ranges (Indoor) to Article IV, Division I, Section 4-10-82, Table E "Recreational and Entertainment Uses" and adding a definition for Shooting Ranges, Indoor, and providing an effective date.

4. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7725:**

(Contact: Kyle Schniederjan, City Engineer)

This item is a public hearing and first reading of an ordinance adopting the Amarillo Community Investment Program (CIP) FY 2017/2018-FY 2021/2022 which will guide capital investment decisions for the next five years.

5. **CONSIDER RENEWAL OF THE HOMELESS OUTREACH PROVIDING ENCOURAGEMENT (HOPE) PROGRAM:**

This is a renewal of the Memorandum of Understanding between the City of Amarillo and Amarillo Housing First to administer the HOPE program designed to provide an innovative, proactive approach to connect Amarillo's homeless population to our community's support services. Funding for the HOPE program is \$63,000 to conduct program activities from April through October 2018.

6. **CONSIDER ADOPTION OF THE 2018 BLUEPRINT FOR AMARILLO:**

City Council will consider adoption of the 2018 revision of the Blueprint for Amarillo. The document provides a framework and highlights major initiatives that address the City Council Pillars of Public Safety, Economic Development and Redevelopment, Civic Pride, Highly Educated Population, Fiscal Responsibility, Customer Service, Excellence in Communication, and Transportation. In addition, the document includes a series of City Manager initiatives to enhance and improve City operations.

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

Posted this 16th day of March 2018.

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

www.amarillo.gov/granicus

Archived meetings are also available.

A



STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 13th day of March 2018, the Amarillo City Council met at 3:30 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

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

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

JARED MILLER
KEVIN STARBUCK
MICK MCKAMIE
ANDREW FREEMAN
FRANCES HIBBS

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

The invocation was given by Herman Moore, Carter Chapel Primitive Baptist. Councilmember Powell led the audience in the Pledge of Allegiance.

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

PUBLIC COMMENT:

Rusty Tomlinson, 5700 Canyon Drive, spoke on James Allen's resignation. He further stated the homeless headcount was 90 people over the number of beds available. Mayor Nelson asked the City Manager for a headcount follow-up on the numbers. Michael Davis, 4210 Polk Street, stated Amarillo has an opportunity to allow the homeless to meet their potential. He stated the spirit of unity was needed. Allen Finegold, 2601 North Grand Street, spoke on the need to conserve water and the manner in which to water lawns. He further urged Council to tell citizens to water their lawns now and not during the hot summer months. Edith DiTommaso, 1613 Bowie Street, #B, stated the City has an ordinance against camping and she did not understand why tent city was a problem. Jared Miller, City Manager stated the fine for a temporary structure is up to \$2,000 a day and was the responsibility of the District Court. Alan Tinsley, 1205 Southwest 20th Avenue, addressed the current city policy on terminations. He further stated there was only a 24-hour period to either resign or appeal a termination decision. Beau Gregor, 200 South Tyler Street, stated he feels safe living at tent city. Bryan Allan Moore, stated he was a resident of Christ Church Camp. He also stated he feels safe staying at tent city. It was a community not overcrowded and otherwise he does not have a place to sleep. Julie Hunt, 2500 South Polk Street, stated she wanted to appeal to the Council's faith. Glen Thompson, 4200 Glen Avenue, stated a few weeks ago he talked to a city employee about a place for additional tiny homes located at 601 West Amarillo Boulevard, He stated this property could become a tiny home village. He further inquired as to the homeless work program. Kevin Starbuck, Assistant City Manager replied that the HOPE program was employing the homeless and Council would have a contract to renew this program next week. There were no further comments.

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

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

A. **MINUTES:**
Approval of the City Council minutes of the regular meeting and special meeting held on March 6, 2018.

B. **ORDINANCE NO. 7718:**
(Contact: AJ Fawver, Planning and Zoning Director)
This item is the second and final reading of an ordinance rezoning of Lot 4B, Block 124, Original Town of Amarillo Unit No. 16, in Section 188, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 with Specific Use Permit 115 (MF-1/S-115) to Planned Development 388 (PD-388) for Tiny Houses. (Vicinity: North Rusk Street and Northwest 3rd Avenue.)

C. **ORDINANCE NO. 7720:**
(Contact: AJ Fawver, Planning and Zoning Director)
This is the second and final reading of an ordinance considering approval of the vacation of a 22,420 square foot portion of 60' ROW known as Southwest 8th Avenue directly east of South Coulter Street, previously dedicated by Medical Institute Unit No. 8 plat, in Sections 25 and 44, Block 9, BS&F Survey, Potter County, Texas. (Vicinity: Southwest 8th Avenue and South Coulter Street.)

D. **ORDINANCE NO. 7721:**
(Contact: AJ Fawver, Planning and Zoning Director)
This item is the second and final reading of an ordinance approving a petition to include a 109.32 acre property located approximately 4.1 miles south of Amarillo, located east of Helium Road, southwest of Dove Road, and west of White Wing Road, fully within the extraterritorial jurisdiction (ETJ) of the City of Amarillo.

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

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

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

E. **ORDINANCE NO. 7722:**
(Contact: AJ Fawver, Planning and Zoning Director)
This is the second and final reading of an ordinance annexing into the City of Amarillo, Randall County, Texas, on petition of property owner, territory generally described as a 91.334 acre tract located southeast of the city, west of the intersection of South Georgia Street and West Loop 335 South, situated in Sections 231 and 232, Block 2, A.B.&M. Survey, and extending west/southwest adjacent to the northern line of Section 232 for a distance of 4012.31'; describing the territory annexed; finding that all necessary and required legal conditions have been satisfied; providing for amendment of the boundaries and official map of the city; approving a service plan therefore; subjecting the property situated therein to bear its pro rata part of taxes levied; providing rights and privileges as well as duties and responsibilities of inhabitants of said territory; directing the filing of the ordinance in the manner required by law; directing notice to service

providers and state agencies; providing a severability clause; declaring compliance with open meetings act; and, providing an effective date

F. **CONSIDER AWARD OF GOLF CAR LEASE FOR BOTH ROSS ROGERS AND COMANCHE TRAIL GOLF COMPLEXES:**

(Contact: George Priolo, General Manager of Golf Operations)

Award to Club Car: 48-month lease on 245 – 2018 Club Car Tempo Electric Golf Cars for Ross Rogers (125 cars) and Comanche Trail (120 cars) Golf Complexes

This 48-month lease will provide the City with two-hundred forty-five (245) Tempo Connect Electric Golf Cars equipped with Visage Fleet Management Control and Tracking modules and the Shark Experience technology (available to each customer at an additional charge). The new lease fleet will replace the current golf cars at both Ross Rogers (125 cars) and Comanche Trails (120 cars). Club Car will accept our current Club Car Precedent Golf Cars at both locations (150 – 2014 models, 30 – 2015 models, 30 – 2016 models and 35 – 2017 model year cars) as trade-in value applied to the lease.

G. **CONSIDER AWARD – PROFESSIONAL SERVICES AGREEMENT FOR AERIAL SEWER CROSSINGS:**

(Contact: Kyle Schniederjan, City Engineer)

Brandt Engineering Group, Ltd. -- \$251,740

This item is to consider award of a professional services agreement for engineering services for the replacement of four existing aerial sewer crossings.

H. **SALE – PROPERTY:**

Sheriff Sale Property in Potter County.

REGULAR AGENDA

ITEM 2: Mayor Nelson presented a resolution authorizing the City to respond to the Atmos Energy application to increase rates under the Gas Reliability Infrastructure Program (GRIP). This item was presented by Mick McKamie, City Attorney. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following captioned resolution be passed:

RESOLUTION NO. 03-13-18-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, RESPONDING TO THE APPLICATION OF ATMOS ENERGY, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

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

ITEM 3: Mayor Nelson presented a resolution authorizing a reduction in rates charged by Atmos Energy Corporation, West Texas Division related to the reduction in the federal corporate tax rate. This item was presented by Mick McKamie, City Attorney. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned resolution be passed:

RESOLUTION NO. 03-13-18-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS APPROVING A REDUCTION IN RATES CHARGED BY ATMOS ENERGY CORPORATION, WEST TEXAS DIVISION RELATED TO THE REDUCTION IN THE FEDERAL CORPORATE TAX RATE; FINDING THE REDUCTION IN ATMOS' RATES TO BE JUST AND REASONABLE; FINDING THAT THE MEETING COMPLIED WITH THE OPEN

MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THE RESOLUTION TO THE COMPANY AND SPECIAL COUNSEL.

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

ITEM 4: Mayor Nelson presented a resolution approving the 2017/2018 Budget Amendment for the Amarillo-Potter Events Venue District in the amount of \$420,942. This item was presented by Laura Storrs, Finance Director and Terry Wright, Chairman. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that the following captioned resolution be passed:

RESOLUTION NO. 03-13-18-3

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: ADOPTING THE BUDGET AMENDMENT OF THE AMARILLO POTTER EVENT VENUE DISTRICT FOR THE FISCAL YEAR OCTOBER 1, 2017, TO SEPTEMBER 30, 2018.

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

ITEM 5: Mayor Nelson presented an item for approval to consider purchasing of property located at 2035 Paramount Boulevard. This item was presented by Sam Baucom, Deputy Fire Chief. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that this item be approved.

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

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor



Amarillo City Council Agenda Transmittal Memo



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|---------------------|-----------|-------------------------|----------------|
| Meeting Date | 3/20/2018 | Council Priority | Infrastructure |
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| Department | Emergency Management | Contact Person | Chip Orton |
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Agenda Caption

Approval of winning bid for Ideacom to install (8) eight outdoor warning sirens.

Agenda Item Summary

This agenda item is to approve the winning bid to install (8) eight outdoor warning sirens for the Amarillo Area Office of Emergency Management Outdoor Warning System.

Requested Action

The Office of Emergency Management recommends that the City Council authorize the winning bid for siren installation in the amount of \$53,000.00

Funding Summary

This was approved in the 2017-2018 Community Investment Program - Bond Proposal #2

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this purchase.

Bid No. 5959 REMOVAL & INSTALLATION OF OUTDOOR WARNING SIRENS
 Opened 4:00 p.m. January 18, 2018

| To be awarded as one lot | QLVS INC DBA IDEACOM | BROWN CONSTRUCTION SERVICES | FEDERAL SIGNAL CORPORATION |
|---|----------------------|-----------------------------|----------------------------|
| Line 1 Installation and removal services, remove and replace six outdoor warning sirens, per specifications | | | |
| 6 ea | | | |
| Unit Price | \$7,000.000 | \$7,351.000 | \$20,014.940 |
| Extended Price | | 44,106.00 | 120,089.64 |
| Line 2 Installation and removal services, install two new outdoor warning sirens, per specifications | | | |
| 2 ea | | | |
| Unit Price | \$5,500.000 | \$5,335.000 | \$26,191.560 |
| Extended Price | | 10,670.00 | 52,383.12 |
| Bid Total | 53,000.00 | 54,776.00 | 172,472.76 |
| Award by Vendor | 53,000.00 | | |



Amarillo City Council Agenda Transmittal Memo



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|---------------------|----------------|-------------------------|----------------------|
| Meeting Date | March 20, 2018 | Council Priority | Community Appearance |
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| Department | Planning Department | Contact Person | AJ Fawver |
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Agenda Caption

Vicinity: SW 58th and Georgia

Z-18-05 Rezoning of a 2.86 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to General Retail District (GR).

Agenda Item Summary

Draft Minutes from P&Z on March 12, 2018

David Moore, Planner I, presented this item, and advised the applicant is requesting a change in zoning from Agriculture District to General Retail District. Mr. Moore ended the presentation with a staff recommendation of approval.

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

A motion to approve Z-18-05 was made by Commissioner Ford and seconded by Commissioner Thomason, and carried unanimously.

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

This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which designates this area for a future "General Commercial" land use. The Comprehensive Plan states that the development type in this designation allow a range of commercial retail and service uses, at varying scales and intensities depending on the site.

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from areas of higher density at section line corners to areas of lower density toward the center of the section. This concept of development ensures that commercial areas will have less of an impact to residential areas. This rezoning request follows the Neighborhood Unit Concept since the corner of Georgia and SW 58th is being treated at the arterial intersection.

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

Amarillo City Council

Agenda Transmittal Memo



these strategies is an emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. (*Page 3.3, Growth Management & Capacity*) This action strategy is supported in this situation as the requested zoning change would create the opportunity to further the development in this location.

This rezoning request is consistent with the current pattern of development and zoning. The proposed rezoning to GR will allow a transition in the area to accommodate future development that is consistent with the nearby zoning and future land use map.

Requested Action

The applicant is requesting a change in zoning from A to GR to allow a gas station/convenience store.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 23 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received 0 comments regarding this request.

The item was recommended for approval by 7:0 vote of the Planning and Zoning Commission at its March 12, 2018 public meeting.

City Manager Recommendation

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

ORDINANCE NO. 7723

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 SW 58th AND GEORGIA ST, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the “Amarillo Comprehensive Plan” on October 12, 2010, which established zoning districts and regulations in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, a proposed change to such established zoning districts and regulations was submitted to the Planning and Zoning Commission; and

WHEREAS, after a public meeting before the Planning and Zoning Commission on proposed zoning changes on the property hereinafter described, the Commission filed its final recommendation and report on such proposed zoning changes with the City Council; and

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

WHEREAS, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

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

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

Rezoning of a 2.86 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to General Retail District (GR).

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

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

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 20th day of March, 2018 and **PASSED** on Second and Final Reading on this the 27th day of March, 2018.

Ginger Nelson, Mayor

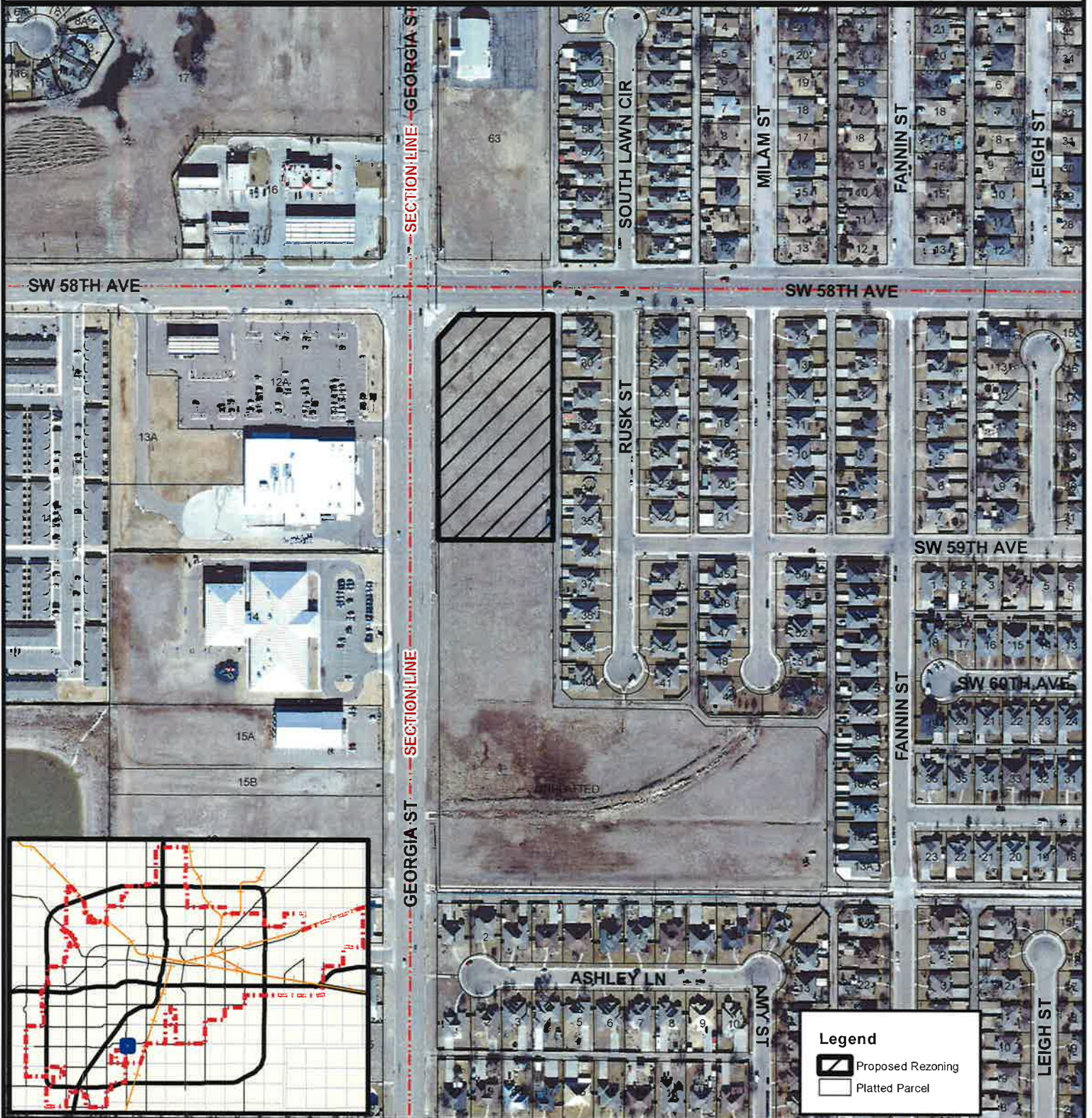
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

**CASE Z-18-05
REZONING FROM AGRICULTURE (A) TO GENERAL RETAIL (GR)**



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1 inch = 300 feet
Date: 2/23/2018



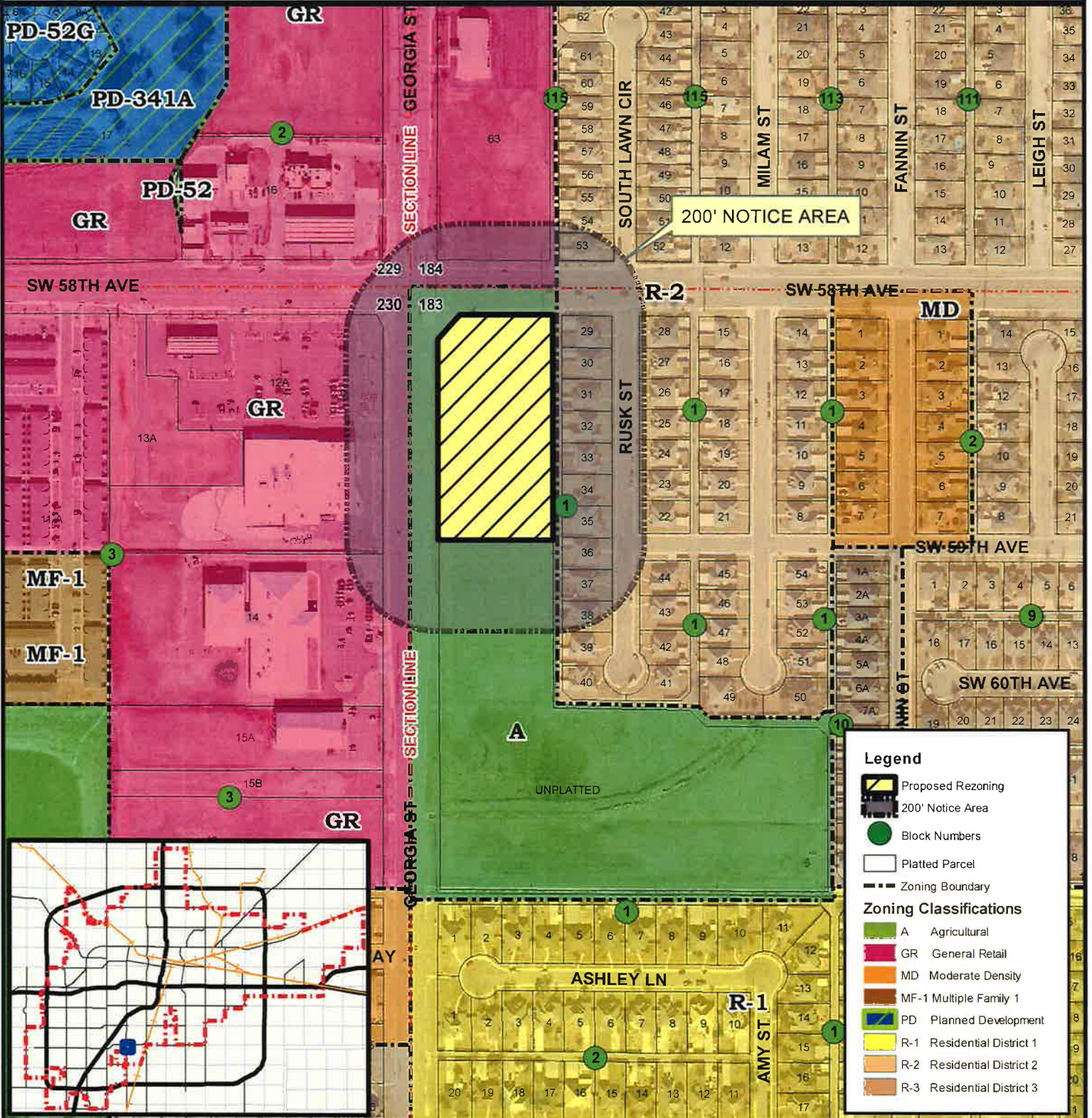
Rezoning of a 2.86 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus on-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to General Retail District (GR).

Applicant: Che Shadle

Vicinity: SE 58th Ave & S Georgia St

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

CASE Z-18-05 REZONING FROM AGRICULTURE (A) TO GENERAL RETAIL (GR)



Legend

- Proposed Rezoning
- 200' Notice Area
- Block Numbers
- Platted Parcel
- Zoning Boundary

Zoning Classifications

- A Agricultural
- GR General Retail
- MD Moderate Density
- MF-1 Multiple Family 1
- PD Planned Development
- R-1 Residential District 1
- R-2 Residential District 2
- R-3 Residential District 3

**CITY OF AMARILLO
PLANNING DEPARTMENT**

Rezoning of a 2.86 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus on-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to General Retail District (GR).

Scale: 1 inch = 300 feet
Date: 2/23/2018



Applicant: Che Shadle

Vicinity: SE 58th Ave & S Georgia St

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



Amarillo City Council Agenda Transmittal Memo



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|--------------|----------------|------------------|----------------------|
| Meeting Date | March 20, 2018 | Council Priority | Community Appearance |
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| Department | Planning Department | Contact Person | AJ Fawver, Planning Director Sherry Bailey, Senior Planner |
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Agenda Caption

Vicinity: Citywide

ORDINANCE NO. _____:

First reading and public hearing on an ordinance adding a category for Shooting Ranges (Indoor) to Article IV, Division I, Section 4-10-82, Table E "Recreational and Entertainment Uses" and adding a definition for Shooting Ranges, Indoor, and providing an effective date.

Agenda Item Summary

This ordinance amendment was the result of an applicant approaching the Planning Department about submitting a site plan for the proposed use of an indoor shooting complex. Upon review of the site plan it was determined that there was not a use in our zoning code that adequately provided for indoor shooting ranges to be permitted. Through numerous discussions between staff and the legal department it was decided that the best approach would be amending the existing zoning ordinance to provide for indoor shooting ranges. It was determined after reviewing how Amarillo has developed, the relationship of commercial next to or including residential development and in order to remove any future ambiguity, amending the current zoning ordinance to provide for this use was necessary.

The proposed ordinance calls for the use to be allowed in Ag, General Retail, Central Business, Light Commercial, and Heavy Commercial by Specific Use Permit and in Light Industrial and Heavy Industrial by right. This approach was chosen because it provides for the protection of the applicant, the city and the surrounding property owners. In reviewing an application for an Indoor Shooting Range the applicant has a chance to provide information and exhibits that demonstrate the safety and standards to which his facility will be developed. The adjoining property owners have a chance to voice any concerns they may have and to have those concerns addressed. The city has the flexibility to ensure that both sides are treated fairly and all concerns addressed. At the end of the process, the applicant knows if he receives a permit the city will stand behind his request.

This process will add some time to a request, however it is time upfront that often heads off complaints at a later date. The process requires a public hearing with notification before the Planning & Zoning Commission which will make a recommendation to city council which will have a public hearing before taking action. The City Council will have the ability to address issues that arise and provide conditions that allows the proposal to move forward. With the approach developed by this ordinance staff feels the city will be out in front of some issues in a positive way.

Draft Minutes from P&Z on March 12, 2018

Sherry Bailey, Senior Planner presented this item, and advised that this ordinance came about from an application, and the department wanting to take a proactive closer look at where and how a gun range should be allowed. Ms. Bailey stated that given the nature of this request and of possible future requests, the department has turned to the Commission in regards to using a Specific Use Permit in certain districts and that would allow for each request to be weighed as

Amarillo City Council

Agenda Transmittal Memo



needed and other districts to be allowed by right. Ms. Bailey ended the presentation with staff recommendation of approval.

Commissioners asked further questions regarding safety and zoning concerns, which Ms. Bailey answered.

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

A motion to approve this item was made by Commissioner Harman and seconded by Commissioner Ford, and carried unanimously.

Requested Action

The planning department is requesting an addition to the list of zoning uses to include that of Shooting Range, Indoor.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities.

The item was recommended for approval by 7:0 vote of the Planning and Zoning Commission at its March 12, 2018 public meeting.

City Manager Recommendation

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

ORDINANCE NO. 7724

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS AMENDING THE AMARILLO MUNICIPAL CODE AT CHAPTER 4-10, BY ADDING A CATEGORY FOR SHOOTING RANGES (INDOOR) TO ARTICLE IV, DIVISION 1, SECTION 4-10-82, TABLE E, "RECREATIONAL AND ENTERTAINMENT USES" AND A DEFINITION FOR SHOOTING RANGES, INDOOR, TO SEC. 4-10-83 NUMBERED (25)(a); PROVIDING A PENALTY; PROVIDING REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Texas Local Government Code, Title 7, Subtitle A, Chapter 213, permits the governing body of a municipality to adopt a comprehensive plan for the long-range development of a municipality; and

WHEREAS, the City Council adopted the "Amarillo Comprehensive Plan" on October 12, 2010, which established zoning districts and regulations in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the City of Amarillo's Zoning Ordinance does not specifically address indoor shooting ranges as an authorized land use in any of the zoning districts; and

WHEREAS, after a public meeting before the Planning and Zoning Commission to discuss the proposed amendment to the Amarillo Municipal Code's Zoning Ordinance to specifically address indoor shooting ranges in designated zoning districts, the Planning and Zoning Commission recommended this amendment's approval to the City Council; and

WHEREAS, the City Council has considered the final recommendation and report of the Planning and Zoning Commission and has held a public hearing on such proposed zoning ordinance changes, all as required by law.

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

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. The City Council hereby amends the Amarillo Municipal Code, Chapter 4-10, Article IV, Division 1 at Section 4-10-82, Table E, to add a category entitled "Shooting Ranges (Indoor)" as (25a) to Table E, Recreational and Entertainment Uses. This table shall be amended to add "Shooting Ranges, Indoor" with approval of a Specific Use Permit ("S") within the Agricultural (A), General Retail (GR), Light Commercial (LC), Central Business (CB), and Heavy Commercial (HC) zoning districts. This table is also hereby amended to allow "Shooting Ranges, Indoor" as a permitted use (shown by gray shading) within the Light Industrial (I-1), Heavy Industrial (I-2), and Planned Development (PD) zoning districts. This section is amended to read as follows:

| Type Use | SIC Code | A | R-1 | R-2 | R-3 | MD | MF-1 | MF-2 | MH | O-1 | O-2 | NS | GR | LC | CB | HC | I-1 | I-2 | PD | |
|--|----------|-----------------------|------------------------|------------------------|------------------------|---------------------------|----------------------------|----------------------------|----------------------------|-------------------|-------------------|-------------------------------|-------------------------|---------------------------|---------------------------|---------------------------|-----------------------------|-----------------------------|------------------------------|--|
| | | Agricultural District | Residential District 1 | Residential District 2 | Residential District 3 | Moderate Density District | Multiple Family District 1 | Multiple Family District 2 | Manufactured Home District | Office District 1 | Office District 2 | Neighborhood Service District | General Retail District | Light Commercial District | Central Business District | Heavy Commercial District | Light Industrial District 1 | Heavy Industrial District 2 | Planned Development District | |
| E - RECREATIONAL AND ENTERTAINMENT USES | | | | | | | | | | | | | | | | | | | | |
| Adult Business (24a) | 8999 | | | | | | | | | | | | | | | | | | | |
| Expless Establishment (24b) | | | | | | | | | | | | | | | | | | | | |
| Amusement, Commercial (Indoor) (25) | 7900 | S | | | | | | | | | | | | | | | | | | |
| Shooting Ranges (Indoor) (25a) | | S | | | | | | | | | | | S | S | S | S | | | | |
| Amusement, Commercial (Outdoor) (26) | 7900 | S | | | | | | | | | | | | | | | | | | |

SECTION 3. The City Council further amends the Amarillo Municipal Code at Section 4-10-83 to add a definition to read as follows:

“Shooting Ranges (Indoor): An area enclosed at which a handgun, rifle, or other firearm is discharged at a target, designed to prevent a projectile fired from a firearm at a target from going beyond the boundaries of the area, by use of a backstop or other barrier that is designed to completely stop the projectile or prevent a potentially dangerous ricochet.”

SECTION 4. Any person who violates any provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine as provided for in Section 4-10-4 of the Amarillo Municipal Code. Each day of such violation shall constitute a separate offense.

SECTION 5. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 6. The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 7. This Ordinance shall be published and become effective according to law.

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

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Amarillo City Council Agenda Transmittal Memo



| | | | |
|---------------------|--|-------------------------|--|
| Meeting Date | March 20, 2018 | Council Priority | Economic Development and Redevelopment |
| Department | Capital Projects & Development Engineering | | |
| Contact | Kyle Schniederjan, PE | | |

Agenda Caption

Public Hearing and First Reading of an Ordinance Adopting the Amarillo Community Investment Program (CIP) FY 17/18-FY 21/22

This item is a public Hearing and first reading of an ordinance adopting the City's CIP which will guide capital investment decisions for the next five years.

Agenda Item Summary

This item considers and Ordinance adopting the City's 5-year CIP which will guide capital investments over the next five years including allocation of proceeds from debt issued based on authorization by the voters in November 2016 election.

Requested Action

Conduct Public Hearing and approve the Ordinance adopting the FY 17/18-FY 21/22 Community Investment Plan

Funding Summary

See the Community Investment Plan document and the approved FY 17/18 Annual Budget

Community Engagement Summary

Extensive community outreach, workshops, multi-media presentations, Council workshops and an election was held in 2016. Workshops, multi-media presentations and Council workshops were held in 2017 and early 2018.

Staff Recommendation

Recommend approval of the proposed Ordinance

2/21/18

ORDINANCE NO. 17725

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, APPROVING AND ADOPTING THE FIVE-YEAR COMMUNITY INVESTMENT PROGRAM FOR FY 2017-2018 THROUGH 2021-2022; AND MAKING CERTAIN FINDINGS; PROVIDING REPEALER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City Council of the City of Amarillo, Texas, has directed the City staff to prepare and present a statement of capital projects planned for the next succeeding five (5) fiscal years, with estimates of their cost; and

WHEREAS, the City Manager has presented in detail to the City Council a proposed Community Investment Program (CIP) for Fiscal Years 2017-2018 through 2021-2022; and

WHEREAS, the City Council has considered the input of the public and the recommendations of its staff and hereby determines it to be in the public interest to adopt a five-year Community Investment Program for Fiscal Years 2017-2018 through 2021-2022 to service the public health, safety and general welfare of the citizens; and

WHEREAS, a copy of the Community Investment Program for Fiscal Years 2017-2018 through 2021-2022 has been made available for public review and the City Council desires to adopt the Program; and

WHEREAS, the FY 2017-2018 through 2021-2022 Community Investment Program provides a general framework to guide project planning and financing over a five-year period; and

WHEREAS, the FY 2017-2018 through 2021-2022 Community Investment Program is based on general priorities and available financing as can be anticipated at the present time; and

WHEREAS, it is the intention of the City Council that the Community Investment Program will be updated annually and include five years of planned and affordable projects while considering projects that have been completed in the prior fiscal year.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The certain compilation identified as the Proposed Community Investment Program for Fiscal Years 2017-2018 through 2021-2022, a copy of which is

2/21/18

attached hereto, is hereby incorporated in full by this reference and is hereby adopted as the five-year Community Investment Program for the City of Amarillo, Texas.

SECTION 3. The Community Investment Program will be updated each year to recognize changes in the Program as the result of completed projects, changes in project cost and current financing capability of the City.

SECTION 4. The first year of the Community Investment Program will be adopted each year as the Community budget for the current fiscal year through the annual budget ordinance.

SECTION 5. Repealer. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 6. Effective Date. This ordinance shall become effective on and after its passage.

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

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Amarillo City Council Agenda Transmittal Memo



| | | | |
|---------------------|--|-------------------------|-------------|
| Meeting Date | March 20, 2018 | Council Priority | Civic Pride |
| Department | City Manager | | |
| Contact | Kevin Starbuck, Assistant City Manager | | |

Agenda Caption

CONSIDER RENEWAL OF THE HOMELESS OUTREACH PROVIDING ENCOURAGEMENT (HOPE) PROGRAM

Agenda Item Summary

This is a renewal of the Memorandum of Understanding between the City of Amarillo and Amarillo Housing First to administer the HOPE program designed to provide an innovative, proactive approach to connect Amarillo’s homeless population to our community’s support services. Funding for the HOPE program is \$63,000 to conduct program activities from April through October 2018.

Requested Action

City staff is requesting approval to renew the Memorandum of Understanding between the City of Amarillo and Amarillo Housing First to administer the HOPE Program. The HOPE Program is a partnership between the City of Amarillo and Amarillo Housing First to conduct a temporary work program that focuses on providing pro-active outreach of our community’s support services to Amarillo’s homeless population.

The 2017 pilot program was conducted from May through October 2017 providing community clean-up activities 3-days a week, case management for participants, and referrals to community support services at an expense of \$45,334. During the pilot program, 128 participants worked to clean-up playa lakes, city parks, and areas identified by Amarillo Housing First; 124 participants received referrals to community support services, 22 participants were placed in permanent housing, 12 participants achieved full-time employment, and 3 participants moved to better situations.

Funding Summary

Funding for the HOPE Program is set at \$63,000 for a seven month period (April through October 2018). City funding is provided through Job 410629, Hurricane Contingency.

Community Engagement Summary

The HOPE Program represents a high impact program for a selected segment of the community. City staff has promoted the program through briefings to City Council, media stories, and engagement with the Continuum of Care agencies.

Staff Recommendation

City staff recommends City Council approve the HOPE Program MOU renewal.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this ____ day of _____, 2018, by and between the City of Amarillo, Texas, a home-rule municipal corporation ("City") and Amarillo Housing First, Amarillo, Texas, a Texas non-profit corporation ("Provider").

RECITALS

WHEREAS, City has determined that the provision of basic social services to its residents, including homeless residents, is required to maintain a reasonable quality of life in the community; and

WHEREAS, City finds that it is in the best interests of the citizens to appropriate funds for this purpose; and

WHEREAS, City desires to engage Provider to render certain social services to the homeless community.

NOW THEREFORE, in consideration of the premises and mutual obligations herein, the parties mutually agree as follows:

1. Goals and Objectives: Provider agrees to accomplish the following goals and objectives in a satisfactory and proper manner, as determined by City, and within the financial resources provided by City:
 - a. To achieve Amarillo's priority of "HOPE" (Homeless Outreach Providing Encouragement), i.e. to create an innovative, proactive approach to connect Amarillo's homeless population to our community's support services as part of our on-going commitment to move the homeless population from crisis to stability.
 - b. Provide proactive outreach of locally available support services to the homeless population in Amarillo by engaging them in temporary work activities.
2. Scope of Services: Provider shall perform the following Services in a satisfactory and proper manner, as determined by City, and within the financial resources provided by City:
 - a. Coordinate and staff the work program with a trained, qualified individual(s) as the driver and outreach coordinator.
 - b. At least two days, but no more than three days, per week, the outreach coordinator will engage four to six individuals from the homeless community in Amarillo to work for approximately six hours cleaning up a pre-identified area of Amarillo. City's Solid Waste Department will give Provider a list of pre-identified potential work sites and Provider will select clean-up sites from the list.

- c. Transport participants to/from work sites; provide them with work tools and safety equipment for clean-up activities; and provide them with a meal, snacks and water during the work period.
 - d. Coordinate with City's Solid Waste Department to arrange pick-up and drop-off of appropriate waste container(s) to be used at clean-up sites. Provider must give City's Solid Waste Department at least 48-hours advance notice of location where waste container(s) will be needed and should be dropped off.
 - e. Pay participants daily a stipend of \$9.00 per hour for hours worked.
 - f. Establish contact with a minimum of 150 unduplicated individuals within the target homeless population through roving van outreach.
 - g. Provide appropriate interaction with each participant to ensure the completion of the coordinated assessment tool through HMIS. Each participant should spend no more than one hour per work-day completing administrative, intake, counseling or any other non-clean up activity.
 - h. Facilitate the connection of each participant with appropriate local support services.
 - i. Cooperate with any City, State or Federal program data collection and evaluation efforts by providing requested information for services delivered and at least one monthly report including summary updates of services delivered.
 - j. Utilize HMIS to input and track participant data in "real time," but no less than once per week when real time entries are not appropriate or otherwise completed.
 - k. As appropriate, identify and refer participants as potential candidates for employment (temporary, seasonal, part-time and/or full-time) with City. City will provide a listing of potential City employment opportunities to Provider.
3. Time of Performance: Services of Provider required hereunder shall start on April 1, 2018, and shall continue for a period of seven months from the start date. City does not guarantee that services under the MOU will be renewed beyond this period.
4. Compensation and Method of Payment:
- a. Maximum Compensation: For performing the Services specified in Section 2 of this Memorandum of Understanding ("MOU"), City agrees to pay Provider a total amount not to exceed SIXTY-THREE THOUSAND DOLLARS AND NO CENTS (\$63,000.00), which amount shall constitute full and complete compensation for Provider's Services hereunder, including all expenditures made and expenses incurred by Provider in performing the Services per the "Program Budget" attached hereto and made a part hereof as Exhibit A.

b. Method of Payment:

- i. City agrees to pay all sums to Provider on a cost reimbursement basis monthly, and subsequent to receipt of a monthly invoice and requisition for payment in compliance with the budgetary and fiscal guidelines of City. Only those costs which are allowable under the terms of this MOU and Exhibit A shall be reimbursed. In the event Provider has failed to perform any Services described in this MOU or to meet any other requirements of this MOU, payment will be withheld until such time as Provider is in full compliance with all terms of this MOU.
- ii. All monthly invoices and requisitions for payment submitted by Provider must be supported by documentation of Services provided in Provider's files.
- iii. Checks issued by Provider to pay obligations incurred under this MOU shall be made payable to the vendor for services or materials and not to cash.

c. Program Income: For the purposes of this MOU, "Program Income" means gross income, including interest earned on City Funds, or received by Provider which is directly generated from the use of City Funds. When Program Income is generated by an activity that is only partially assisted with City Funds, the Program Income shall be prorated to reflect the percentage of said funds. Program Income received may be retained by Provider and will be used for the purposes specified in the Goals and Objectives and Scope of Services of this MOU and is subject to the same rules and regulations of this MOU. Any Program Income on hand when this MOU expires or is terminated as provided herein or received after this MOU's expiration shall be promptly paid to City.

5. Program Budget Revisions: Provider shall inform City of any "line item" revisions to the Program Budget, within the Maximum Compensation shown in this MOU and shall obtain City's prior written approval of any line item change that represents Five Hundred Dollars (\$500) or greater. Provided, however, that any Program Budget revisions must be eligible expenditures under this MOU.

6. Amendment to MOU: Amendments to this MOU must be written and signed by both parties.

7. Fiscal Agent, Purchasing Agent and Personnel Agent:

a. Provider shall serve as its own fiscal agent, purchasing agent, and personnel agent.

b. Provider shall adhere to generally accepted accounting and management standards and practices.

8. Performance Monitoring:
 - a. Provider will provide assistance and information needed by City's Community Development Department to monitor and evaluate the performance of the Scope of Services. It is understood that City's Community Development Department staff, at its discretion, may perform periodic fiscal and program monitoring reviews. It is also understood that reviews by other City officials may be required.
 - b. Provider's staff will undergo appropriate HMIS training and keep all participant data current in HMIS by, as appropriate, inputting participant data in real-time or at a minimum of at least once per week.
9. Reversion of Assets: Upon the expiration of this MOU, Provider shall transfer to City any City Funds on hand at the time of expiration and any accounts receivable attributed to the use of City Funds. Provider shall also return any tools or equipment (except disposable or personal items) purchased with City funds to provide services under this MOU.
10. Special Provisions: The availability of funds for the activities covered by the Scope of Services outlined herein and for performance of this MOU, depends solely on the provision of said funds appropriated by City Council of City. City assumes the responsibility for payment of the compensation owed to Provider under Sections 4(a) and 4(b) herein, to the extent funds for such compensation are made available and appropriated by City Council.
11. Independent Provider:
 - a. Neither Provider nor its employees or volunteers are considered to be employees of City of Amarillo for any purpose whatsoever. Provider is considered to be an independent contractor at all times in the performance of the Scope of Services described herein.
 - b. Provider agrees that neither it nor its employees or volunteers are entitled to any benefits from City under the Workers Compensation Act of the State of Texas, or to any of the benefits provided to City employees.
 - c. Provider shall notify participants at intake/prior to start of work-day that they are not City of Amarillo employees.
 - d. Provider certifies that it will establish, publish and post a statement of its policies and requirements on maintaining a drug free workplace and shall require the same of all providers of Services under this MOU.
 - e. Except as specifically provided in Section 14(a)(ii) of this MOU, Provider further certifies that it assumes all risk, liability and insurance requirements to guard it, its employees and volunteers against all damages and losses resulting from any services performed pursuant to this MOU.

12. Personnel:

- a. Provider represents that it has, or will secure, all personnel required in performing all of the Services required under this MOU. Such personnel shall not be employees of or have any contractual relationships with City. Personnel salaries, benefits and other related costs may be paid for from City Funds as authorized in the Program Budgets attached hereto.
- b. All the Services required hereunder will be performed by Provider or under its supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under state and local law to perform such Services.
- c. None of the work or the Services covered by this MOU shall be subcontracted without prior written approval of City. Any work or Services subcontracted hereunder shall be specified by written contract or MOU and shall be subject to each provision of this MOU.

13. Indemnity: Provider agrees to defend, indemnify and hold harmless City and its officials, agents, and employees from and against any and all claims, actions, suits or proceedings of any kind brought against said parties arising out of or resulting from the Services performed by Provider under this MOU. The indemnity required hereunder shall not be limited by reason of the specification of any particular insurance coverage in this MOU. Nothing in this MOU shall be construed to require Provider to indemnify City and its officials, agents, and employees for the negligence, acts or omissions of City, its officials, agents or employees.

14. Insurance: Except as specifically provided in Section 14(a)(ii) of this MOU, Provider shall procure and maintain until final payment by City for Services covered by this MOU, insurance in the kinds and amounts hereinafter provided with insurance companies authorized to do business in the State of Texas, covering all operations under this MOU, whether performed by Provider, its agents, employees or volunteers. Before commencing the Services, and on the renewal of all coverages, Provider shall furnish to City a certificate or certificates in form satisfactory to City showing that it has complied with this Section. All certificates of insurance shall provide that thirty (30) days written notice be given to the Risk Manager, City of Amarillo, P.O. Box 1970, Amarillo, Texas, 79105, before a policy is canceled, materially changed, or not renewed. Various types of required insurance may be written in one or more policies. With respect to all coverages required other than workers' compensation, City shall be named an additional insured. All coverages afforded shall be primary with respect to operations provided. Kinds and amounts of insurance required are as follows:

Commercial General Liability

| | |
|-----------|------------------------------|
| \$500,000 | Each Occurrence |
| \$500,000 | Personal & ADV Injury |
| \$500,000 | General Aggregate |
| \$500,000 | Products – Comp/OP Aggregate |

Automobile Liability

| | |
|-----------|--------------------------------|
| \$250,000 | Bodily Injury (per person) |
| \$500,000 | Bodily Injury (per accident) |
| \$100,000 | Property Damage (per accident) |

Workers' Compensation

| | |
|-----------|-----------------------------|
| \$100,000 | E.L. Each Accident |
| \$100,000 | E.L. Disease –Each Employee |
| \$500,000 | E.L. Disease – Policy Limit |

Said policy of insurance must include coverage for all operations performed for City by Provider and contractual liability coverage shall specifically insure the hold harmless provisions of this MOU.

a. Automobile Liability Insurance:

- i) Vehicles Not Owned by City: At Provider's expense, an automobile liability policy with liability limits as set forth above.
- ii) Vehicles Owned by City: City shall provide insurance or otherwise self-insure all vehicles owned by City which Provider uses under the terms of this MOU for the provision of services under this MOU.

b. Workers' Compensation Insurance: Workers' Compensation Insurance for its employees in accordance with the provisions of the Workers' Compensation Act of the State of Texas.

c. Increased Limits: If, during the term of this MOU, City requires Provider to increase the maximum limits of any insurance required herein, an appropriate adjustment in Provider's compensation will be made.

15. Use of City Vehicle: City shall loan Provider a passenger van "City Vehicle" to be used in and around the Amarillo vicinity for the provision of services and ancillary services under this MOU. In connection therewith Provider must, ensure the following:

- a. Only persons with a valid Texas Driver's License will operate City vehicle evidenced by current background report showing license is current.
- b. City Vehicle is not utilized for personal business and is only used in connection with the provision of services under this MOU.
- c. No passengers will be permitted in City Vehicle unless involved in the provision of services under this MOU.
- d. Seat belts for the driver and all passengers must be fastened at all times when City Vehicle is in operation.

- e. No more than two persons in the front seats of City Vehicle while it is in operation.
 - f. Personal listening/music devices (including cell phones) which include headphones are strictly prohibited from use in City Vehicle.
 - g. Driver usage of a cell phone, including texting, talking, messaging, etc., is strictly prohibited while operating City Vehicle.
 - h. Proper care, use and operation of City Vehicle.
 - i. Maintenance of City vehicle is completed in accordance with the manufacturer's suggested maintenance schedule or the maintenance schedule established for the vehicle by the Municipal Garage.
 - j. Clean the interior of City vehicle of trash and debris after each use.
 - k. Regularly wash the exterior of City vehicle and regularly clean the interior of dirt, dust, etc.
 - l. If City vehicle is involved in a collision or is damaged in any way, Provider shall promptly notify City's Risk Management Department.
 - m. When City Vehicle is not in use it shall be properly parked (off-street locations when available) and secured.
16. Representations in Application: City has relied on all representations in Provider's HOPE Pilot Program Application in entering into this MOU and Provider warrants the accuracy of all representations in said application. Misrepresentation in the application shall be cause to terminate the MOU and Provider shall owe all amounts paid to it as liquidated damages.
17. Notices: Any notice hand-delivered or sent by mail (with a return receipt which indicates delivery) to the addresses below shall be deemed received for any purposes arising out of this MOU, regardless of whether personally received by Provider.

For City, notices may be sent to:

Kevin Starbuck, Assistant City Manager
P.O. Box 1971
Amarillo, TX 79105-1971
Or for hand delivery:

Kevin Starbuck, Assistant City Manager
509 SE 7th Avenue, Room 303
Amarillo, 79101

For Provider, notices may be sent to:

Amarillo Housing First
ATTN: Chris Seright
200 S. Tyler, Suite 1A
Amarillo, TX 79101

18. Required Assurances: During the performance of this MOU, Provider agrees as follows:
- a. Compliance with Civil Rights Laws and Executive Orders:
 - (i) Provider will comply with the provisions of, and act in accordance with, all federal laws, rules and regulations, and Executive Orders related to equal employment opportunity, affirmative action, equal access to programs and services, and the enforcement of Civil Rights, including, but not limited to: the Housing and Urban Development Act of 1968, the Housing and Community Development Act of 1974, as amended, Title VI and Title VII of the Civil Rights Act of 1964, as amended, Title VIII of the Civil Rights Act of 1968, Sections 502, 503, 504 and 505 of the Rehabilitation Act of 1973, Equal Pay Act of 1963, Age Discrimination in Employment Act of 1967, as amended, the Vietnam Era Veterans Readjustment Act of 1974, the 1986 U.S. Immigration Reform and Control Act, Americans With Disabilities Act of 1990, Executive Order 11063 of 1962 and Executive Order 11246 of 1965, as amended, and the Nontraditional Employment for Women Act of 1991.
 - (ii) Provider will not discriminate against any employee or applicant for employment because of race, color, religion, gender, sexual preference, sexual orientation, age, national origin or ancestry, physical or mental handicap, disability, or Vietnam era or disabled veteran status.
 - (iii) Provider will make reasonable accommodation to the known physical or mental handicap or disability of an otherwise qualified employee or applicant for employment.
 - b. Provider will ensure and maintain a working environment free of sexual harassment and other unlawful forms of harassment, intimidation, and coercion in all facilities at which Provider's employees are assigned to work.
 - c. Provider will in all solicitations or advertisements for employees placed by or on behalf of Provider state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, sexual preference, sexual orientation, age, national origin or ancestry, or physical or mental handicap or disability.

19. Use of Funds for Sectarian Religious Purposes: Provider covenants and agrees that no funds awarded through this program will be used for sectarian religious purposes, and specifically that:
 - a. there will be no religious test for admission for services;
 - b. there will be no requirement for attendance at religious services;
 - c. there will be no inquiry as to a participant's religious preference or affiliation;
 - d. there will be no forced proselytizing; and
 - e. Services provided will be essentially secular.
20. Lobbying: Provider understands that utilization of any federally appropriated funds provided to Provider by City pursuant hereto to influence or attempt to influence any member or employee of the executive or legislative branches of the federal government with respect to a covered federal action is prohibited.
21. No Collusion: Provider covenants and warrants that this MOU is entered into by Provider without collusion on the part of Provider with any person or firm, without fraud and in good faith. Provider also covenants and warrants that no gratuities, in the form of entertainment, gifts or otherwise, were, or during the term of this MOU, will be offered or given by Provider or any agent or representative of Provider to any officer or employee of City with a view towards securing this MOU or for securing more favorable treatment with respect to making any determinations with respect to performing this MOU.
22. Reports and Information:
 - a. At such times and in such forms as City may require, there shall be furnished to City's Community Development Department, such statements, records, data and information as City may request pertaining to matters covered by this MOU. Unless authorized by City, Provider will not release any information concerning any work product including any reports or other documents prepared pursuant to this MOU until the final product is submitted to City.
 - b. Notwithstanding any request made or information provided pursuant to paragraph 20(B) above, Provider will submit to City's Community Development Department monthly program performance reports covering the Services provided under this MOU. Reports are due no later than fifteen (15) days after the end of the reporting month.
 - c. Provider will cooperate with any City, State or federal program data collection and evaluation efforts by providing the requested information for Services delivered. Failure to do so may result in the suspension and/or termination of this MOU.
 - d. Provider must keep track of any split time if HOPE employees are also

required to perform duties or activities for Provider that are not related to the provision of services under this MOU. All reports must clearly delineate the percentage of time that was spent completing HOPE versus non-HOPE activities.

23. Debarment, Suspension, Ineligibility and Exclusion Compliance:
 - a. Provider certifies that it has not been debarred, suspended or otherwise found ineligible to receive funds by any agency of the executive branch of the federal government.
 - b. Provider agrees that should any notice of debarment, suspension, ineligibility or exclusion be received by Provider, Provider will notify City immediately.
24. Establishment and Maintenance of Records: Any records created or maintained by Provider regarding the provision of services under this MOU shall be maintained for a period of not less than five (5) years after receipt of final payment under this MOU.
25. Audits and Inspections: At any time during normal business hours and as often as City may deem necessary, there shall be made available to City for examination, all of Provider's records with respect to all documents related to this MOU. Provider shall permit City and/or the appropriate funding entity to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment, and other data relating to all mailers related to this MOU.
26. Publication, Reproduction and Use of Material: No material produced in whole or in part under this MOU shall be subject to copyright in the United States or in any other country. City shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, any reports, data or other materials prepared under this MOU.
27. Compliance with Laws: In performing the Services required hereunder, Provider shall comply with all applicable laws, ordinances, and codes of the federal, State and local governments.
28. Assignability: Provider shall not assign any interest in this MOU, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of City thereto.
29. Termination for Cause:
 - a. If, through any cause, Provider shall fail to fulfill in a timely and proper manner its obligations under this MOU or if Provider shall violate any of the covenants or stipulations of this MOU, City shall thereupon have the right to terminate this MOU by giving written notice to Provider of such termination and specifying the effective date thereof at least five (5) days before the effective date of such termination. In such event, all finished or

unfinished documents, data, maps, studies, surveys, drawings, models, photographs and reports prepared by Provider under this MOU shall, at the option of City, become its property, and Provider shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

- b. Notwithstanding the above, Provider shall not be relieved of liability to City for damages sustained by City by virtue of any breach of this MOU by Provider, and City may withhold any payments to Provider for the purposes of set-off until such time as the exact amount of damages due City from Provider is determined.
30. Termination without Cause by City: City may terminate this MOU without cause at any time by giving at least forty-five (45) days notice in writing to Provider. If Provider is terminated by City without cause, Provider shall be entitled to all amounts incurred and owed to Provider by the City up to the date of termination.
31. Construction and Severability: If any part of this MOU is held to be invalid or unenforceable, such holding will not affect the validity or enforceability of any other part of this MOU so long as the remainder of the MOU is reasonably capable of completion.
32. Enforcement: Provider agrees to pay to City all costs and expenses including reasonable attorney's fees incurred by City in exercising any of its rights or remedies in connection with the enforcement of this MOU.
33. Entire MOU: This MOU contains the entire MOU of the parties and supersedes any and all other MOUs or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.
34. Applicable Law: This MOU shall be governed by and construed and enforced in accordance with the laws of the State of Texas, and the laws, rules and regulations of City of Amarillo, Texas.
35. Forum Selection: Any cause of action, claim, suit, demand, or other case or controversy arising from or related to this MOU shall be brought exclusively in a court located in Potter County, Texas. The parties irrevocably submit themselves to and consent to the jurisdiction of such courts. The provisions of this Section shall survive the termination of this MOU.

IN WITNESS WHEREOF, City and Provider have executed this MOU effective as of the date signed by the City of Amarillo.

ATTEST:

CITY OF AMARILLO

Frances Hibbs, City Secretary

By: _____
Jared Miller, City Manager

Date: _____

AMARILLO HOUSING FIRST

By: _____

Printed Name: _____

Title: _____

Date: _____

EXHIBIT A

2018 PROGRAM BUDGET

| Expense Item | Number of Units | Cost/Unit | Total Line Item | Subtotal-Category |
|---|------------------------|------------------|------------------------|--------------------------|
| <i>Program Administration (standard 10% budget)</i> | 1 | \$6,000 | \$6,000 | |
| SUBTOTAL- Work Program Operation | | | | \$6,000 |
| <i>Work Program Operation (staffing)</i> | | | | |
| Driver/labor supervisor (1 driver/supervisor x 8 hours/day x 3days/week x 30 weeks) | 720 | \$11 | \$7,920 | |
| Program coordinator (1 Office staff x 7 hours/day x 2 days/week x 30 weeks) | 420 | \$8 | \$3,360 | |
| Case Managers (All volunteers, incl. WTAMU students) | 8 | \$0 | \$0 | |
| Case Manager Supervisor (1 RN Case Manager x 9 hours/week x 30 weeks) | 270 | \$20 | \$5,400 | |
| SUBTOTAL- Work Program Operation | | | | \$19,624 |
| <i>Work Program Support</i> | | | | |
| Tools (reachers) | 60 | \$10 | \$600 | |
| Tools (trash bags) 90 count @ \$15.98 | 35 | \$16 | \$560 | |
| High Visibility Vests- Harbor Freight | 60 | \$4 | \$240 | |
| Safety Goggles - Harbor Freight | 150 | \$2 | \$270 | |
| Gloves (5/pack)- Harbor Freight | 24 | \$8 | \$192 | |
| Food Services- <i>donated</i> (1 meal/day x 7 workers x 3 days/week x 30 weeks) | 546 | \$0 | \$0 | |
| Water/Snacks | 1500 | \$1 | \$1,500 | |
| Vehicle Operational Expenses | 6 | \$300 | \$1,800 | |
| SUBTOTAL- Work Program Support | | | | \$5,162 |
| <i>Participant Stipend</i> | | | | |
| Day Workers (6 workers x 6 hours/day x 3 days/week x 30 weeks) | 3240 | \$9 | \$29,160 | |
| SUBTOTAL- Participant Stipend | | | | \$29,160 |
| <i>Other Program Expenses</i> | | | | |
| Volunteer Insurance | 1 | \$612 | \$612 | |
| SUBTOTAL- Other Program Expenses | | | | \$612 |
| | | | | |
| TOTAL REQUEST | | | | \$60,558.02 |

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Amarillo City Council Agenda Transmittal Memo



| | | | |
|---------------------|----------------------------|-------------------------|-----|
| Meeting Date | March 20, 2018 | Council Priority | N/A |
| Department | City Manager | | |
| Contact | Jared Miller, City Manager | | |

Agenda Caption
CONSIDER ADOPTION OF THE 2018 BLUEPRINT FOR AMARILLO

Agenda Item Summary
City Council will consider adoption of the 2018 revision of the Blueprint for Amarillo. The document provides a framework and highlights major initiatives that address the City Council Pillars of Public Safety, Economic Development and Redevelopment, Civic Pride, Highly Educated Population, Fiscal Responsibility, Customer Service, Excellence in Communication, and Transportation. In addition, the document includes series of City Manager initiatives to enhance and improve City operations.

Requested Action
Adoption of the 2018 Blueprint for Amarillo.

Funding Summary
N/A

Community Engagement Summary
The 2018 revision of the Blueprint for Amarillo is a culmination of input from City Council gathered during the Strategic Visioning Workshop (July 2017), State of the City address (October 2017), and City Council discussion of the pillars (November 2017). The document is intended to be a living document with quarterly updates to the City Council on progress made on identified initiatives.

Staff Recommendation
City staff recommends adoption of the 2018 Blueprint for Amarillo.