

**AMENDED
AGENDAS**

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, JULY 25, 2017 AT 3:30 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 Regional Mayor's Meeting and Texas Cities' Letter to Governor Abbott;
 - (3) Update on Red Light Enforcement Program;
 - (4) Update on I-40 & I-27 TxDOT Interchange Agreement; and the TxDOT Maintenance Agreement (mowing); 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) Attorney consultation. 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.
 - (a) Consultation with attorney regarding status of negotiations – MPEV lease agreement and related matters.

REGULAR MEETING ITEMS

INVOCATION: Davlyn Deusterhaus, BSA Staff Chaplain

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 orientation and regular meetings held on July 18, 2017.

B. ORDINANCE NO. 7675:

This is the second and final reading to rezone Lot 3, Block 185, Plemons Unit No. 1, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 120A (PD-120A) to Multiple Family District 2 (MF-2). (Vicinity: Southwest 14th Avenue and South Jackson Street.)

C. AVIATION CLEAR ZONE EASEMENT:

Aviation Clear Zone Easement, being 4,750 feet above mean sea level above the plat of Greenbrier Unit No. 5, an addition to the City of Amarillo, being a replat of Lot 4, Block 15, Greenbrier Unit No. 4, Section 104, Block 2, AB&M Survey, Potter County, Texas.

REGULAR AGENDA

2. RESOLUTION – A PUBLIC HEARING AND ESTABLISHING A TRIENNIAL GOAL FOR OCTOBER 1, 2017 TO SEPTEMBER 30, 2020 FOR THE DISADVANTAGED BUSINESS ENTERPRISE PROGRAM FOR PROJECTS FUNDED BY THE UNITED STATES DEPARTMENT OF TRANSPORTATION:

This resolution conducts a public hearing on the Triennial Goal for October 1, 2017 to September 30, 2020 for Disadvantaged Business Enterprise Program and authorizes the City of Amarillo to submit the goal to the Federal Transit Administration by August 1, 2017.

3. RESOLUTION – PUBLIC HEARING ON THE 2017/2018 GRANT APPLICATION FOR FEDERAL AND STATE FUNDING FOR THE AMARILLO CITY TRANSIT SYSTEM:

This resolution on the FY 2017/2018 Program of Projects and authorizes the City of Amarillo to submit a grant application to the Federal Transit Administration (FTA) and the Texas Department of Transportation (TXDOT) for fiscal year 2017-2018 for operating and capital assistance in support of Amarillo City Transit Department. Amarillo City Transit Department is applying for \$2,891,534 Federal FTA Funds and \$369,039 State TXDOT Funds.

4. AWARD – PROJECT NO. 523095 – 12” WATER MAIN RELOCATION IN I-40 EAST BOUND FRONTAGE ROAD AT BELL STREET – WEST TEXAS UTILITY CONTRACTORS, INC. - \$120,363.00:

This item is to approve the contract for construction services for West Texas Utility Contractors, Inc. to install a new, 12” water main.

5. CONSIDER APPROVAL OF TXDOT AGREEMENT FOR HIGHWAY IMPROVEMENT, SUPPLEMENTAL AND ADDITIONAL MOWINGS OF RIGHT-OF-WAY ON IH-40 AND IH-27 WITHIN THE CITY LIMITS OF THE CITY OF AMARILLO AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT:

Total supplemental right-of-way mowing costs -- \$87,912.42

This item provides for TxDOT to perform additional mowing of Interstate Highway right-of-way within the City limits in addition to the mowing scheduled as part of TxDOT annual operations. The City will be responsible for \$29,304.14 per additional mowing cycle that is requested by the City and performed by TxDOT.

6. APPROVAL – LEASE AGREEMENT BETWEEN CITY AND WINPARK PLACE, LLC:

This lease agreement provides for Winpark Place, LLC to provide, rent-free, an office space at the Winpark Place Shopping Center, located at Hillside Road and Bell Street to be used by the Amarillo Police Department. The office will be utilized by the motors officers and the Sergeant for the AISD liaison officers for the purpose of general policy activity, research, preparing reports, etc. The term of the lease is for five (5) years with a onetime renewal of three (3) years.

7. **APPOINTMENTS – BOARDS AND COMMISSIONS:**

Appointments are needed for the following:

- 1) East Gateway Tax Increment Reinvestment Zone #2 (TIRZ#2):
Appointment of Board Chair

- 2) City Council Member for Neighborhood Planning Programming
Appointment of Liaison
2016/2017 Elisha Demerson

- 3) Amarillo MPO Policy Committee:
12/01/2014 Paul Harpole
07/14/2015 Mark Nair

MISCELLANEOUS

1. Boards and Commission – needed appointments as listed on attached.

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 21st day of July 2017.

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 18th day of July 2017, the Amarillo City Council met at 1:00 p.m. for City Council Orientation located at City Hall, 509 Southeast 7th Avenue, Council Conference Room, 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 H. MILLER
BOB COWELL
MICHELLE BONNER
KEVIN STARBUCK
MICK MCKAMIE
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
ASSISTANT CITY MANAGER
ASSISTANT CITY MANAGER
CITY ATTORNEY
CITY SECRETARY

Presentations were presented by Chief Ed Drain, Amarillo Police Department; Richard Havens, Director of Animal Management & Welfare; and Shaun May, Director of Environmental Health.

Mayor Nelson advised that the meeting was adjourned.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 18th day of July 2017, the Amarillo City Council met at 4:30 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 H. MILLER
BOB COWELL
MICK MCKAMIE
BLAIR SNOW
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
MGMT. ANALYST PUBLIC SAFETY
CITY SECRETARY

Invocation was given by Pearse Nelson. Jace Nelson led the audience in the Pledge of Allegiance.

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

PUBLIC COMMENT:

James Schenck, 6216 Gainsborough Street, asked for clarification on the public hearing Item 3. Mr. McKamie replied he could speak now or Mayor Nelson would ask for comments during the item. Mr. Schenck further stated the City had 47 plus boards and the ability to go online to fill out application. He stated he appreciated the Solid Waste postings on Facebook. He urged the Council to make sure everything was in order and consider the HOT tax before approving the baseball contract. Edith DiTommaso, 1613 Bowie Street, #B, stated Item 4, Emergency Solutions Grant, was needed for shelters to help the homeless. Rupert Brashears, Jr., 2422 Poplar Street, applauded those who brought about Senate Bill 1913. There were no further comments.

Mr. McKamie introduced Leslie Schmidt, Senior Assistant City Attorney.

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 of the consent agenda as corrected, seconded by Councilmember Smith.

- A. Minutes:
Approval of the City Council minutes of the workshop and regular meetings held on July 10 and 11, 2017, respectively.
- B. Ordinance No. 7674:
Second and final reading of an ordinance rezoning of Lot 18, Block 44, Hamlet Addition Unit No. 5, in Section 158, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 (R-1) to Residential District 1 with a Specific Use Permit (SUP-190) for a carport. (Vicinity: Sequoia Street & Balsam Lane.)

ORDINANCE NO. 7674
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 SEQUOIA STREET AND BALSAM LANE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

C. Ordinance No. 7673:

Second and final reading of an ordinance rezoning of Lot 11 and South 15 Feet of Lot 12, Block 14, Miller Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Multiple Family District 1 (MF-1) to Neighborhood Service District (NS). (Vicinity: Northwest 9th Avenue and North Hughes Street.)

ORDINANCE NO. 7673

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 NORTHWEST NINTH AVENUE AND NORTH HUGHES STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING 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.

REGULAR AGENDA

ITEM 2: Mayor Nelson held a public hearing and presented first reading of an ordinance rezoning Lot 3, Block 185, Plemons Unit No. 1, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 120A (PD-120A) to Multiple Family District 2 (MF-2). (Vicinity: Southwest 14th Avenue and South Jackson Street.) AJ Fawver, Planning Director, presented this item. Mayor Nelson opened a public hearing on this item. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Sauer, seconded by Councilmember Hays, that the following captioned ordinance be passed:

ORDINANCE NO. 7675

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 SOUTHWEST FOURTEENTH AVENUE AND SOUTH JACKSON STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING 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 held a public hearing to gather comments for and against annexation of a 154.68 acre property situated west of the city limits, and located near the northwest corner of the intersection of Tascosa Road (also known as RM 1061) and Ravenwood Drive, and north of a westerly projection of Ravenwood Drive. This item was presented by AJ Fawver, Planning Director. Mayor Nelson opened a public hearing on this item. Councilmember Hays inquired as to the advantages of annexing property. AJ stated first reading (08/22) will provide staff recommendation and analysis. James Schenck, 6216 Gainsborough Street, noted extra expenses when the city had sprawls and the ability to collect property taxes on areas annexed. Joe Watkins, managing partner of the project stated the drainage easement has been restructured. The land has been owned by the Morgan Family for a long time and they have been waiting for the area to expand out Tascosa Road. This area will be an upscale, commercial and residential area and the preliminary plans will be submitted within a

month or two. He further stated other developments in the area have been successful. There were no other comments. Mayor Nelson closed the public hearing.

ITEM 4: Mayor Nelson presented an item to approve the Emergency Solutions Grant which is a HUD funded program passed through the Texas Department of Housing and Community Affairs to provide services to persons experiencing homelessness. The Amarillo Continuum of Care for the Homeless is eligible to receive an Emergency Solutions Grant award of \$145,449 for fiscal years 2017 and 2018. The Grant will provide operating expenses and essential services at emergency shelters, homeless prevention and homeless rapid re-housing. This item was presented by James Allen, Community Development Director. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, 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.

ITEM 5: Mayor Nelson presented an item to consider and direct City staff regarding a request from Officer William Roper to initiate renaming a Meadow Drive to Justin Scherlen Drive. (Vicinity: A entire block segment of Meadow Drive between Southwest 34th Avenue and South Western Street.) This item was presented by AJ Fawver, Planning Director. Councilmember Smith inquired as to how the name Meadow was established. Ms. Fawver stated it was on the original plat. Motion was made by Councilmember Smith to proceed, seconded by Councilmember Powell.

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 6: Mayor Nelson presented an item which awards the bid for the terminal boiler replacement procurement package. Trent Davis, Purchasing Agent, stated the next three items were single bid items. Motion was made by Councilmember Hays, seconded by Councilmember Sauer, 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.

ITEM 7: Mayor Nelson presented an item which awards the professional services contact for the City of Amarillo's folding, inserting, and sealing services for the general mail. 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.

ITEM 8: Mayor Nelson presented an item to approve a contract for auctioneering services for use by the Purchasing Department for the disposal of surplus property, vehicles and police seized property. The City of Amarillo will utilize the auctioneering services contract to dispose of all City surplus property, vehicles and police seized property. The revenue that the city receives for this contract is distributed to the appropriate accounts. Councilmember Powell inquired how the funds were distributed. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, 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.

Mayor Nelson advised that the meeting was adjourned.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

Amarillo City Council Agenda Transmittal Memo



Meeting Date	July 25, 2017	Council Priority	Community Appearance
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Department	Planning Department
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Agenda Caption

Vicinity: SW 14th Ave. & S Jackson St.

Rezoning of Lot 3, Block 185, Plemons Unit No. 1, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 120A (PD-120A) to Multiple Family District 2 (MF-2).

Agenda Item Summary

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

During the site visit, Planning Department staff noticed that - in all directions of this property are higher-density residential uses consistent with this proposal; furthermore, this proposal lies in the middle of the established BCS campus area.

This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which designates this area for a future "urban" land use. The Comprehensive Plan states that the character and intensity of the land use category would encompass attached residential facilities which meet the urban land use definition.

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from areas of lower density at section line corners to areas of high density. This concept of development ensures that commercial areas will have less of an impact to residential areas. This concept does affect the Neighborhood Unit Concept as this request does not follow along the section line; however, it is important to note that this area was developed before the Neighborhood Unit Concept was adopted by City Council.

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

- Emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. (*page 3.3, Growth Management & Capacity*)
- The concept of variety and balance of residences which promotes the development of

Amarillo City Council Agenda Transmittal Memo



different types of housing to support a “life-cycle housing” philosophy.

“This philosophy involves the notion that a wide range of housing types, styles, and price ranges should be available so that residents can readily make lifestyle transitions within their own community as they age (e.g., from “starter” housing, perhaps into a larger dwelling to accommodate a family, then perhaps into an “empty nester” situation, and finally into a down-sized space and/or “assisted living” or full-time care facility as health conditions dictate).” (page 6.18, Housing and Neighborhoods)

The requested zoning change would create a logical continuation of the MF-2 zoning in the area that the remainder of the BCS campus is already zoned as, and this proposed project use would be allowed within, by right.

Requested Action

The applicant is requesting the rezoning of Lot 3, Block 185, Plemons Unit No. 1, previously zoned Planned Development District (PD-120A), to change to Multiple-Family District 2 (MF-2) in order to expand the current Baptist Community Services Ware Assisted Living Facility.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 3 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request.

The item was recommended for approval by 7:0 vote of the Planning and Zoning Commission at its July 10, 2017 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. 1675

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 SOUTHWEST FOURTEENTH AVENUE AND SOUTH JACKSON STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has held public hearings on proposed zoning changes on the property hereinafter described and has filed its final recommendation and report on such proposed zoning changes with the City Council; and,

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

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

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

Rezoning of Lot 3, Block 185, Plemons Unit No. 1, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 120A (PD-120A) to Multiple Family District 2 (MF-2).

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 ____ day of July, 2017 and PASSED on Second and Final Reading on this the _____ day of July, 2017.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Looking northeast from SW 14th Ave (Private Street) at the property for consideration



Looking northwest from SW 14th Ave (Private Street) at the property for consideration



Looking west from the property for consideration down SW 14th Avenue



Looking south across SW 14th Avenue (Private Street) from the property for consideration



Looking southeast down SW 14th Avenue (Private Street) from the property for consideration



Looking east at the property for consideration and the existing BCS Ware Assisted Living Facility.

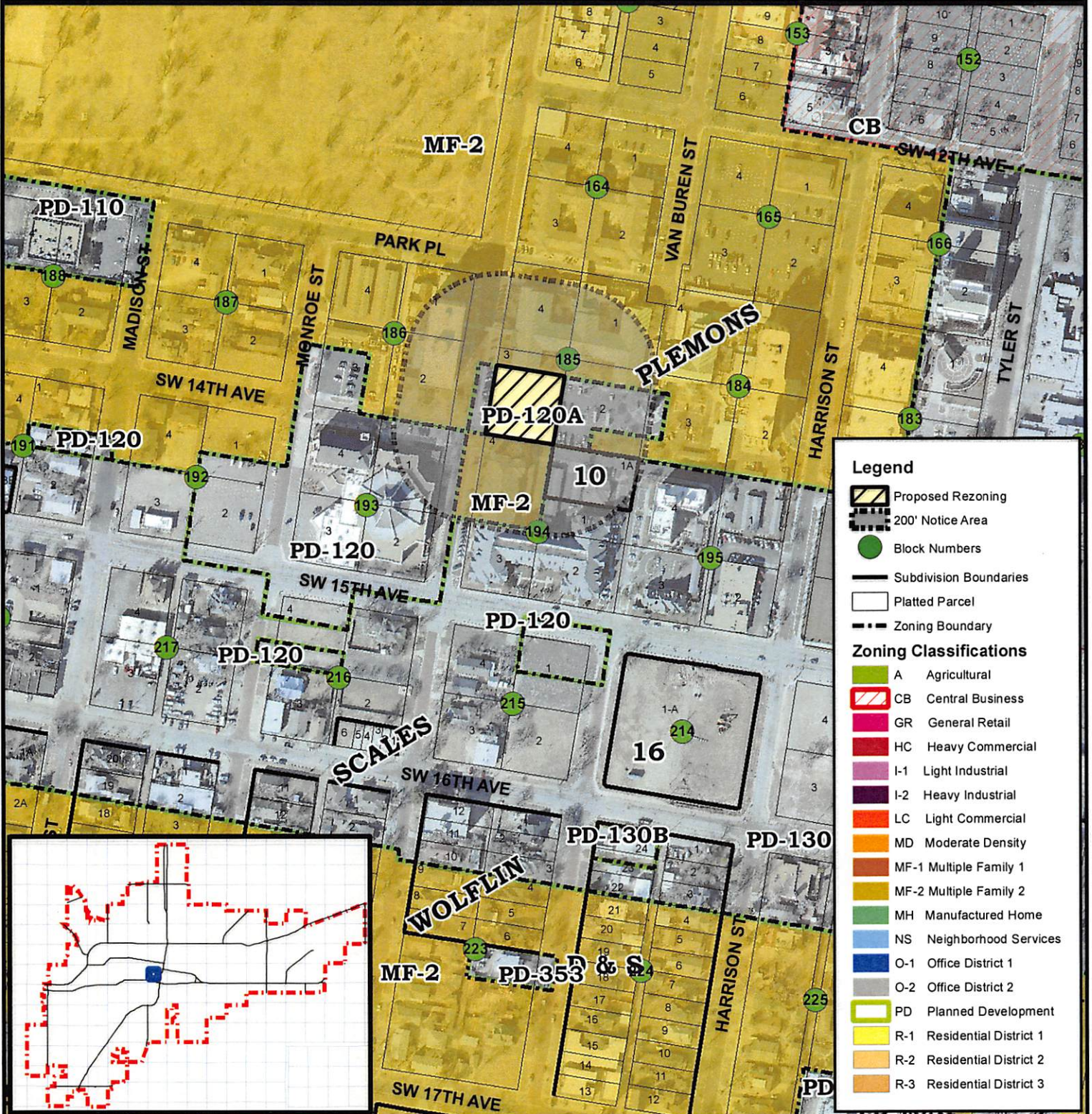


Looking north up South Jackson Street from the property for consideration



Looking south down South Jackson Street from the property for consideration

CASE Z-17-15
REZONING FROM PLANNED DEVELOPMENT DISTRICT 120A (PD-120A)
TO MULTIPLE FAMILY DISTRICT 2 (MF-2)



Legend

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

Zoning Classifications

- A Agricultural
- CB Central Business
- GR General Retail
- HC Heavy Commercial
- I-1 Light Industrial
- I-2 Heavy Industrial
- LC Light Commercial
- MD Moderate Density
- MF-1 Multiple Family 1
- MF-2 Multiple Family 2
- MH Manufactured Home
- NS Neighborhood Services
- O-1 Office District 1
- O-2 Office District 2
- 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 Lot 3, Block 185, Plemons Unit No. 1, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 120A (PD-120A) to Multiple Family District 2 (MF-2).

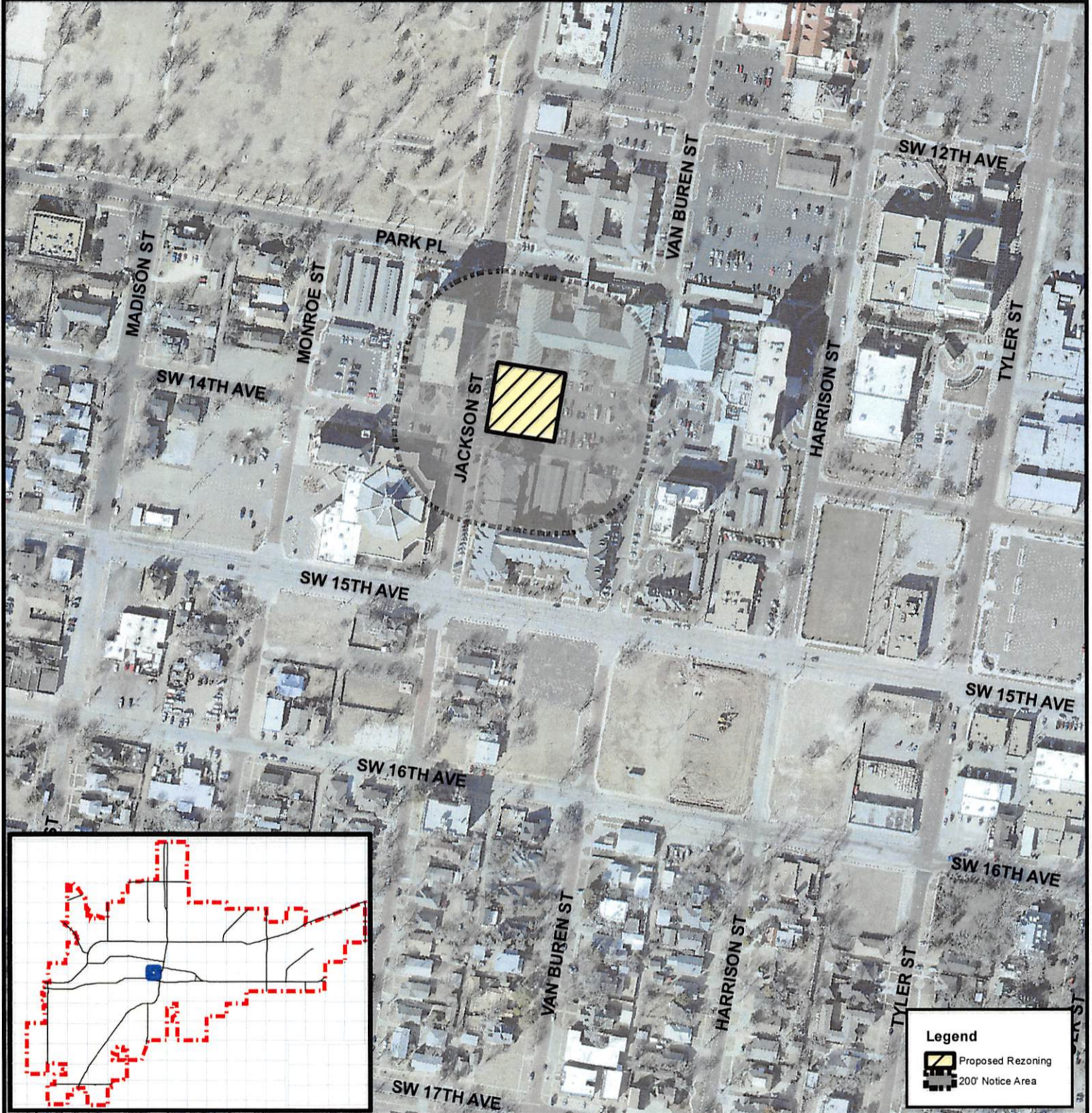
Applicant: Che Shadle
 Vicinity: SW 14th Ave & S Jackson St

Scale: 1 inch = 300 feet
 Date: 6/20/2017



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-17-15
REZONING FROM PLANNED DEVELOPMENT DISTRICT 120A (PD-120A)
TO MULTIPLE FAMILY DISTRICT 2 (MF-2)



Legend

-  Proposed Rezoning
-  200' Notice Area

CITY OF AMARILLO
PLANNING DEPARTMENT

Rezoning of Lot 3, Block 185, Plemons Unit No. 1, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 120A (PD-120A) to Multiple Family District 2 (MF-2).

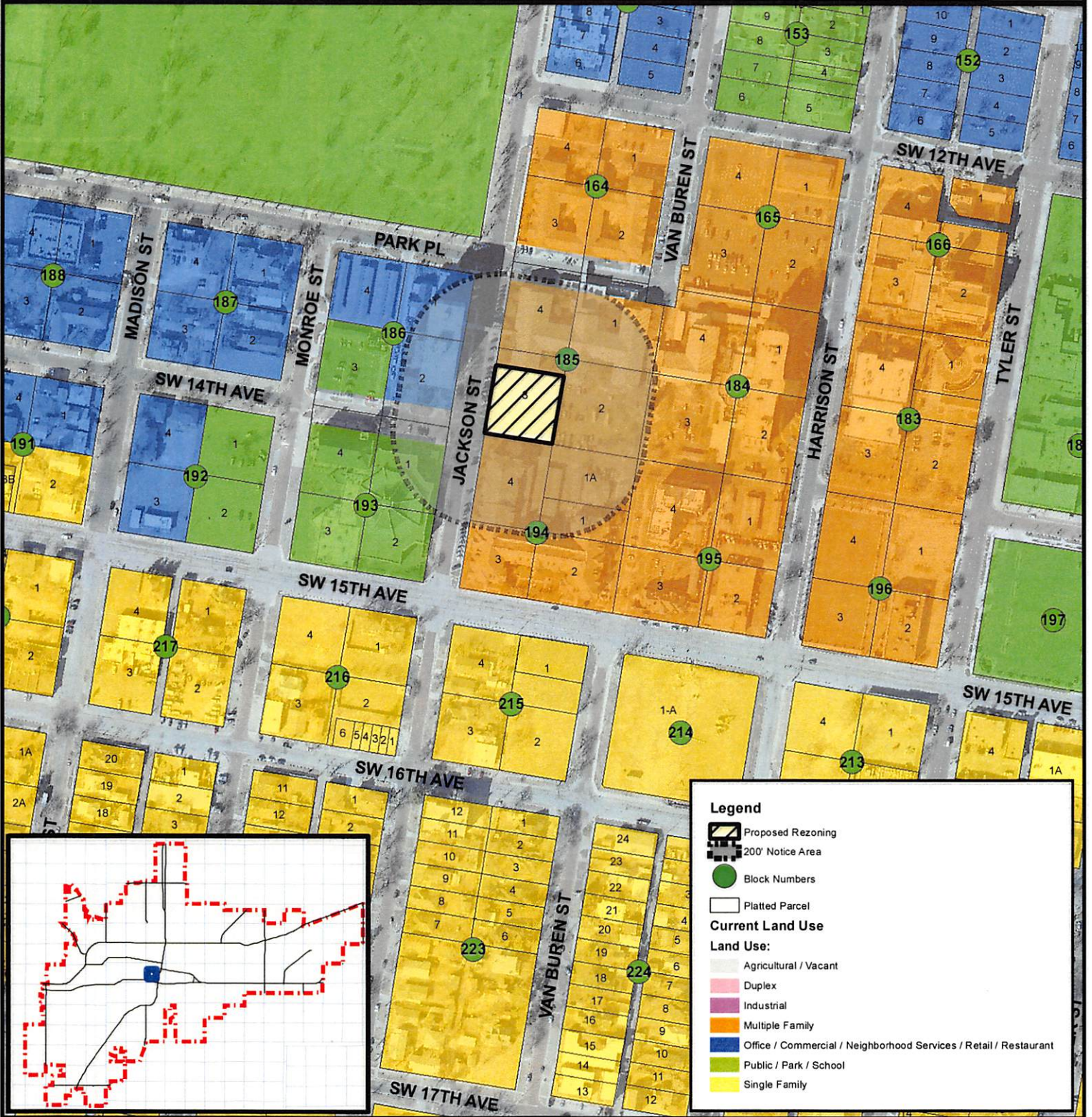
Applicant: Che Shadle
 Vicinity: SW 14th Ave & S Jackson St

Scale: 1 inch = 300 feet
 Date: 6/20/2017



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CASE Z-17-15
REZONING FROM PLANNED DEVELOPMENT DISTRICT 120A (PD-120A)
TO MULTIPLE FAMILY DISTRICT 2 (MF-2)



Legend

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

Current Land Use

Land Use:

- Agricultural / Vacant
- Duplex
- Industrial
- Multiple Family
- Office / Commercial / Neighborhood Services / Retail / Restaurant
- Public / Park / School
- Single Family

CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 6/20/2017



Rezoning of Lot 3, Block 185, Plemons Unit No. 1, in Section 170, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 120A (PD-120A) to Multiple Family District 2 (MF-2).

Applicant: Che Shadle
Vicinity: SW 14th Ave & S Jackson 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



Meeting Date	July 25, 2017	Council Priority	Infrastructure
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Department	Planning
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Agenda Caption

Aviation Clear Zone Easement, being 4,750 feet above mean sea level above the plat of Greenbrier Unit No. 5, an addition to the City of Amarillo, being a replat of Lot 4, Block 15, Greenbrier Unit No. 4, Section 104, Block 2, AB&M Survey, Potter County, Texas.

Agenda Item Summary

The above referenced Aviation Clear Zone (ACZ) Easement is being requested by the City of Amarillo and is associated with the plat Greenbrier Unit No. 5.

To ensure safety of operation and protection of air traffic operating into and out of the airport, future physical development around the airport needs to be regulated. In 1981, the Texas Legislature enacted the Airport Zoning Act, cited as Chapter 241 of the Local Government Code, which authorized cities in the state to establish and administer regulations pertaining to the height of structures and compatible land uses in the vicinity of the airport. One of the tools established in the Amarillo Code of Ordinances that allows the City of Amarillo to regulate this type of development is the Airport Height Hazard and Zoning Regulations (Chapter 4-9) which establishes minimum requirements to control the height and use of structures that may develop in the vicinity of the airport.

The ACZ Easement document is established during the platting of a tract of land to set the height regulations for noting on the associated plat, and the legal document is signed by the owner/developer of the tract. The placement of the note on the plat ensures that the height regulation is easily found by any future owner of the tract of land. Each ACZ Easement has an associated height regulation that is determined by the tract's proximity and location around the airport. For example, areas at the end of the runway will likely have a lower height regulation than ones at the same distance that are located adjacent to the length of the runway. The reason for this is because aircraft taking off or landing will need to be at a lower altitude during its approach or departure portion of the traffic pattern for the each associated runway.

This ACZ Easement is establishing a height regulation of 4,750 feet above mean sea level for the plat of Greenbrier Unit No. 5.

Requested Action

Planning and Legal Staff have reviewed the associated Aviation Clear Zone Easement and the item is

Amarillo City Council Agenda Transmittal Memo



ready for City Council Consideration as a consent agenda item.

Funding Summary

The Easement is being granted to the City at no cost.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this Aviation Clear Zone 17-06.

AVIATION CLEAR ZONE EASEMENT

THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF RANDALL §

WHEREAS, Steve Keosouvanh, hereinafter called "GRANTOR," whether one or more, individual or corporate, partnership or association, is the owner in fee of that certain parcel or parcels of land being described as follows:

Aviation Clear Zone Easement, being 4,750 feet above mean sea level above the plat of Greenbrier Unit No. 5, an addition to the City of Amarillo, being a replat of Lot 4, Block 15, Greenbrier Unit No. 4, Section 104, Block 2, AB&M Survey, Potter County, Texas.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR does for himself, his successors and assigns, GRANT, BARGAIN, SELL AND CONVEY unto the City of Amarillo, Texas, hereinafter called GRANTEE, its successors and assigned, for the use and benefit of the public, and easement and right-of-way appurtenant to Rick Husband Amarillo International Airport for the unobstructed passage of all aircraft, "aircraft" being defined for the purpose of this instrument as any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, by whomsoever owned or operated, in the airspace above GRANTOR'S above-described property; together with the right to cause in all airspace such noise, vibration, fumes, dust, fuel particulates and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at, on, over the above described property; and GRANTOR, his successors, executors, heirs or assigns, does hereby fully waive, remise and release any right, cause of action, and damage which it may now have or which it may have in the future against GRANTEE, its successors and assigns, due to such noise, vibrations, fumes, dust, fuel particulates and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating near or on Rick Husband Amarillo International Airport or over the described property.

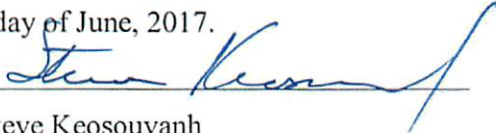
GRANTOR, for itself, its successors and assigned, does hereby covenant and agree that it will not hereafter erect, or permit the erection or growth of, any structure, tree or other object on the above described property to any height in excess of 4,750 feet above mean sea level. GRANTOR does hereby GRANT and CONVEY to GRANTEE a continuing right of ingress and egress via passage easement on and across the above-described property for the purpose of taking any action necessary to remove any structure, tree or other object in the airspace to any elevation greater than 4,750 feet above mean sea level.

TO HAVE AND TO HOLD said aviation clear zone easement, passage easement, and rights-of-way, and all rights appertaining thereto unto the GRANTEE, its successors and assigns, until Rick Husband Amarillo International Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and that these covenants and agreements shall run with the land, and that for the purposes of this

instrument, this easement shall be considered the dominant estate on the above-referenced property.

IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 28th day of June, 2017.

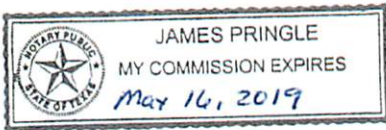

Steve Keosouvanh

THE STATE OF TEXAS §

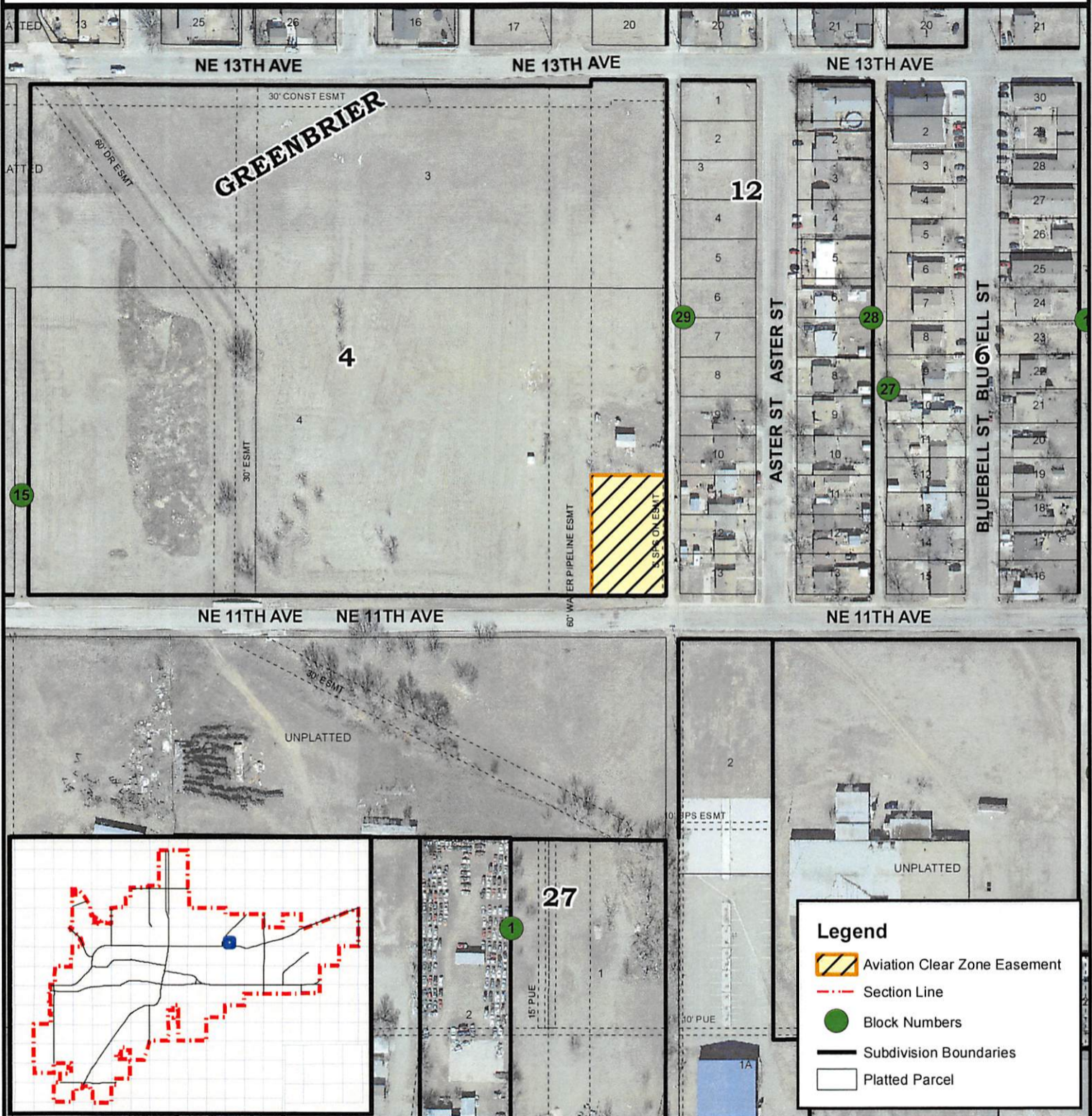
COUNTY OF POTTER §

This instrument was acknowledged before me on this the 28th day of June, 2017, by Steve Keosouvanh.


Notary Public, State of Texas



CASE ACZ-17-06 AVIATION CLEAR ZONE EASEMENT



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1 inch = 200 feet
Date: 7/18/2017



Greenbrier Addition Unit No. 5, an addition to the City of Amarillo, being a replat of a portion of Lot 4, Block 15, Greenbrier Unit No. 4 in Section 104, Block 2, AB&M Survey, Potter County, Texas.

Developer: Steve Keosouvanh

Vicinity: NE 11th Ave. & Aster 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



Meeting Date	July 25, 2017	Council Priority	Disadvantaged Areas
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Department	Transit
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Agenda Caption

RESOLUTION – A PUBLIC HEARING AND ESTABLISHING A TRIENNIAL GOAL FOR OCTOBER 1, 2017 TO SEPTEMBER 30, 2020 FOR THE DISADVANTAGED BUSINESS ENTERPRISE PROGRAM FOR PROJECTS FUNDED BY THE UNITED STATES DEPARTMENT OF TRANSPORTATION

This resolution conducts a public hearing on the Triennial Goal for October 1, 2017 to September 30, 2020 for Disadvantaged Business Enterprise Program and authorizes the City of Amarillo to submit the goal to the Federal Transit Administration by August 1, 2017.

Agenda Item Summary

ACT has set an overall goal for October 1, 2017 – September 30, 2020 at 6.43%, which was determined by taking a percentage of the ready, willing and able DBEs versus the total ready, willing and able firms in the local market area. Each code is weighted to the budget associated with each line item. ACT will strive to expend 6.43% of DOT-funded contracts to DBEs. This DBE Goal will not apply to transit vehicle procurements.

The contracting opportunities dollar amount that ACT has budgeted to award during the three year goal period is \$1,637,714.37 for a projected federal subsidy project for bus stops and shelter improvement. Since this is a capital project, ACT will only use federal funding for 80% of the projected total contract. The DOT dollar amount is \$1,310,172.00, which will be used in the weighted calculation. ACT has set a goal of expending 6.43% or \$84,244.06 to DBEs during the period of October 1, 2017 – September 30, 2020. With these projections, ACT has concluded that it will meet its goal through the completion of the original bus stop improvement plan and any other possible procurement opportunities. After the completion of the feasibility study, ACT will begin to restructure routes and several new bus stops will be constructed while others decommissioned.

Amarillo City Council Agenda Transmittal Memo



Requested Action

Please place an item on the July 25, 2017 City Council Agenda to conduct a public hearing on the Triennial Goal for October 1, 2017 to September 30, 2020 for Disadvantaged Business Enterprise Program and consider approval of the overall goal calculation.

The public hearing allows citizens the opportunity to comment on the Triennial Goal for October 1, 2017 to September 30, 2020 for Disadvantaged Business Enterprise Program and on the operation of the transit system. Attached you will find the Triennial Goal for October 1, 2017 to September 30, 2020 for Disadvantaged Business Enterprise Program and the Resolution.

Following the public hearing, the City Council may consider the submission of the Triennial Goal for October 1, 2017 to September 30, 2020 for Disadvantaged Business Enterprise Program. If the City Council approves, the DBE Goal will be submitted electronically for review by the FTA.

Funding Summary

Community Engagement Summary

The Transit Department posts Transit public participation items on the Advisory Committee for People with Disabilities bi-monthly meetings. The ACPD meets the 1st Thursday at noon February, April, June, August, October and December. The ACPD meeting Agendas are posted on all buses, the Transfer Point at 3rd and Fillmore, the United Way Listserve, Amarillo Globe Newspaper, COA website and at the Transit Office.

City Manager Recommendation

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS CONDUCTING A PUBLIC HEARING ON THE AMARILLO CITY TRANSIT PROGRAM OF PROJECTS; AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A GRANT UNDER THE FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FACT) OF 2015, AS AMENDED;

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

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

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

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

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

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

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

SECTION 2. That the City Manager is authorized to execute and file an application for FY 2017/2018 in the amount of THREE MILLION, SEVENTY SIX THOUSAND, AND FIFTY THREE DOLLARS (\$3,076,053) with the Federal Transit Administration to aid in the financing of capital and operating assistance projects pursuant to Section 5307 of the Fixing America's Surface Transportation Act of 2015 and THREE HUNDRED SIXTY NINE THOUSAND, AND THIRTY NINE DOLLARS (\$369,039) with the Texas Department of Transportation on behalf of the City of Amarillo, Texas.

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

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

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

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

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this _____ day of _____ 2017.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M, McKamie, City Attorney

NOTICE OF AVAILABILITY

FY 2017 2018 PROGRAM OF PROJECTS – AMARILLO CITY TRANSIT

The City of Amarillo in fulfillment of the requirements to receive financial assistance from the Texas Department of Transportation, Federal Transit Administration, for the Amarillo City Transit system has developed a special Program of Projects identifying those projects and activities for which assistance will be sought.

Urbanized Area: Amarillo, Texas

Recipient: City of Amarillo – Amarillo City Transit

Public Transportation Fund (PTF) and Section 5307 Requests FY 2017 2018 Program of Projects and Budget

EXPENSE CATEGORY	TOTAL	FEDERAL	STATE	CITY (LOCAL)
Fixed Route	\$3,090,430	\$1,570,467	\$215,693	\$1,304,270
Spec-Tran	\$1,598,894	\$781,697	\$153,346	\$663,851
Maintenance	\$582,183	\$451,899	\$0	\$130,284
Sub Total Operating	\$5,271,507	\$2,804,062	\$369,039	\$2,098,406
Capital	\$339,989	\$271,991	\$0	\$67,998
Total Capital & Operating	\$5,611,496	\$3,076,053	\$369,039	\$2,166,404

Notice of Public Hearing

Prior to submission of the Program of Projects to the Federal Transit Administration and the Texas Department of Transportation, the Amarillo City Council will conduct a public hearing on Tuesday, July 25, 2017 at 6:00pm. The hearing will be held in the City Council Chambers, Room 302, City Hall, 509 SE 7th Ave, Amarillo, Texas. The purpose of the public hearing will be to afford citizens the opportunity to discuss the fiscal year 2016 - 2017 Program of Projects and the performance of the Amarillo City Transit system. Unless there is an objection regarding the above proposed transit improvements, this notice will serve as the Final Notice of the fiscal year 2017 - 2018 Program of Projects.

Title VI Notice

The City of Amarillo, Texas Amarillo City Transit

The City of Amarillo operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Amarillo.

For more information on the City of Amarillo's civil rights program and the procedures to file a complaint contact, Marita Wellage-Reiley at 806-378-6842, (TTY 806-372-6234), email marita.wellage-reiley@amarillo.gov or visit the administrative offices at 801 SE 23rd Street, Amarillo, Texas 79105. The Transit Department offices are located on Route 4 with a bus stop at the front door of the office. For more information, visit www.amarillo.gov.

The City of Amarillo - Amarillo City Transit hereby certifies that, as a condition of receiving Federal financial assistance, it will ensure that: No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.

Interested parties are hereby afforded the opportunity to comment on the performance of Amarillo City Transit, request additional information on Amarillo City Transit's nondiscrimination obligations or file a complaint. Written comments may be submitted to the Deputy City Manager, P.O. Box 1971, Amarillo, Texas 79105. A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil rights, Attention: Title VI Program Coordinator, East Building, 5th Floor – TCR, 1200 New Jersey Ave., SE, Washington DC 20590.

Limited English Proficiency

If information is needed in another language, contact 806-378-6842. This information is available free of any charge. You will also find Title VI information in other languages at www.amarillo.gov. Amarillo City Transit has a limited English Proficiency Plan where Amarillo City Transits information in other languages is made available at no cost. Should you desire this information, you may contact Marita Wellage-Reiley at (806) 378-6842 or marita.wellage-reiley@amarillo.gov.

Si requiere que se le proporcione información en un idioma distinto al inglés, contacte al 806-378-6842. Esta información está disponible libre de cualquier cargo. También podrá encontrar información del Título VI en otros idiomas en www.amarillo.gov. El Sistema de Tránsito de Amarillo City tiene un plan de asistencia para personas con limitaciones en el idioma inglés por medio del cual el Departamento de Tránsito de la Ciudad de Amarillo proporciona información en otros idiomas sin costo alguno. Si desea más información, contacte con Marita Wellage-Reiley al (806) 378-6842 o a marita.wellage-reiley@amarillo.gov.

Nếu cần thông tin bằng một ngôn ngữ khác, vui lòng liên hệ 806-378-6842 Thông tin này hoàn toàn miễn phí. Bạn cũng có thể tìm thấy thông tin về điều luật số VI tại trang web: www.amarillo.gov. Công ty Vận Tải Nội Thành Amarillo có Chương Trình dành cho Người Không Thông Thoại Tiếng Anh, trong đó thông tin miễn phí về Công ty Vận Tải Nội Thành Amarillo bằng các ngôn ngữ khác Nếu cần thông tin, bạn có thể liên hệ với Marita Wellage-Reiley số (806) 378-6842 hoặc email marita.wellage-reiley@amarillo.gov.

Accessibility Statement

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (SE 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 for a sign or other language

interpreter must make a request with the City Secretary two business days before the meeting, by telephoning 378-3013, or the City TDD telephone number at 378-4229.

1718POPARRAMONEY



(1761, 1762, 1763)

Budget Comparison

	2015/16 Actual	2016/17 Budgeted	2017/18 Budgeted
Personnel Services	\$ 3,148,027	\$ 3,529,875	\$ 3,671,278
Supplies	961,533	954,230	966,599
Contractual Services	111,732	130,283	118,483
Other Charges	412,303	422,536	515,147
Total Expenses	\$ 4,633,595	\$ 5,036,924	\$ 5,271,507

Mission

To provide Amarillo residents with safe, courteous, dependable and cost-effective public transportation.

Strategic Approach

Amarillo City Transit (ACT) operates a public transportation service that meets the priorities set forth by the City Council and City Manager in the **BluePrint for Amarillo**.

ACT currently provides fixed route service within the city limits west of Lakeside Drive, Monday through Saturday from 6 a.m. to 7 p.m. ACT provides Spec-Tran service to individuals who qualify under the Americans with Disabilities Act. Spec-Trans operates in the same service area on the same days, and hours as fixed route service. The ACT service area encompasses 101 square miles.

In FY 16/17 ACT purchased 12 vehicles and completed renovation of the Transit office and maintenance facility located at the City Service Center.

Both of these services address the **Disadvantaged Area** initiative identified in the **Blueprint for Amarillo**. ACT is currently conducting Transit Master Planning process to reimagine Amarillo City Transit. The study is being conducted by the Goodman Corporation to help make the routes more efficient and service more reliable. This study will recommend **Best Practices** as well as enhance the **Safety Programs** initiative identified in the **Blueprint for Amarillo**. The Transit Master Plan will also address the long term plans for infrastructure and long term funding. The Transit Master Plan will be completed in late 2017.

Programs

Transit Department Administration/Support

2017/18 Budget — \$944,151

The Transit Department Administration and Support budget includes 12 full time staff responsible for program oversight, planning and support. This group is responsible for implementing the new Performance Measurement Program and the recommendations from the Transit Master Plan. The Clean and Wash staff are included in this budget as are the Road Supervisors and Dispatchers.

Performance Measures/Indicators:

Indicator	Measure	FY 17/18 Target
Daily Cleaning	Percent of Fleet Cleaned Daily	100%
Detail Cleaning	Vehicles Detailed per Month Or 50% of the Fleet	16
Complaint/ Compliment Ratio	10:1 Ratio	-
Customer Service Response	24 Hour Response	95%

*Matrix determined through Draft Transit Master Plan, ACT Management Review; New measures no prior year data available.

Fixed Route Operations

2017/18 Budget — \$2,281,697

ACT utilizes 12 buses to provide service on 8 routes and will provide an average of 24,300 passenger trips per month in FY 16/17. There are 27 fixed route and extra board operators.

Ridership in FY 17/18 is expected to grow by 2% before the implementation of the Transit Master Plan recommendations. The Fixed Route Operating group has begun a program to track and improve On Time Performance (OTP). On time is defined as zero minutes early to 5 minutes late as shown on the public timetable. Missed trips are defined as trips not operating or operating over 20 minutes late. Missed trips occur when there are accidents, traffic delays or an operator no shows for an assignment and there are no substitute operators.

Performance Measures/Indicators:

Indicator	Measure	FY 17/18 Target
Missed Trip	Percent of Total Trips per Month	.25%<
Passengers per Revenue Hour	Passengers /Rev. Hour	9.5
On-Time Performance	Percent of Trips within OT window	92%

*Matrix determined through Draft Transit Master Plan, ACT Management Review; New measures no prior year data available

Special-Transit (Spec-Trans) Operations

2017/18 Budget — \$1,494,905

Spec-Trans utilizes 8 vehicles to provides curb-to-curb service to people with disabilities. The Americans with Disabilities Act(ADA) defines who is eligible to use the service. Our eligibility screening process determines if an applicant can use fixed route some or all of the time. Applicants who have a disability but who are not prevented from using fixed route are not eligible for Spec-Tran service.

The ADA also prescribes how service is to be delivered. Anyone determined eligible may request a trip the day before they wish to travel and Spec-Tran is required to provide a trip one hour before or after the requested time. Spec-Tran does not deny anyone a trip.

Performance Measures/Indicators:

Indicator	Measure	FY 17/18 Target
Trips per Hour	Trips include Passengers and Companions**	2.8
No Shows/ Late Cancellations	Percent of Scheduled Trips	5<
Average Time Required to Complete a Determination of Eligibility	Less than 21 days required by ADA	7 to 10 days
Individuals Travel Trained	20% of Applicants	55
On-Time Performance	Percent of Trips Picked Up/Dropped Off within the 25 Minute Pick Up Window	92%

*Matrix determined through Draft Transit Master Plan, ACT Management Review. New measures no prior year data available

** Spec-Tran must carry Personal Care Attendants and one Companion for Passengers and must be picked/dropped off at same location with the customer so that is considered one trip.

**Fleet Maintenance and Repair
2017/18 Budget — \$472,075**

The ACT Fleet Maintenance and Repair group performs routine and preventive maintenance on 31 public transportation revenue vehicles and spares in addition to 3 supervisor and 4 maintenance support vehicles. Major component repair and body work is contracted. The projected revenue vehicle miles for FY 16/17 is over 966,000. With no change in service levels FY 17/18 mileage is estimated to be approximately the same.

Performance Measures/Indicators:

Indicator	Measure	FY 17/18 Target
Road Calls	Road Calls per 10,000 miles	2
Preventative Maintenance	Completed within 500 miles of scheduled service	95%

*Matrix determined through Draft Transit Master Plan, ACT Management Review; New measures no prior year data available

**Transit Safety and Training
2017/18 Budget - \$78,679**

ACT will implement an expanded Safety Program beginning September 1, 2017. This addresses the City's Manager's focus on improved Safety Program. ACT will train 18 drivers in FY 17/18 down from 35 in FY 16/17. The new wage rate has decrease turnover.

Performance Measures/Indicators:

Indicator	Measure	FY 17/18 Target
Accident Rate	Per 100,000 Miles	9
Employee Work Days Lost to Injury		100

*Matrix determined through Draft Transit Master Plan, ACT Management Review; New measures no prior year data available

Authorized Positions

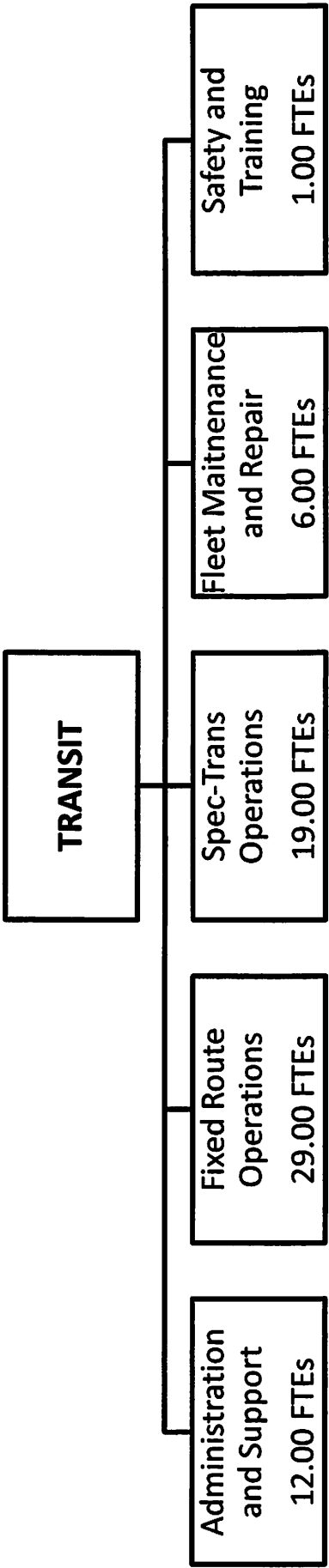
	2015/16 Actual	2016/17 Budgeted	2017/18 Budgeted
Permanent Positions	67	67	67
Part-time Positions	0	0	0
Total Positions	67	67	67

Total Transit Department Operating Budget 2017/18 — \$5,271,507

Federal - \$ 2,804,062

State - \$ 369,039

Local - \$2,098,406



Amarillo City Council Agenda Transmittal Memo



Meeting Date	July 25, 2017	Council Priority	Disadvantaged Areas
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Department	Transit
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Agenda Caption

RESOLUTION – PUBLIC HEARING ON THE 2017/2018 GRANT APPLICATION FOR FEDERAL AND STATE FUNDING FOR THE AMARILLO CITY TRANSIT SYSTEM

This resolution on the FY 2017/2018 Program of Projects and authorizes the City of Amarillo to submit a grant application to the Federal Transit Administration (FTA) and the Texas Department of Transportation (TXDOT) for fiscal year 2017-2018 for operating and capital assistance in support of Amarillo City Transit Department. Amarillo City Transit Department is applying for \$ 2,891,534 Federal FTA Funds and \$369,039 State TXDOT Funds.

Agenda Item Summary

Public Transportation Fund (PTF) and Section 5307 Requests FY 2017/ 2018 Program of Projects and Budget

EXPENSE CATEGORY	TOTAL	FEDERAL	STATE	CITY (LOCAL)
Fixed Route	\$3,090,430	\$1,462,620	\$215,693	\$1,412,117
Spec-Tran	\$1,598,894	\$705,024	\$153,346	\$740,524
Maintenance	\$582,183	\$451,899	\$0	\$130,284
Sub Total Operating	\$5,271,507	\$2,619,543	\$369,039	\$2,282,925
Capital	\$339,989	\$271,991	\$0	\$67,998
Total Capital & Operating	\$5,611,496	\$2,891,534	\$369,039	\$2,350,923

Requested Action

Please place an item on the July 25, 2017 City Council Agenda to conduct a public hearing on the 2018 Program of Projects and consider approval of the FY 2018 FTA and TXDOT Grant Applications. The public hearing allows citizens the opportunity to comment on the proposed projects and on the operation of the transit system.

Following the public hearing, the City Council may consider the submission of the FY 2017 Grant and Program of Projects. The assistance will help defray the local transit operating costs from October 1, 2017 to September 30, 2018. Attached you will find the FY 2017 – 2018 Program of Projects and Resolution.

Amarillo City Council Agenda Transmittal Memo



The Legal Department is reviewing the resolution that will authorize the submission of to the FTA and TXDOT FY 2017 – 2018 Grant Applications.

If the City Council approves the attached FY 2017 – 2018 FTA Grant Application, Resolution and the Program of Projects, this approval authorizes the City Manager to sign the FY 2017 – 2018 FTA and TXDOT Grant Applications.

Funding Summary

Federal Transit Administration(FTA) Funds	\$ 2,891,534
Texas Department of Transportation (TXDOT) Funds	\$ 369,039
Local Matching Funds	\$ 2,350,923
Total Capital and Operating Funds	\$ 5,611,496

Community Engagement Summary

The Transit Department posts Transit public participation items on the Advisory Committee for People with Disabilities bi-monthly meetings. The ACPD meets the 1st Thursday at noon February, April, June, August, October and December. The ACPD meeting Agendas are posted on all buses, the Transfer Point at 3rd and Fillmore, the United Way Listserve, Amarillo Globe Newspaper, COA website and at the Transit Office. A public notice will appear in the Amarillo Globe Newspaper on Sunday, July 23, 2017.

City Manager Recommendation

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS CONDUCTING A PUBLIC HEARING ON THE AMARILLO CITY TRANSIT PROGRAM OF PROJECTS; AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A GRANT UNDER THE FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FACT) OF 2015, AS AMENDED;

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

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

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

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

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

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

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

SECTION 2. That the City Manager is authorized to execute and file an application for FY 2017/2018 in the amount of TWO MILLION, EIGHT HUNDRED NINETY ONE THOUSAND, FIVE HUNDRED AND THIRTY FOUR DOLLARS (\$2,891,534) with the Federal Transit Administration to aid in the financing of capital and operating assistance projects pursuant to Section 5307 of the Fixing America's Surface Transportation Act of 2015 and TWO HUNDRED SIXTY NINE THOUSAND, AND THIRTY NINE DOLLARS (\$369,039) with the Texas Department of Transportation on behalf of the City of Amarillo, Texas.

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

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

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

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

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this _____ day of _____ 2017.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M, McKamie, City Attorney

NOTICE OF AVAILABILITY

FY 2017 2018 PROGRAM OF PROJECTS – AMARILLO CITY TRANSIT

The City of Amarillo in fulfillment of the requirements to receive financial assistance from the Texas Department of Transportation, Federal Transit Administration, for the Amarillo City Transit system has developed a special Program of Projects identifying those projects and activities for which assistance will be sought.

Urbanized Area: Amarillo, Texas

Recipient: City of Amarillo – Amarillo City Transit

Public Transportation Fund (PTF) and Section 5307 Requests FY 2017 2018 Program of Projects and Budget

EXPENSE CATEGORY	TOTAL	FEDERAL	STATE	CITY (LOCAL)
Fixed Route	\$3,090,430	\$1,462,620	\$215,693	\$1,412,117
Spec-Tran	\$1,598,894	\$705,024	\$153,346	\$740,524
Maintenance	\$582,183	\$451,899	\$0	\$130,284
Sub Total Operating	\$5,271,507	\$2,619,543	\$369,039	\$2,282,925
Capital	\$339,989	\$271,991	\$0	\$67,998
Total Capital & Operating	\$5,611,496	\$2,891,534	\$369,039	\$2,350,923

Notice of Public Hearing

Prior to submission of the Program of Projects to the Federal Transit Administration and the Texas Department of Transportation, the Amarillo City Council will conduct a public hearing on Tuesday, July 25, 2017 at 6:00pm. The hearing will be held in the City Council Chambers, Room 302, City Hall, 509 SE 7th Ave, Amarillo, Texas. The purpose of the public hearing will be to afford citizens the opportunity to discuss the fiscal year 2016 - 2017 Program of Projects and the performance of the Amarillo City Transit system. Unless there is an objection regarding the above proposed transit improvements, this notice will serve as the Final Notice of the fiscal year 2017 - 2018 Program of Projects.

Title VI Notice

The City of Amarillo, Texas Amarillo City Transit

The City of Amarillo operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Amarillo.

For more information on the City of Amarillo's civil rights program and the procedures to file a complaint contact, Marita Wellage-Reiley at 806-378-6842, (TTY 806-372-6234), email marita.wellage-reiley@amarillo.gov or visit the administrative offices at 801 SE 23rd Street, Amarillo, Texas 79105. The Transit Department offices are located on Route 4 with a bus stop at the front door of the office. For more information, visit www.amarillo.gov.

The City of Amarillo - Amarillo City Transit hereby certifies that, as a condition of receiving Federal financial assistance, it will ensure that: No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.

Interested parties are hereby afforded the opportunity to comment on the performance of Amarillo City Transit, request additional information on Amarillo City Transit's nondiscrimination obligations or file a complaint. Written comments may be submitted to the Deputy City Manager, P.O. Box 1971, Amarillo, Texas 79105. A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil rights, Attention: Title VI Program Coordinator, East Building, 5th Floor – TCR, 1200 New Jersey Ave., SE, Washington DC 20590.

Limited English Proficiency

If information is needed in another language, contact 806-378-6842. This information is available free of any charge. You will also find Title VI information in other languages at www.amarillo.gov. Amarillo City Transit has a limited English Proficiency Plan where Amarillo City Transits information in other languages is made available at no cost. Should you desire this information, you may contact Marita Wellage-Reiley at (806) 378-6842 or marita.wellage-reiley@amarillo.gov.

Si requiere que se le proporcione información en un idioma distinto al inglés, contacte al 806-378-6842. Esta información está disponible libre de cualquier cargo. También podrá encontrar información del Título VI en otros idiomas en www.amarillo.gov. El Sistema de Tránsito de Amarillo City tiene un plan de asistencia para personas con limitaciones en el idioma inglés por medio del cual el Departamento de Tránsito de la Ciudad de Amarillo proporciona información en otros idiomas sin costo alguno. Si desea más información, contacte con Marita Wellage-Reiley al (806) 378-6842 o a marita.wellage-reiley@amarillo.gov.

Nếu cần thông tin bằng một ngôn ngữ khác, vui lòng liên hệ 806-378-6842 Thông tin này hoàn toàn miễn phí. Bạn cũng có thể tìm thấy thông tin về điều luật số VI tại trang web: www.amarillo.gov. Công ty Vận Tải Nội Thành Amarillo có Chương Trình dành cho Người Không Thông Thoại Tiếng Anh, trong đó thông tin miễn phí về Công ty Vận Tải Nội Thành Amarillo bằng các ngôn ngữ khác Nếu cần thông tin, bạn có thể liên hệ với Marita Wellage-Reiley số (806) 378-6842 hoặc email marita.wellage-reiley@amarillo.gov.

Accessibility Statement

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (SE 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 for a sign or other language

interpreter must make a request with the City Secretary two business days before the meeting, by telephoning 378-3013, or the City TDD telephone number at 378-4229.

1718POPARRAMONEY

Amarillo City Council Agenda Transmittal Memo



Meeting Date	July 25, 2017	Council Priority	Infrastructure Initiative
Department	Capital Projects & Development Engineering	Contact Person	Floyd Hartman

Agenda Caption

Award – Project No. 523095 – 12” Water Main Relocation in I-40 East Bound Frontage Road at Bell Street – West Texas Utility Contractors, Inc. - \$ 120,363.00

This item is to approve the contract for construction services for West Texas Utility Contractors, Inc. to install a new, 12” water main.

Agenda Item Summary

Award of contract for construction services to: 1) install a new, 12-inch water main, and 2) abandon the existing water main.

Requested Action

Consider contract for approval and award to West Texas Utility Contractors, Inc. - \$ 120,363.00

Funding Summary

Funding for this project is available in the Project Budget Number 523095.17400.1040

Community Engagement Summary

This project will have Level 1, modest impact on traffic through the project area around I-40 East Bound Frontage Road and Bell Street. City staff will update the public with press releases and public announcements before and during the project. A public meeting will be held prior to construction.

Staff Recommendation

City Staff is recommending approval and award of the contract.

Bid No. 5773 Water Distribution Improvements: 12" Water Main Relocation in I-40 East Bound Frontage Road at Bell Street
 Opened 4:00 p.m., June 22, 2017

To be awarded by line item	West Texas Utility	L A Fuller and Sons Construction LTD	Amarillo Utility Contractors
Line 1 Mobilization/Demobilization including insurance, payment bond, performance bond, maintenance bond and related ancillary costs (Shall not exceed five percent (5%) of the total construction cost)(COA 10.01), per specifications 1 ls			
Unit Price	\$6,931.000	\$7,207.20	\$10,000.000
Extended Price	6,931.00	7,207.20	10,000.00
Line 2 Furnish, Install and Maintain Traffic Safety and control Systems, meeting or exceeding the Texas Manual on Uniform Traffic control devices, per specifications 1 ls			
Unit Price	\$5,004.000	\$14,473.00	\$12,000.000
Extended Price	5,004.00	14,473.00	12,000.00
Line 3 Furnish, install and maintain temporary erosion, sediment and water pollution control measures in compliance with Federal, State and Local Requirements, per specifications 1 ls			
Unit Price	\$602.000	\$408.00	\$1,000.000
Extended Price	602.00	408.00	1,000.00

To be awarded by line item	L A Fuller and Sons		Amarillo Utility Contractors	
	West Texas Utility	Construction LTD		
Line 4 Furnish and Install twelve (12") Inch C900 RJ pipe by HDD , per specifications 444 lf				
Unit Price	\$107.000	\$119.00	\$235.000	
Extended Price	47,508.00	52,836.00		104,340.00
Line 5 Furnish and Install twelve (12") inch water pipe, per specifications 82 lf				
Unit Price	\$39.000	\$40.00	\$200.000	
Extended Price	3,198.00	3,280.00		16,400.00
Line 6 Furnish and Install twelve (12") MJ gate valve, per specifications 3 ea				
Unit Price	\$2,795.000	\$3,199.00	\$3,300.000	
Extended Price	8,385.00	9,597.00		9,900.00
Line 7 Furnish, install and remove twelve inch (12") temporary line stop , per specifications 2 ea				
Unit Price	\$3,226.500	\$10,383.00	\$7,900.000	
Extended Price	6,453.00	20,766.00		15,800.00
Line 8 Tie into existing 12" water pipe, per specifications 1 ea				
Unit Price	\$843.000	\$1,210.00	\$4,000.000	
Extended Price	843.00	1,210.00		4,000.00

L A Fuller and Sons
 Construction LTD West Texas Utility Amarillo Utility Contractors

Line 9 Furnish, install and remove ten inch (10") temporary line stop, per specifications

1 ea				
Unit Price	\$6,932.000	\$9,908.00	\$7,600.000	
Extended Price	6,932.00	9,908.00	7,600.00	

Line 10 Tie into existing 10" water pipe , per specifications

1 ea				
Unit Price	\$738.000	\$948.00	\$4,000.000	
Extended Price	738.00	948.00	4,000.00	

Line 11 Furnish and install six (6") inch water pipe, per specifications

4 lf				
Unit Price	\$78.750	\$50.00	\$230.000	
Extended Price	315.00	200.00	920.00	

Line 12 Furnish and install six (6") MJ gate valve, per specifications

1 ea				
Unit Price	\$1,198.000	\$1,561.00	\$1,500.000	
Extended Price	1,198.00	1,561.00	1,500.00	

Line 13 Furnish and Install wet connection , per specifications

2 ea				
Unit Price	\$983.500	\$1,303.00	\$2,000.000	
Extended Price	1,967.00	2,606.00	4,000.00	

Line 14 Furnish and install AWWA C153 SSB-DI fittings, per specifications			
1 Ton			
Unit Price	\$22,927.780	\$17,670.00	\$18,500.000
Extended Price	12,381.00	9,541.80	9,990.00

Line 15 Furnish and install deep bury fire hydrant, per specifications			
1 ea			
Unit Price	\$3,705.000	\$3,470.00	\$4,900.000
Extended Price	3,705.00	3,470.00	4,900.00

Line 16 Furnish and install one (1") water tap and reconnect service lines, per specifications			
3 ea			
Unit Price	\$607.000	\$902.00	\$2,000.000
Extended Price	1,821.00	2,706.00	6,000.00

Line 17 Fill existing pipe and identified on plans with flowable fill material, complete in place, per specifications			
15 cy			
Unit Price	\$98.000	\$92.20	\$475.000
Extended Price	1,470.00	1,383.00	7,125.00

Line 18 Remove and salvage existing 12" valves, per specifications			
2 ea			
Unit Price	\$584.000	\$107.00	\$1,000.000
Extended Price	1,168.00	214.00	2,000.00

To be awarded by line item	West Texas Utility	L A Fuller and Sons Construction LTD	Amarillo Utility Contractors
Line 19 Remove and salvage existing 12" valves Enter Text , per specifications 2 ea			
Unit Price	\$413.000	\$75.00	\$1,000.000
Extended Price	826.00	150.00	2,000.00
Line 20 Furnish, haul place and compact two inch (2") hot-mix asphaltic concrete, type D, (COA 4.17) complete, per specifications 52 sy			
Unit Price	\$50.000	\$241.00	\$165.000
Extended Price	2,600.00	12,532.00	8,580.00
Line 21 Remove & replace concrete sidewalk, per specifications 20 sy			
Unit Price	\$137.250	\$80.30	\$160.000
Extended Price	2,745.00	1,606.00	3,200.00
Line 22 Remove & replace concrete gutter, including saw cuts as necessary , per specifications 20 lf			
Unit Price	\$121.300	\$26.10	\$70.000
Extended Price	2,426.00	522.00	1,400.00
Line 23 Furnish and install grass sodding, complete in place, per specifications 127 sy			
Unit Price	\$7.000	\$17.00	\$55.000
Extended Price	889.00	2,159.00	6,985.00

To be awarded by line item

	L A Fuller and Sons	Amarillo Utility Contractors
	Construction LTD	

Line 24 Furnish, install and maintain Trench Safety System complying with OSHA Rules and Regulations, per specifications

86 If						
Unit Price	\$3.000	\$12.00	\$1.000			
Extended Price	258.00	1,032.00	86.00			
Bid Total	120,363.00	160,316.00	243,726.00			

Award Total 120,363.00

Amarillo City Council Agenda Transmittal Memo



Meeting Date	07/25/2017	Council Priority	Community Appearance
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Department	City Manager
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Agenda Caption

CONSIDER APPROVAL OF TXDOT AGREEMENT FOR HIGHWAY IMPROVEMENT, SUPPLEMENTAL AND ADDITIONAL MOWINGS OF RIGHT-OF-WAY ON IH-40 AND IH-27 WITHIN THE CITY LIMITS OF THE CITY OF AMARILLO AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT:

Total supplemental right-of-way mowing costs -- \$87,912.42.

This item provides for TxDot to perform additional mowing of Interstate Highway right-of-way within the City limits in addition to the mowing scheduled as part of TxDot annual operations. The City will be responsible for \$29,304.14 per additional mowing cycle that is requested by the City and performed by TxDot.

Agenda Item Summary

This item improves community appearance. The proposed enhanced maintenance agreement improves public safety and health.

Requested Action

Approval and authorization for City Manager to execute agreement.

Funding Summary

Funds were approved in the 2016/2017 Parks Maintenance account 1861.68300.

Community Engagement Summary

Presentation and discussion during Community Appearance meetings and Council Work Session, April 28, 2017.

Staff Recommendation

Approval

CSJ # 6290-44-001
District # 04-Amarillo
Code Chart 64 #01000
Project: Mowing IH 40 & IH 27
inside city limits of Amarillo

Payment Provision and Work Responsibilities, also specifies those Project items of work that are the responsibility of the Local Government and will be carried out and completed by the Local Government, at no cost to the State.

3. Payment of Funds

Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation." The check or warrant shall be deposited by the State and managed by the State. The funds may only be applied by the State to the Project. If after final Project accounting excess funds remain, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.

4. Right of Access

If the Local Government is the owner of any part of the Project site, the Local Government shall permit the State or its authorized representative access to the site to perform any activities required to execute the work.

5. Adjustments Outside the Project Site

The Local Government will provide for all necessary right of way and utility adjustments needed for performance of the work on sites not owned or to be acquired by the State.

6. Responsibilities of the Parties

Responsibilities of the Parties will be under the conditions as provided for in the MAFA, without exception.

7. Document and Information Exchange

The Local Government agrees to electronically deliver to the State all general notes, specifications, contract provision requirements and related documentation in a Microsoft® Word or similar document. If requested by the State, the Local Government will use the State's document template. The Local Government shall also provide a detailed construction time estimate including types of activities and month in the format required by the State. This requirement applies whether the local entity creates the documents with its own forces or by hiring a consultant or professional provider. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

8. Inspection and Conduct of Work

Unless otherwise specifically stated in Attachment A, Payment Provision and Work Responsibilities, to this contract, the State will supervise and inspect all work performed hereunder and provide such engineering inspection and testing services as may be required to ensure that the Project is accomplished in accordance with the approved plans and specifications. All correspondence and instructions to the contractor performing the work will be the sole responsibility of the State. Unless otherwise specifically stated in Attachment A to this contract, all work will be performed in accordance with the Standard Specifications for

CSJ # 6290-44-001
District # 04-Amarillo
Code Chart 64 #01000
Project: Mowing IH 40 & IH 27
inside city limits of Amarillo

Construction and Maintenance of Highways, Streets, and Bridges adopted by the State and incorporated in this agreement by reference, or special specifications approved by the State.

9. Increased Cost

Increased cost will be under the conditions as provided for in the MAFA, without exception.

10. Maintenance

Project maintenance will be under the conditions as provided for in the MAFA, without exception.

11. Termination

Termination of this LPAFA shall be under the conditions as stated in the MAFA, without exception.

12. Notices

Notices of this LPAFA shall be under the conditions as stated in the MAFA, without exception.

Local Government:	State:
Mayor	Director of Contract Services
City of Amarillo	Texas Department of Transportation
PO Box 1971	125 E. 11 th Street
Amarillo, Texas 79105-1971	Austin, Texas 78701

13. Successors and Assigns

The State and the Local Government each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of such other party in respect to all covenants of this agreement.

14. Amendments

Amendments to this LPAFA shall be made as described in the MAFA, without exception.

15. Incorporation of Master Agreement Provisions

This LPAFA incorporates all relevant provisions of the MAFA in effect on the date of final execution of this LPAFA, unless such MAFA provision is specifically excepted in this agreement. Any conflict between the terms of the MAFA and this LPAFA shall be governed and controlled by this LPAFA.

16. State Auditor

The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this

CSJ # 6290-44-001
District # 04-Amarillo
Code Chart 64 #01000
Project: Mowing IH 40 & IH 27
inside city limits of Amarillo

contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

17. Insurance

If this agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

18. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Title

Date

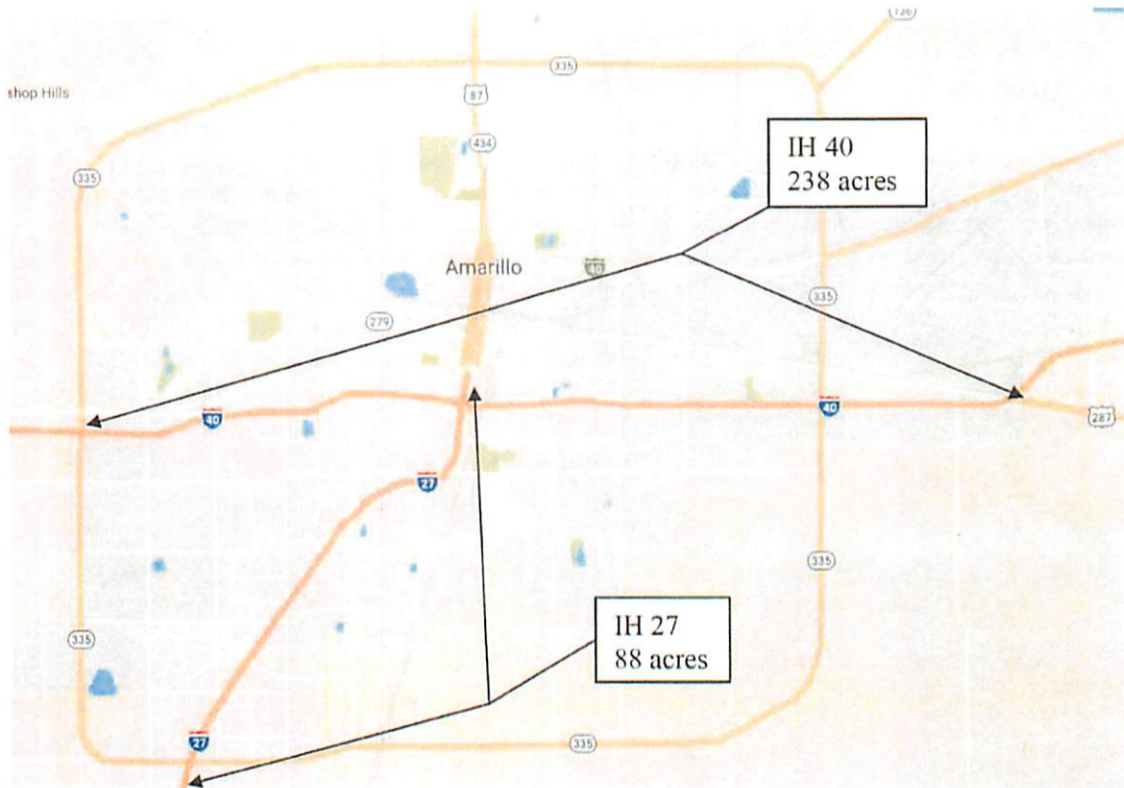
THE STATE OF TEXAS

District Engineer

Date

CSJ #6290-44-001
 District # 04-Amarillo
 Code Chart 64 # 01000
 Project: Mowing IH 40 & IH 27
 inside the city limits of Amarillo
 Not Research and Development

**Attachment A
 PAYMENT PROVISION AND WORK RESPONSIBILITIES**



Work location: IH 40 from East City Limit to West City limit (238 acres)
 IH 27 from South 22nd St. to South City Limit (88 acres)

Description: Mowing Highway Right of Way

ITEM	DESCRIPTION	HWY	UNIT	QTY	PRICE	EXTENSION
730-6002	FULL- WIDTH MOWING	IH 40	ACRE	238	\$89.89	*\$21,393.82
730-6002	FULL- WIDTH MOWING	IH 27	ACRE	88	\$89.89	*\$7,910.32

- 1 cycle = \$29,304.14

The State is performing the work of mowing highway right of way. The Local Government will be responsible for the \$29,304.14 per additional cycle until termination of the contact and will pay the State on a date mutually agreed to between the State and Local Government. The number of cycles per year will be at the request of the Local Government. The Local Government will be responsible for any cost overruns associated with the additional mowing cycles.

Amarillo City Council Agenda Transmittal Memo



Meeting Date	7/25/17	Council Priority	Lease Agreement for office at Winpark Place Shopping Center
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Department	City Manager
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Agenda Caption

Lease Agreement between City and Winpark Place, LLC for office space at Winpark Place Shopping Center for APD use.

Agenda Item Summary

The Lease Agreement provides for Winpark Place, LLC to provide, Rent-Free, an office space at the Winpark Place Shopping Center, located at Hillside Road and Bell Street to be used by the Amarillo Police Department. The office will be utilized by the motors officers and the Sgt. for the AISD liaison officers for the purpose of general policy activity, research, preparing reports, etc. The term of the lease is for five (5) years with a onetime renewal of three (3) years.

Requested Action

Approval of the Lease Agreement and to be signed by City Manager.

Funding Summary

N/A

Community Engagement Summary

N/A

City Manager Recommendation

This item is recommended for approval by the City Manager

**LEASE AGREEMENT
WINPARK PLACE SHOPPING CENTER
FOR AMARILLO POLICE DEPARTMENT USE**

THIS LEASE AGREEMENT (the "Lease") is made and entered into by and between **Winpark Place, LLC**, a Texas Limited Liability Company, with its principal office located at 600 S. Tyler Street, Ste., 1908 Amarillo, Texas 79101, (the "Landlord"), and the **City of Amarillo**, a Texas Municipal Corporation situated in Potter and Randall Counties, (the "Tenant").

RECITALS

WHEREAS, Landlord has made available to the Amarillo Police Department office space located at Winpark Place Shopping Center in Randall County, Texas (the "Property"); and

WHEREAS, Tenant desires to lease the Property from the Landlord to use as an office for the Amarillo Police Department Motors Unit and other Police Department operations as needed; and

WHEREAS, Landlord desires to lease the Property to Tenant, pursuant to the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Landlord and Tenant (collectively the "Parties") hereby agree as follows:

AGREEMENT

1. **Leased Property**: Landlord hereby agrees to rent to Tenant, and Tenant agrees to rent from Landlord approximately 900 square foot (the "Property") out of a 23,750 square foot building on certain real property located at Hillside Road and Bell Street in Randall County, Texas, and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.
2. **Lease Term**: The Lease shall have an initial term of five (5) years, and shall become effective between the Parties on the date this Lease is fully executed by the parties (the "Commencement Date"). The term of this Lease shall expire at 11:59 p.m. local time for the Property, on the last day of the calendar month in which occurs the fifth (5th) anniversary of the Commencement Date. For purposes of this Lease, a Lease year shall consist of twelve (12) consecutive calendar months commencing on the Commencement Date.
3. **Renewal Term**: At Tenant's sole discretion, Tenant shall have the option to renew this Lease one (1) additional term of three (3) years, by giving Landlord written notice of

Tenant's intention to exercise such option 90 days prior to the expiration of the initial term of this Lease. The Renewal Term shall be upon the same terms as set forth herein.

4. **Termination**: After a period of two (2) years from the Commencement Date, Tenant may terminate this lease by providing Landlord with 90 day written notice.
5. **Consideration**: As consideration for this Lease, Tenant agrees to pay Landlord the sum of \$1.00 per year. Payment of \$5.00 will be made by Tenant within thirty (30) days of the date of the full execution of this agreement. If the Lease is renewed, payment of \$3.00 will be made by Tenant upon the date of renewal.
6. **Monthly Rent**: Tenant shall pay zero dollars and zero cents (\$0.00) for rent. The rent value of the Property is \$23 per square foot or \$1,725 per month, and shall be donated by Landlord at no monthly charge to the Tenant.
7. **CAM, Taxes & Insurance**: Common Area Maintenance, taxes, and insurance shall be paid by Landlord. At all times during the lease term, Landlord agrees to maintain in full force and effect, property insurance to keep the premises insured against loss or damage by fire; and Liability Insurance to protect the Landlord against potential claims of citizens who enter the premises for any reason, including but not limited to, police related business.
8. **Security Deposit**: Landlord shall not require Tenant to pay a security deposit.
9. **Assignment & Subletting**: Tenant shall not have the right to assign or sublease all or any portion of the Premises during the initial term and any renewal term without consent of the Landlord.
10. **Finish Out of Property**: Landlord, at Landlord's expense shall finish out the Property subject to Landlord approval of plans and specifications as described in Exhibit "B" attached hereto and incorporated herein by this reference.
11. **Use of Property**: The Property shall be used solely for Amarillo Police Department operations. The property shall not be used by any other City Department, or for any other purpose except as provided under this agreement.
12. **Signage**: Subject to prior approval by City of Amarillo & Landlord, Tenant shall be permitted to install standard décor and trade fixtures within the premises and standard signage on the front of the building per permit and formal lease requirements. Signage shall include the verbiage "Police Department" or other similar verbiage approved by Landlord.
13. **Maintenance**: Landlord shall maintain and repair the common areas, roof, exterior walls, foundations, and keep structural parts of the demised premises in good condition at Landlord's sole cost and expense. Except as provided above, Tenant shall be responsible for all other maintenance and repairs related to the premises.

14. **Installations:** Landlord agrees that Tenant may install furnishings, furniture, appliances, and equipment necessary to perform police operations, and shall remain the property of Tenant. Upon vacating the premises the Tenant will remove all signs, furnishings, furniture, appliances and equipment, and repair (at Tenant's expense) any damage to the demised premises caused by Tenant excepting normal wear and tear.

15. **Notices:** All notices required under this Lease shall be in written form given by registered, express, or certified U.S. mail service, return receipt requested, and shall be deemed properly delivered on the date shown on the postal receipt. Notice shall be addressed to the parties to whom directed at the address herein set forth or at such other address as may be, from time to time, designated in writing by the party changing such address. For the purposes of this Lease, such addresses shall be as follows:

City of Amarillo
Chief of Police
200 S.E. Third Avenue
Amarillo, TX 79101-1514

Brian Shinall
5600 Bell St., Ste 105
Box 284
Amarillo, Texas 79109
bshinall@shinalgroup.com

16. **Quiet Enjoyment:** Tenant shall peaceably and quietly hold and enjoy the Premises for the term of the Lease without hindrance or interruption by Landlord or any other person acting through or under Landlord.

17. **Severability:** If any term or provision of this Lease is declared invalid or unenforceable, the remainder of the Lease shall not be affected by such determination and shall continue to be valid and enforceable.

18. **Amendments:** This Lease may not be modified or amended without written agreement from both parties. The parties shall not be bound as to any oral agreements or understandings except when the same shall be reduced to writing and duly executed by both parties as an amendment to this Lease.

19. **Entire Agreement:** This Lease contains the entire agreement of the parties hereto, and Landlord and Tenant accepting the same, acknowledge that there is no other written or oral understanding or promises between the parties, and that all prior or contemporaneous agreements, understandings, representations, and statements, oral or written, are merged into this Lease. Parties further acknowledge that no representations except those that may be contained herein have been made to induce Landlord or Tenant to enter into this Agreement.

20. **Authority to Contract:** Each Party represents that the Party signing this Lease is its executive officer or a representative fully authorized to do so.

21. **Governing Law:** This Lease shall be governed by, and construed in accordance with the laws of the State of Texas.

22. **Exhibits:** All exhibits referred to in the body hereof and attached hereto are incorporated herein by this reference as if repeated in their entirety.

23. **Recitals:** The Recitals are incorporated into this Lease as a matter of contract and not mere recital.

24. **Waiver:** Nothing in this Lease shall be construed as a waiver of any defense or immunity of either party at law or equity.

IN WITNESS WHEREOF the parties have caused this Agreement to be executed this ____ day of _____, 2017.

ATTEST:

CITY OF AMARILLO (Tenant)

City Secretary

Jared Miller, City Manager

WINPARK PLACE, LLC (Landlord)

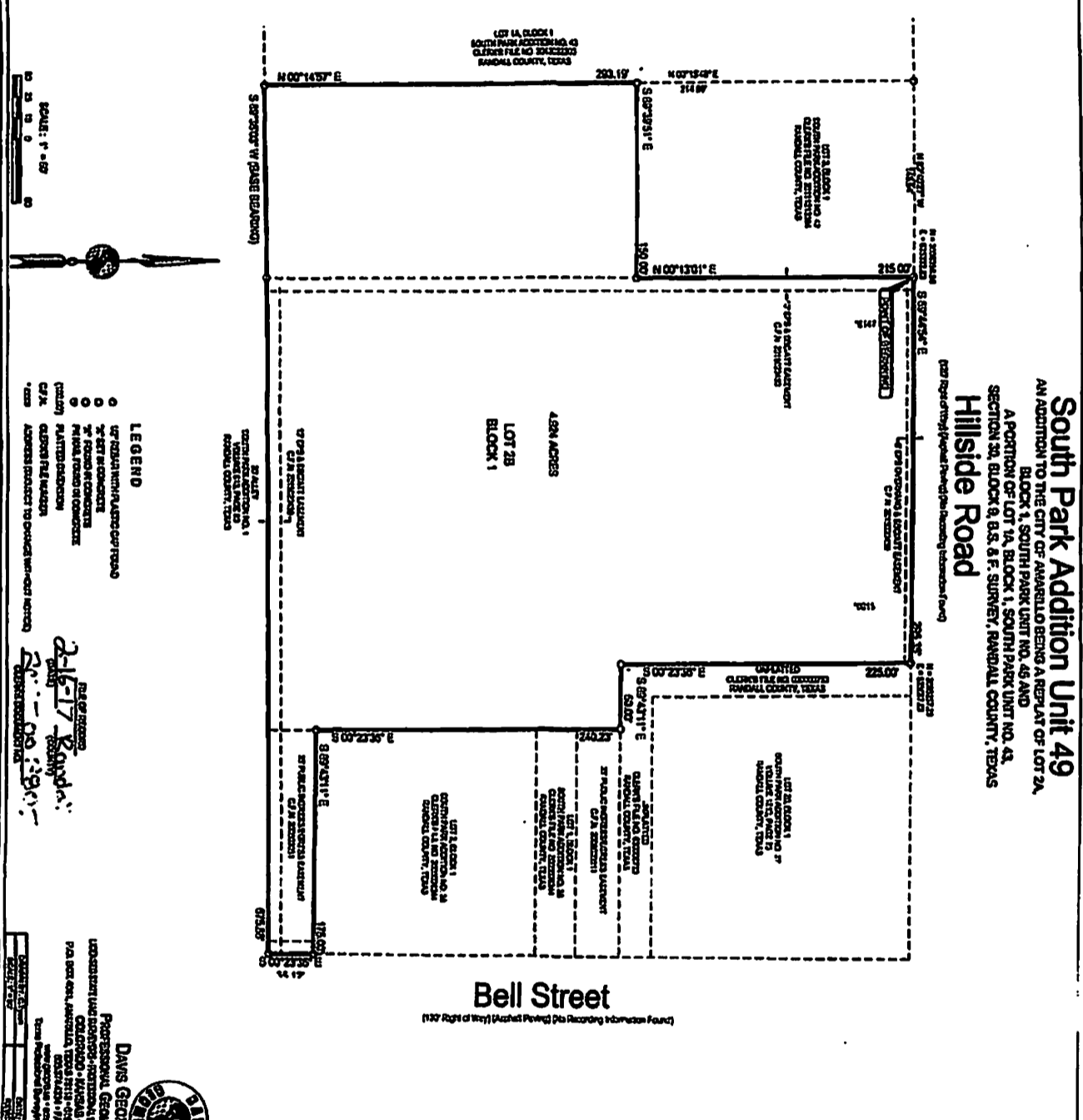
Brian Shinall, Manager

BIK 9 B5+F

SEC 30

J-16

EXHIBIT "A"



South Park Addition Unit 49
 AN ADDITION TO THE CITY OF AMARILLO BEING A REPLAT OF LOT 2A,
 BLOCK 1, SOUTH PARK UNIT NO. 48 AND
 A PORTION OF LOT 2A, BLOCK 1, SOUTH PARK UNIT NO. 43,
 SECTION 30, BLOCK 9, B.S. & F. SURVEY, RAMBOLD COUNTY, TEXAS

Bell Street
 (137' Right of Way) (As Shown) (By Recording Information Found)

DAVIS GEOMATICS, LLC
 PROFESSIONAL GEOMATIC CONSULTANTS
 1500 EAST 1ST STREET, SUITE 100, AMARILLO, TEXAS 79101
 (806) 335-1111 • (806) 335-1112 • (806) 335-1113
 (806) 335-1114 • (806) 335-1115 • (806) 335-1116
 (806) 335-1117 • (806) 335-1118 • (806) 335-1119
 (806) 335-1120 • (806) 335-1121 • (806) 335-1122
 (806) 335-1123 • (806) 335-1124 • (806) 335-1125
 (806) 335-1126 • (806) 335-1127 • (806) 335-1128
 (806) 335-1129 • (806) 335-1130 • (806) 335-1131
 (806) 335-1132 • (806) 335-1133 • (806) 335-1134
 (806) 335-1135 • (806) 335-1136 • (806) 335-1137
 (806) 335-1138 • (806) 335-1139 • (806) 335-1140



HPP

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July 5, 2017

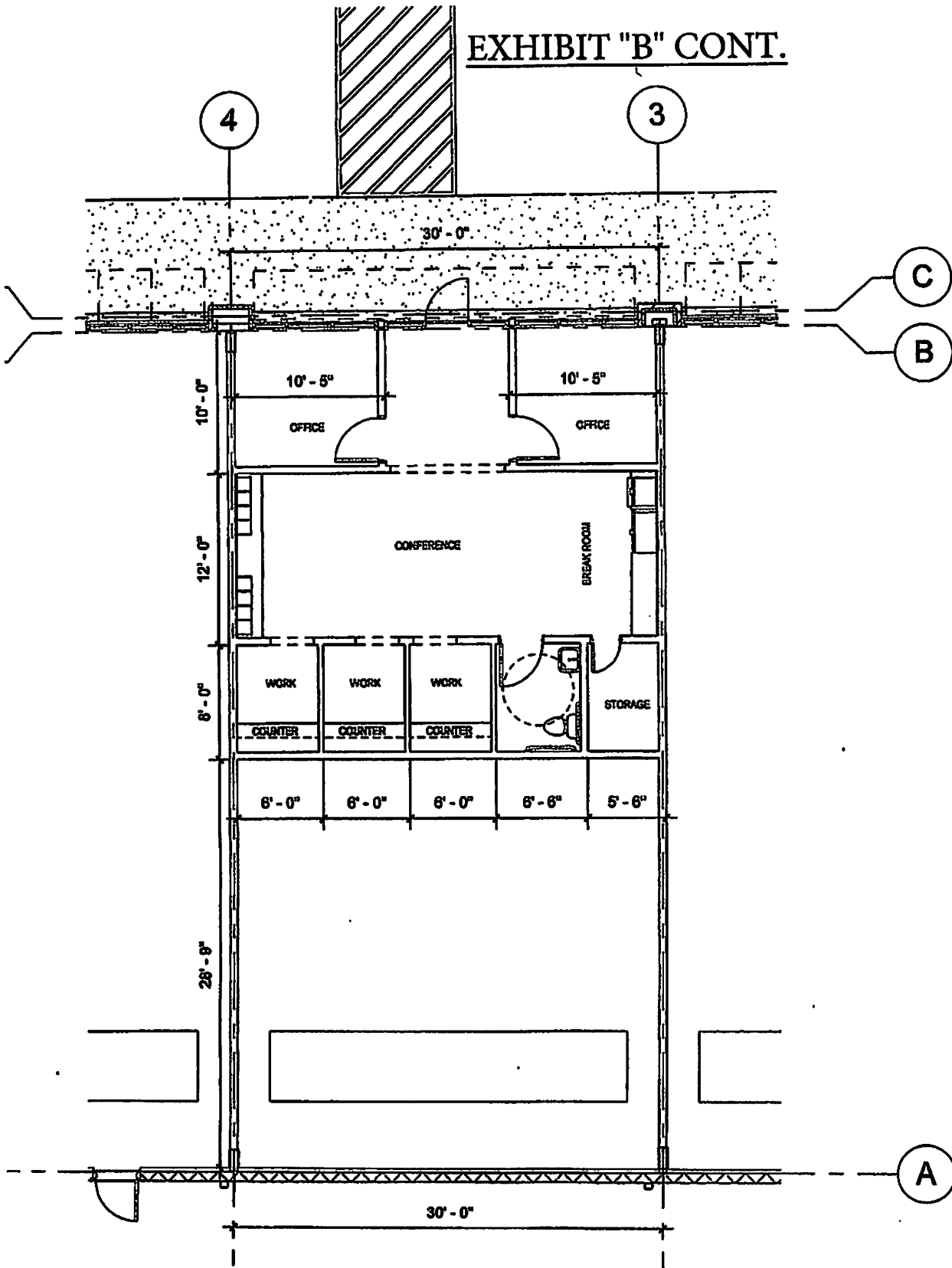
EXHIBIT "B"

Outline Specifications for Amarillo Police Department Finish Out

Win-Park Place

Storefront	Existing.
Separation Walls	6" metal stud framing to bottom of roof structure. 5/8" FC Sheetrock Tape Bed Texture Paint. Sono Batt Insulation. Wall Color TBD.
Interior Walls	4" metal stud framing. 8' Top of Walls. 5/8" FC Sheetrock Tape Bed Texture Paint. Sono Batt Insulation. Wall Color TBD.
Floors	Clear Sealed Concrete. Rubber Cove Base.
Doors	3 3'0" X 7'0" SC Birch Paint Finish. Hollow Metal Frames. 1 2'6" X 7'0" SC Birch Paint Finish. Hollow Metal Frame.
Millwork	TBD
Ceiling	2' X 4' SAT with Sono Batt Insulation. Finish Ceiling height 7'8" AFF.
Fire Suppression	Drop Sprinkler Heads to Finished Ceiling Height.
Lighting	18 2' X 4' White LED Troffer light fixtures.
HVAC	Roof Top HVAC. Sizing to be determined by HVAC Contractor.
Toilet	ADA Compliant Wall Hung Lavatory and ADA Compliant Floor Mount Water Closet. All required ADA Grab Bars and Dispensers. On Demand Electric Water Heater.

EXHIBIT "B" CONT.



BOARDS AND COMMISSONS – VACANCIES

Amarillo Local Government Corporation

03/22/2011 Les Simpson 09/30/2017 (resigned)

Amarillo-Potter Events Venue District:

11/01/2002 Glenn McMennamy 10/01/2017 (resigned)

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

06/11/2014 Chan Davidson 05/21/2017

06/08/2014 Trey Porter 05/21/2017

Canadian River Municipal Water Authority (2-year terms)

07/31/2013 Lenny Sadler 07/31/2017

Community Development Advisory Committee (2-year term)

02/01/2005 Glenda Grisham 12/31/2016 NW

02/13/2007 Rita Saldierna 12/31/2016 NE

12/20/2011 Sabrina Sisneros 12/31/2016 SE

Convention & Visitor Council

03/02/2017 Suzanne Talley 09/30/2018 (resigned)

Environmental Task Force

09/06/2016 Paul Harpole 07/11/2017 (resigned)

Parks and Recreation Board (3-year terms)

08/19/2014 George DeCoux 07/01/2017

09/06/2016 Terry Price 07/01/2017

Planning and Zoning Commission (3-year terms)

05/14/2014 Rob Parker 05/15/2017

05/14/2014 Dean Bedwell 05/15/2017

07/18/2017