

AGENDAS

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, FEBRUARY 16, 2016 AT 4:00 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 5:00 P.M., CITY HALL, 509 SOUTHEAST 7th AVENUE, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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

WORK SESSION

- A. City Council will discuss or receive reports on the following current matters or projects.
- (1) Review agenda items for regular meeting and attachments;
 - (2) Status on former North YMCA facility;
 - (3) Amarillo Police Department 2015 Racial Profiling Report; and
 - (4) Consider future Agenda items and request reports from City Manager.
- B. City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:
- (1) Discussion regarding appointments to vacant Board positions; and discussion regarding qualifications, rights, duties and responsibilities of Board members and appointees, in accordance with the Texas Open Meetings Act, Texas Government Code, Section 551.074; and
 - (2) Consult with Attorney about pending or contemplated litigation or settlement of same or, to consult with the attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter, in accordance with the Texas Open Meetings Act, Texas Government Code, Section 551.071.

REGULAR MEETING ITEMS

INVOCATION

1. **MINUTES:**
Approval of the City Council minutes of the regular meeting held on February 9, 2016.
2. **ORDINANCE NO. 7584:**
This is the first reading of an ordinance rezoning Lot 11, Block 9, Fairview Townsite Addition, in Section 123, Block 2, AB&M Survey, Potter County, to change from Residential District 3 to Residential District 3 with a specific use permit for placement of a Type B manufactured home in the vicinity of Southeast 8th Avenue and Spring Street. It is recommended for approval by a 6:0 vote of the Planning and Zoning Commission.
3. **PRESENTATION AND PUBLIC HEARING:**
This item is a presentation on the proposed Cross-Connection Control Ordinance.
4. **APPOINTMENTS – BOARDS AND COMMISSIONS:**
Appointments are needed for the following boards:

Amarillo Hospital District Board of Managers (2-year terms)

03/10/2015	Todd Bell	04/01/2017
09/13/2011	Rodney Ruthart	10/01/2015

Center City Tax Increment Reinvestment Zone #1 Board of Directors (3-year terms)

02/15/2011	Scott Bentley	03/20/2016
------------	---------------	------------

5. **CONSENT AGENDA:**

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

A. **Purchase – Mechanical Street Sweeper**
Heil of Texas -- \$255,937.00

This item is the scheduled replacement of unit 6793, 2007 Freightliner Sweeper that has reached or exceeded useable life expectancy. Replacement approved in the 2015-2016 budgets. This award will be used by the Drainage Utility Department for daily operations. This bid represents a 6% decrease from the last purchase. Funding for this award is available in the approved FY 2015-2016 Municipal Garage Rolling Stock Budget.

B. **Award – Radio Communications System Consulting and Engineering Services Contract:**
AECOM Technical Services, Inc. -- \$540,244.00

This item approves the consulting and engineering services contract with AECOM Technical Services, Inc. for system procurement and project implementation support of a replacement radio communications system. AECOM Technical Services, Inc. was selected as the most qualified respondent to a Request for Qualifications to provide consulting and engineering services for this project. Funding for this contract is available in the approved Management & Administration Capital Improvements budget.

C. **Approval – Change Order No. 4 – Rehabilitation of Southwest 9th Avenue from Coulter Street to Amarillo Boulevard:**

Original Contract:	\$2,061,156.95
Previous Change Orders:	111,582.20
Current Change Order:	<u>(6,068.60)</u>
Total Change Orders:	<u>105,513.80</u>
Revised Contract:	\$2,166,670.55

This item approves Change Order No. 4 to the contract with Holmes Construction Company, L.P. for work performed on the Rehabilitation of Southwest 9th Avenue from Coulter Street to Amarillo Boulevard. The change order is for the Contractor to reimburse the City for repair work to the waterlines. No funding is required for this change order.

D. **Approval – Aviation Clear Zone Easement:**

Aviation Clear Zone Easement being 4,600 feet MSL above the plat of Famous Heights Addition Unit No. 43, in Section 122, Block 2, AB&M Survey, Potter County, from Philip R. Slaughter.

PUBLIC FORUM

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

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

MISCELLANEOUS

1. Planning and Zoning Commission, minutes of January 25, 2016.
2. Boards and Commissions – appointments as listed on attached.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (Southeast 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 12th day of February 2016.

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



STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 9th day of February 2016, the Amarillo City Council met at 3:00 p.m. for an executive session and work session and then at 5:00 p.m. for the regular session both held in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

PAUL HARPOLE
ELISHA L. DEMERSON
BRIAN J. EADES
RANDY BURKETT
MARK NAIR

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

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

TERRY CHILDERS
WILLIAM MCKAMIE
KELLEY SHAW
FRANCES HIBBS

INTERIM CITY MANAGER
CITY ATTORNEY
PLANNING DIRECTOR
CITY SECRETARY

The invocation was given by Terry Childers. Mayor Harpole led the audience in the Pledge of Allegiance.

A proclamation was presented for 'Congenital Heart Defect Awareness Week.'

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

ITEM 1: Mayor Harpole presented the minutes for February 2, 2016. Motion was made by Councilmember Eades to approve the minutes; motion was seconded by Councilmember Demerson.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Burkett; Voting NO were none, Councilmember Nair abstained, the motion carried by a 4:0:1 vote of the Council, unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance rezoning Lots 11 and 12, Edgefield Addition, in Section 171, Block 3, AB&M Survey, Randall County, to change from Residential District 3 to Office District 1, in the vicinity of 34th Avenue and South Polk Street. Motion was made by Councilmember Demerson, seconded by Councilmember Nair, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7581

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTHEAST 34TH AVENUE AND SOUTH POLK STREET, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades and Nair; Voting NO were none; Councilmember Burkett abstained, the motion carried by a 4:0:1 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance rezoning a 7.97 acre tract of land out of Section 62, Block 9, BS&F Survey, Randall County, to change from Planned Development District 260 to General Retail District, in the vicinity of Bent Tree Drive and Soncy Road. Motion was made by Councilmember Burkett, seconded by Councilmember Eades, that the following captioned ordinance be passed on second

and final reading:

ORDINANCE NO. 7582

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 BENT TREE DRIVE AND SONCY ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 4: Mayor Harpole presented an ordinance rezoning three tracts of land. Tract 1 consists of 9.04 acres of land to change from Agricultural District to Residential District 1; Tract 2 consists of 13.75 acres of land to change from Agricultural District and Residential District 1 to Residential District 3; and Tract 3 is a 1.70 acre of land to change from Agricultural District to a Residential District 3, all in Section 39, Block 9, BS&F Survey, Randall County, in the vicinity of Kingsgate Drive and Glenwood Drive. Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7583

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 KINGSGATE DRIVE AND GLENWOOD DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 5: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a fire damaged residential structure and a detached garage located at 402 South Tennessee Street. Motion was made by Councilmember Eades to select Option(s) II and V, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 02-09-16-1

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

Mr. Childers stated this item was held over from last week for the potential property buyers. Mr. Schuster stated there were no visible changes to the property at 402 South Tennessee Street, and there has been no contact with any of the proposed buyers or owners. Mr. Schuster recommended demolition. Mayor Harpole concluded the hearing. Councilmember Burkett stated that future interest in these types of properties should be with the property owner(s) before it reaches City Council.

Voting AYE were Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were Mayor Harpole; the motion carried by a 5:0 vote of the Council.

ITEM 6: Sara Freese, Director of Aviation and Consultant, Amanda O'Krongley with Reynolds, Smith & Hills (RS&H) Contractors, presented an update on the Airport Master Plan.

ITEM 7: Mayor Harpole advised that appointments are needed for certain boards. Motion was made by Councilmember Nair, seconded by Councilmember Eades and unanimously carried to appoint Joe Rogers to replace Hilda Easley and reappoint Myrtle

Hodge on the Advisory Committee for People with Disabilities, such terms to expire March 1, 2019; and to appoint Jeff Neely, III, Tom Roller, Jim Banes and George Cumming to replace Shannon Brooks, Bill Chudej, Nolan Huckabee, Gary Strickland, and Gary Ward and to reappoint Daniel Henke on the Construction Advisory and Appeals Board, such terms to expire December 31, 2018; and to appoint Vernlinda Watson, Becky Heinen, Gary Jennings, Cole Camp and Cindi Bulla to replace Melissa Henderson, Charles Lynch, Kevin Nelson, Bob Rathburn and Howard Smith and to reappoint Steve Gosselin on the Downtown Urban Design Review Board, such terms to expire August 17, 2018.

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

Councilmember Burkett recommended Dipak Patel to the Center City Tax Increment Reinvestment Zone #1 Board of Directors. Motion was made by Councilmember Eades and seconded by Councilmember Demerson to appoint Joseph Peterson to replace Richard Brown on the Center City Tax Increment Reinvestment Zone #1 Board of Directors, such term to expire March 20, 2019.

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

ITEM 8: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Councilmember Eades to approve the consent agenda and authorizes the City Manager to execute all documents necessary for each transaction. Motion was seconded by Councilmember Nair.

A. Purchase – Heavy Equipment:

Award to low bidders meeting specifications below:

Warren Cat – Lines 2,10	\$ 96,701.33
Associated Supply Co. Case (350467) – Line 3	\$ 36,875.00
Associated Supply Co. (116139) – Lines 4,5,6,7,8,11	\$915,008.00
Yellowhouse Machinery – Line 9	<u>\$233,160.00</u>
Total Award	\$1,281,762.33

This item is for scheduled replacement of Heavy Equipment that have reached or exceeded usable life and additional equipment approved in the 2015-2016 budget. The award consists of heavy equipment that will be used by the following departments: Park Maintenance, Street Department, Water Distribution, Waste Water Collection, and Drainage Utility. This bid represents an overall 3% increase from the last purchase. Funding for this award is available in the approved FY 2015-2016 Municipal Garage Machinery General Budget.

B. Award – Water Distribution Improvements:

Amarillo Utility Contractors -- \$840,385.40

This item awards a contract to Amarillo Utility Contractors for the replacement of a 12' water main with a 16" water main in Southwest 45th Avenue from Western Street to Interstate-27.

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

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

Jesse Pfrimmer, 5723 South Milam Street, inquired about upcoming community meetings. Allen Finegold, 2601 North Grand Street, stated the Council should authorize the City Manager to look into purchasing options for fuel. There were no further

comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

Frances Hibbs, City Secretary

Paul Harpole, Mayor

DRAFT



THE CITY OF AMARILLO, TEXAS

Interdepartmental Memorandum

February 10, 2016

To: Terry Childers, Interim City Manager

From: David Soto, Planner I DS

Thru: Bob Cowell, Deputy City Manager of Development Services 
Kelley Shaw, Planning Director  2/11/16

Subject: Z-16-05 Rezoning of Lot 11, Block 9, Fairview Townsite Addition, Section 123, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Residential District 3 to Residential District 3 with a specific use permit for placement of a Type B Manufactured Home.
(Vicinity: SE 8th & Spring St)
APPLICANT: Judy Jurado

Vote: 6:0 approval

The above referenced item was recommended for approval by the Amarillo Planning and Zoning Commission at its meeting of February 8, 2016

Adjacent zoning consists of Residential District 3 in all directions.

Adjacent land uses consist of a mix of traditional built single-family detached homes and manufactured homes in all directions.

The applicant is requesting a specific use permit for the placement of a Type B (built between 2007 and the current year) Manufactured Home on property zoned Residential District 3.

Section 4-10-87 (Manufactured Home Standards) of the City's Zoning Ordinance sets standards for the placement and architectural appearance of manufactured homes within Amarillo. One of the requirements is that a Specific Use Permit must be obtained in order to place a Type B manufactured home on property residentially zoned. This requirement is the basis for the requested change in zoning.

When submitting an application for a Specific Use Permit, the applicant is required to submit a market analysis, site plan, and filing fee. The market analysis indicates what impact, if any, the placement of the manufactured home will have on the surrounding area. A licensed real estate appraiser must prepare this analysis. The market analysis submitted by the applicant indicates there will be no adverse impact on the surrounding area if approved.

The intent of Section 4-10-87 is to ensure that manufactured homes are compatible with other dwellings in the neighborhood and meet minimum placement and architectural standards while providing an alternative means of affordable home ownership for the residents of the community.

In determining the Commission's recommendation of approval or denial of this request, Planning Commissioners recommends that the City Commissioners consider the following issues:

1. Would this type of dwelling unit negatively affect surrounding property values?
2. Does this type of dwelling unit fit in the overall character of the surrounding neighborhood?

Homes in the neighborhood appear to be average in both construction and maintenance, with a few which could be considered below average in condition. In a one-block radius, there are several singlewide manufactured homes as well as others beyond a one-block radius. Of these six singlewide manufactured homes, two are located within the same block as the applicant's tract.

The proposed manufactured home was constructed in 2014 and features 2 bedrooms, 2 bathrooms, a pitched roof, a large covered porch, and has a total of 1155 sq. ft. of living area.

Planning Commissioners have reviewed photos of the applicant's new singlewide manufactured home and find it to be in character with not only existing area manufactured homes, but detached residences as well. Given the area as a whole and that the purpose of this SUP is to place a new singlewide

manufactured home, Commissioners are in agreement with the analysis and believes placement of a new Type B Manufactured Home is appropriate and will not have any detrimental impacts on the surrounding area.

Considering the above, Commissioners recommend approval of the applicant's request as presented.

Notices have been sent to property owners within 200 feet regarding this proposed rezoning. At the time of writing, the Planning Department has received two calls, both with no opposition to this rezoning. Mr. Sager spoke at the Planning & Zoning Commission meeting and had questions regarding the proposed manufactured home's value. Staff followed up with Mr. Sager with the information he requested. He has no objections to the request. An update will be provided the City Commission meeting should there be any change.

ORDINANCE NO. 7584

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SE 8TH & SPRING STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council 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 11, Block 9, Fairview Townsite Addition, Section 123, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Residential District 3 to Residential District 3 with a Specific Use Permit 179 for placement of a Type B Manufactured Home.

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.

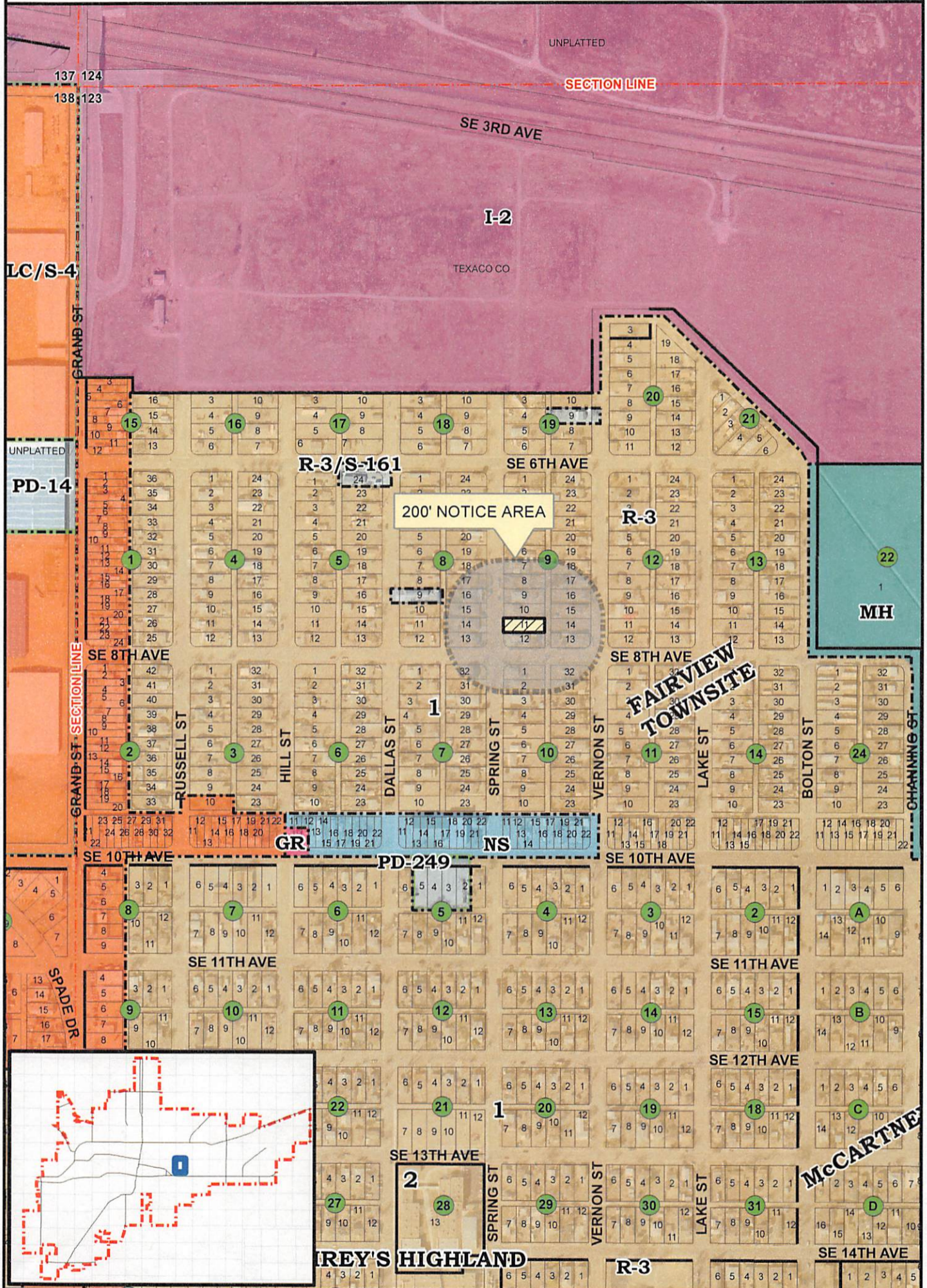
INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the ____ day of February, 2016 and PASSED on Second and Final Reading on this the ____ day of February, 2016.

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

REZONING FROM R-3 TO R-3 W/ SUP



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1" = 400'
Date: 1-19-16
Case No: Z-16-05



Z-16-05 Rezoning of Lot 11, Block 9, Fairview Townsite Addition, Section 123, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 to Residential District 3 with a specific use permit for placement of a Type B Manufactured Home.

Applicant: Judy Jurado
Vicinity: SE 8th Ave & Spring St

AP: Q-12



Amarillo City Council Agenda Transmittal Memo



Meeting Date	February 16, 2016	Council Priority	N/A
---------------------	-------------------	-------------------------	-----

Department	52110 Director of Utilities
-------------------	-----------------------------

Agenda Caption

Public Hearing- Proposed Cross-Connection Control Ordinance.

Agenda Item Summary

This item conducts a public hearing for an ordinance which would amend Amarillo Municipal Code, Chapter 18-2 to add a new Article VI, Sections 18-2-100 to 18-2-130, including procedures and definitions, adopt regulations and placing a Cross-Connection Program into the City of Amarillo Municipal Code. The purpose of said Article is to comply with Title 30 and to protect the water supply of the City from contamination due to any cross connections.

Requested Action

Conduct a public hearing during the City Council Regular Session. The two required readings will occur at subsequent Council meetings.

Funding Summary

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

Community Engagement Summary

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

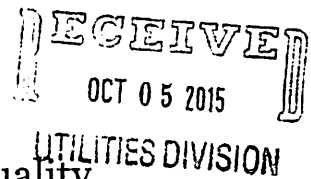
Staff Recommendation

City Staff is recommending approval for final reading.

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



PWS 1880001 CO 20150020 Program Survey



Texas Commission on Environmental Quality
Protecting Texas by Reducing and Preventing Pollution

September 29, 2015

Mr. Floyd Hartman, Assistant Director of Utilities
Amarillo Municipal Water System
P.O. Box 1971
Amarillo, Texas 79118-7705

RE: Amarillo Municipal Water System - PWS ID No. 1880001
Survey of Cross-Connection Control Program
Potter County, Texas

RN:101398972 CN:600130942

Dear Mr. Hartman:

On May 14, 2015, the Texas Commission on Environmental Quality (TCEQ) conducted a Cross-Connection Control Program survey of the Amarillo Municipal Water System (System). Mr. Al Fuentes, TCEQ Water Supply Division, met with you and:

- Mr. Jacob Wright, TCEQ Region 3;
- Mr. Aaron Rodriguez, TCEQ Region 3;
- Mr. Troy Hopkins, Water Production Superintendent;
- Mr. Randy Schuster, Deputy Building Official; and
- Mr. Kevin Robinson, Assistant Building Official

to evaluate the System's Cross Connection Control Program. Title 30 of the Texas Administrative Code (30TAC), Chapter 290 prohibits public water systems (PWSs) from connecting to any establishment where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination. Deficiencies regarding compliance with TCEQ's cross connection control regulations are addressed below:

30 TAC §290.46(i) Plumbing ordinance. This regulation requires PWSs to adopt an adequate plumbing ordinance, regulations, or customer service agreements which give the PWS the legal authority to implement a cross connection control program.

At the time of the survey, the System could not provide documentation of the plumbing ordinance, regulations, or customer service agreements which lends authority to implement a cross-connection control program and has provisions for proper enforcement in order to prohibit cross-connections and other unacceptable plumbing practices. Please note that adopting a Plumbing Code does not constitute compliance with TCEQ's Plumbing Ordinance regulation.

Mr. Floyd Hartman
Page 2 of 3
September 29, 2015

30 TAC §290.46(j) Customer service inspections. This regulation requires that a customer service inspection (CSI) be completed prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other potential contamination hazards exist, or after any material improvement, correction, or addition to private plumbing facilities. A CSI must be completed by a recognized customer service inspector for each facility inspected and the original or a copy of the CSI certificate must be retained by the water purveyor.

At the time of the survey, the system could not provide documentation that Customer Service Inspections had been completed for the facilities listed in the City of Amarillo Facility List provided prior to the program survey and enclosed within this letter. These records serve to identify and prevent cross-connections, potential contamination hazards, and illegal lead materials.

30 TAC §290.44(h) Backflow, siphonage. This regulation requires the installation of an air gap or backflow prevention assembly (BPA) at any residence or establishment where an actual or potential contamination hazard exists. This section also requires the testing of BPAs upon installation by a recognized backflow prevention assembly tester and a certification that they are working within specifications. BPAs that are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a recognized BPA tester. A backflow prevention assembly test and maintenance report (T&M Form) must be completed by a recognized BPA tester for each assembly tested. The signed and dated original T&M Form must be submitted to the public water system for record keeping purposes.

At the time of the survey, the System could not provide documentation that backflow prevention assemblies had been installed at each of the facilities listed in the City of Amarillo Facility List provided prior to the program survey and enclosed with this letter. These records also serve to document that existing backflow prevention assemblies are current in the testing requirements.

In order to document compliance with TCEQ regulations, the Amarillo Municipal Water System must submit:

1. An authority (Plumbing Ordinance, Regulations, Service Agreements) in compliance with 30 TAC §290.46(i) Plumbing ordinance;
2. Customer Service Inspection Certificates for each facility listed in the enclosed City of Amarillo Facility List;
3. Backflow Prevention Assembly Test & Maintenance Reports which show the appropriate backflow prevention assembly was installed and that it passed the test within one year of the current date only for those sites in which it was documented by the above mentioned Customer Service Inspections that an actual or potential contamination hazard exists.

This documentation must be submitted within **90 days** from the date of this letter. The information should be sent to:

Attn: Al Fuentes
Technical Review and Oversight Team (MC 159)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Mr. Floyd Hartman
Page 3 of 3
September 29, 2015


Please note that, during the survey, Mr. Fuentes provided the following information:

- A copy of 30 TAC Chapter 290 Rules and Regulations for Public Water Systems;
- A copy of 30 TAC Chapter 344 Standards For Landscape Irrigation;
- Copies of Regulatory Guidance documents pertaining to cross-connection control;
- A sample plumbing ordinance;
- A sample Customer Service Inspection Certificate; and
- A sample Backflow Prevention Assembly Test and Maintenance Report form.

A variety of educational materials were also provided.

If you have any questions concerning this letter, or if we can be of additional assistance, please contact Mr. Al Fuentes by email at Alfonso.Fuentes@tceq.texas.gov or by telephone at (512) 239-1407.

Sincerely,


~~Tamara~~ Konkin-Garcia, Team Leader
Technical Review and Oversight Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

TKG/AF

Enclosure: City of Amarillo Facility List

cc: The Honorable Paul Harpole, Mayor, City of Amarillo, P.O. Box 1971, Amarillo, Texas
79118-1971

Bcc: Amarillo Regional Office – Region 1, Attn: Jim McWilliams, Sect. Manager

City of Amarillo Facility List

	Commercial Car Wash	Address
1.	Toot N Totum Care Care Center #2	2608 S Georgia St, 79109

	Dental Clinics	Address
1.	Advana Dental & Dentures	2330 S Soncy Rd, 79124
2.	Kool Smiles	2210 Bell St, 79106
3.	Amarillo Dental Spa	500 Quail Creek Dr, 79124

	Funeral Homes	Address
1.	Memorial Park Funeral Home	6969 E Interstate 40, 79118
2.	Schooler Funeral Home Inc	4100 S Georgia St, 79110

	Medical Facilities	Address
1.	BSA Health System	1600 Wallace Blvd 79107
2.	NW TX Healthcare System	1501 Coulter St, 79106
3.	Amarillo Urgent Care LLC	1915 S Coulter St, 79106

	Nursing Home	Address
1.	Goodcare Health Services	4107 SW 49 th Ave, 79109
2.	Hillside Haven Care Home	5230 Royce Dr, 79110
3.	Cottages at Quail Creek	6811 Plum Creek Dr, 79124

	Veterinary Clinic	Address
1.	Animal Medical Center	6201 W Amarillo Blvd, 79106
2.	Noah's Ark Pet Hospital	7306 SW 34 th Ave Suite 6, 79121
3.	Yarbrough Vet Clinic	7701 Canyon Dr, 79110

Note: This facility list was created using online Yellow Pages. This is a list of facilities which *may* require backflow prevention assemblies to be installed at the meter in order to protect the city's potable water system. **This is not an all-inclusive list of facilities with potential hazards in your water system.**

ORDINANCE NO. _____
AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS:
AMENDING THE AMARILLO MUNICIPAL CODE TO ADD
CHAPTER 18-2, CREATING NEW ARTICLE VI, SECTIONS 18-2-
100 TO 18-2-130 AND PROVIDING FOR DEFINITIONS,
REQUIREMENTS, GUIDELINES, AND OTHER; PROVIDING FOR
SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR
PUBLICATION AND EFFECTIVE DATE.

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

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

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

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

ARTICLE VI.
CROSS-CONNECTION PROGRAM

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

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

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

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

Section 18-2-102. Definitions.

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

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

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

Amarillo: City of Amarillo or City.

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

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

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

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

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

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

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

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

City: City of Amarillo.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TCEQ: Texas Commission on Environmental Quality.

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

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

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

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

Section 18-2-104. Irrigation Systems.

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

Section 18-2-105. Mobile Units.

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

- (e) If there is a conflict between this section of the Article and Amarillo's Code of Ordinances, the more restrictive provision will apply.

Section 18-2-106. Multiple Service Connections.

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

Section 18-2-107. Plumbing Code.

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

Section 18-2-108. Thermal Expansion.

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

Section 18-2-109. Pressure Loss.

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

Section 18-2-110. Residential service connections.

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

Section 18-2-111. Fire Systems.

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

Section 18-2-112. Retrofitting.

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

Section 18-2-113. Wholesale Customers.

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

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

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

Section 18-2-115. Access to Premises.

- (a) Every person provided water service by the City, directly or indirectly, shall permit the Director enter their premises and buildings for the purpose of inspecting pipes and fixtures and the manner in which the water is used to determine compliance with this Article.
- (b) If any water user refuses access to their premises for inspection by an inspector and/or the Director, the water user shall install a reduced pressure principle assembly at the service connection to the premises so as to ensure premises isolation or containment protection.
- (c) Any temporary, or permanent, obstruction to safe and easy access to the premises for the purposes of this Article shall be promptly removed by the water user at the written, or verbal, request of the Director, and shall not be replaced. The costs of clearing such access shall be borne by the user.
- (d) Any and all costs associated with premise isolation or containment protection shall be the sole responsibility of the property owner, lessee, and/or agent.

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

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

Section 18-2-117. Jurisdiction.

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

denial, and thereupon issue a final decision within 7 business days after receiving the appeal letter.

- (d) Each variance granted shall include a timetable for compliance and shall expire six (6) months after it is granted.
- (e) Application for variance, pendency of same, or an appeal of same shall not be grounds for noncompliance with this Article.
- (f) A granted variance shall not be retroactive or otherwise justify a violation of this Article that occurred prior to the granting of the variance, unless such violation is found to have been essential to protect human health or a human life safety condition.

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

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

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

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 3. Repealer. All ordinances or resolutions ordinances, resolutions, and parts of resolutions that adopt resolutions that adopt a cross-connection program are hereby repealed. Further, any and all other ordinances or resolutions of any nature, or parts of either, that conflict with the terms of this ordinance are hereby repealed to the extent of conflict with this ordinance.

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

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

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

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

Amarillo City Council Agenda Transmittal Memo



Meeting Date	02/16/16	Council Priority	Infrastructure Initiative
---------------------	----------	-------------------------	---------------------------

Department	Municipal Garage
-------------------	------------------

Agenda Caption

Purchase – Mechanical Street Sweeper

Heil Of Texas \$255,937.00
Total Award \$255,937.00

This item is the scheduled replacement of unit 6793, 2007 Freightliner Sweeper that has reached or exceeded useable life expectancy. Replacement approved in the 2015-2016 budgets. This award will be used by the Drainage Utility Department for daily operations. This bid represents a 6% decrease from the last purchase. Funding for this award is available in the approved FY 2015-2016 Municipal Garage Rolling Stock Budget.

Agenda Item Summary

Scheduled replacement of unit 6793, 2007 Freightliner Sweeper. Purchased thru HGAC contract #SW-04-14. Contract purchase allows for discounted pricing, quicker delivery schedule, consistency with in fleet for maintenance, operator raining, lower down time due to established best practices including factory training on specialized equipment.

Requested Action

Approval

Funding Summary

Municipal Garage Auto Rolling Stock , account 61120.84100 request total award \$255,937.00.
beginning funding \$5,365,700.00 remaining account balance \$314,690.00

Community Engagement Summary

Scheduled replacement of aging fleet insures departments provide city services in a consistent manner.

City Manager Recommendation

City staff recommends approval.

Bid No. 5344 STREET SWEEPER
Opened 4:00 p.m. February 3, 2016

To be awarded as one lot HEIL OF TEXAS

Line 1 Sweepers, mechanical, dual gutter
broom, diesel, per specifications

1 ea		
Unit Price	\$259,437.000	
Extended Price		259,437.00

Line 2 Shipping, handling & misc fees,
freight, per specifications

1 ea		
Unit Price	\$3,500.000	
Extended Price		3,500.00

Line 3 Shipping, handling & misc fees,
post delivery inspection, per
specifications

1 ea		
Unit Price	\$1,000.000	
Extended Price		1,000.00

Line 4 Shipping, handling & misc fees,
discount, per specifications

1 ea		
Unit Price	(\$8,000.000)	
Extended Price		(8,000.00)

Bid Total		255,937.00
-----------	--	------------

Award by Vendor		255,937.00
-----------------	--	------------



Amarillo City Council Agenda Transmittal Memo



Meeting Date	02/02/2016	Council Priority	Infrastructure Initiative
---------------------	------------	-------------------------	---------------------------

Department	1231 - Radio Communications
-------------------	-----------------------------

Agenda Caption
Award – Radio Communications System Consulting and Engineering Services Contract

AECOM Technical Services, Inc. \$540,244.00

Agenda Item Summary

This item approves the consulting and engineering services contract with AECOM Technical Services Inc. for system procurement and project implementation support of a replacement radio communications system. AECOM Technical Services Inc. was selected as the most qualified respondent to a Request for Qualifications to provide consulting and engineering services for this project. Funding for this contract is available in the approved Management & Administration Capital Improvements budget.

Requested Action

Consider approval of the consulting and engineering services contract with AECOM Technical Services Inc. to provide system procurement and project implementation support for replacement of the City's current radio communications system.

Funding Summary

Capital Job 410795, NEXGEN Radio Communications System was established in 2011. The current fund balance for consulting and engineering services is \$579,203 with a communications equipment contract budget of \$14,000,000 with funding anticipated via issuance of debt.

Community Engagement Summary

The NEXGEN Radio Communications System project represents a modest impact on the whole community. Community engagement through informing citizens of the need for the project and the City's approach to addressing current system issues is important to gain community support. The key stakeholders for the project are primarily internal users of the radio communications system, specifically public safety responders. It is recognized that the project represents a significant capital improvement expenditure by the City.

Staff Recommendation

It is recommended that the Radio Communications System Consulting and Engineering Services contract be approved and that the City Manager be authorized to execute all documents necessary for the transaction.

RFQ #02-16 Radio Communication Project Consulting and Engineering Services

Best and Final Evaluation Criteria Ranking	Timeliness and accuracy of project tasks	Demonstrate the qualifications, capabilities, experience, and sufficiency of staff resources	Demonstrate through a proposed schedule, deadlines, and objectives how the firm would administer a system	Evaluate information provided on the firm's track record of performance on contracts	Total Points Possible	
	Points Possible					
Vendor	90	90	90	30	300	Comments
AECOM	83	82	83	25	273	
Tusa Consulting Services	66	77	70	21	234	
Date:						
Evaluator:						



Amarillo City Council Agenda Transmittal Memo



Meeting Date	February 16, 2016	Council Priority	Infrastructure Initiative
---------------------	-------------------	-------------------------	---------------------------

Department	Capital Projects and Development Engineering Division
-------------------	---

Agenda Caption

Approval - Change Order No. 4 - Rehabilitation of Southwest 9th Avenue from Coulter Street to Amarillo Boulevard:
 Original Contract: \$2,061,156.95
 Previous Change Orders: \$ 111,582.20
 Current Change Order: \$(6,068.60)
 For a total of change orders \$105,513.60
 Revised Contract: \$2,166,670.55
 This item approves Change Order No. 4 to the contract with Holmes Construction Company L.P. for work performed on the Rehabilitation of Southwest 9th Avenue from Coulter Street to Amarillo Boulevard. The change order is for the Contractor to reimburse the City for repair work to the waterlines. No funding is required for this change order.

Agenda Item Summary

Change Order Four (4) is for the Contractor to reimburse the City for repairs to existing water utilities during construction.

Requested Action

Approval of Change Order 4

Funding Summary

Job # 410852 has a total budget of \$2,500,000.00. This change order will reimburse Director of Utilities Division for cost incurred.

Community Engagement Summary

N/A

City Manager Recommendation

It is the Interim City Manager's recommendation to approve Change Order 4.

CHANGE ORDER FOUR (4)
CITY OF AMARILLO
ENGINEERING DEPARTMENT

JOB NO. 410852: Rehabilitation of SW 9th Avenue from Coulter to Amarillo Blvd.

DATE: February 3, 2016

CONTRACTOR: Holmes Construction Company L.P.

CHANGE ORDER NO. FOUR (4)

DESCRIPTION OF CHANGE

This change order results in a reimbursement to the City of \$6,068.60. The Contractor damaged existing water utilities during the above referenced project on the following dates resulting in a reimbursement to the City.
September 4, 2015 - Contractor should not be held responsible for the charges on this date.
September 22, 2015 - Contractor should not be held responsible for the charges on this date.
September 25, 2015 - Contractor hit a 12" waterline and repair costs are as follows: Labor \$301.24, Equipment \$92.00, Parts \$640.97 and lost water \$1,616.00 = \$2,650.21 Contractor is responsible for \$2,650.21 in charges.
November 5, 2015 - Contractor hit a 6" flange on waterline and repair cost are as follows: Labor \$699.83, Equipment \$132.50, Parts \$970.06 and lost water \$1,616.00 = \$3,418.39. Contractor is responsible for \$3,418.39 in charges.
December 16th - A broken waterline in outside the contractor's work area was not the responsibility of the Contractor.

ITEM NO.	DESCRIPTION	ORIGINAL ESTIMATE QUAN.	REVISED ESTIMATE QUAN.	NET CHANGE IN QUAN.	UNIT MEASURE	UNIT PRICE	NET CHANGE IN DOLLARS
39	Reimburse City for damages to existing water utilities during project construction.	0	1	1	LS	\$ (6,068.60)	(6,068.60)

NET THIS CHANGE ORDER	\$ (6,068.60)
PREVIOUS CHANGE ORDERS	\$ 111,582.20
TOTAL OF CHANGE ORDERS	\$ 105,513.60
ORIGINAL CONTRACT TOTAL	\$ 2,061,156.95
REVISED CONTRACT TOTAL	\$ 2,166,670.55

REVISED CONTRACT TIME IN WORKING DAYS

APPROVED:

Contractor

By

City Manager

RECOMMENDED:

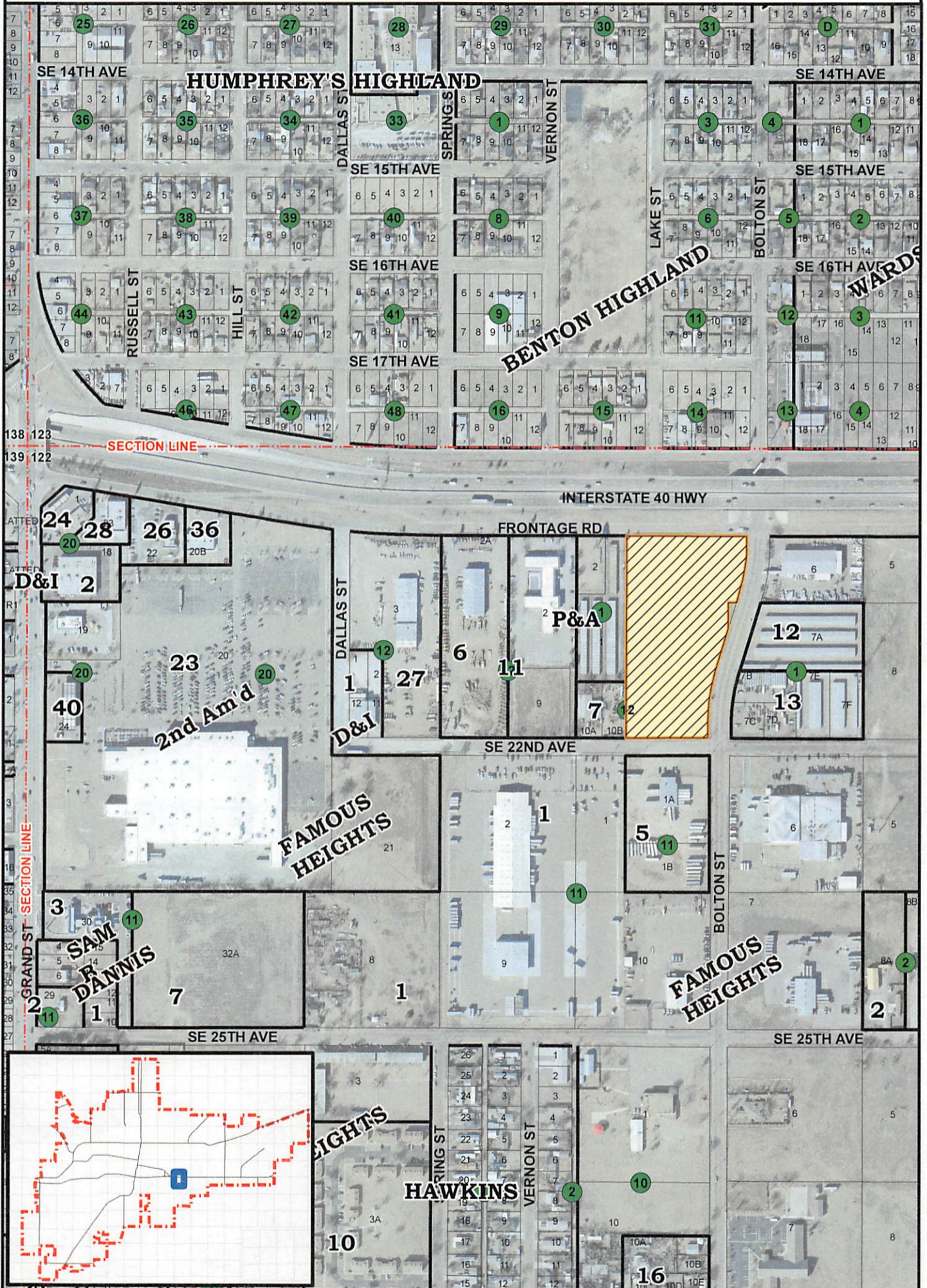
City Engineer

Interim Director of Utilities

cc: Departmental
Accounting
Contractor
Project Representative
Public Works Project Coord.



AVIATION CLEAR ZONE EASEMENT



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1" = 400'
Date: 1-27-16
Case No: ACZ-16-03



ACZ 16-03 Aviation Clear Zone Easement, being 4,600 feet above mean sea level above the plat of Famous Heights Addition Unit No. 43, an addition to the City of Amarillo, being a replat of a portion of Lot 6, Block 1, Lots 1 and 10, Block 12, and vacated R.O.W. in the Famous Heights Addition, in Section 122, AB&M Survey, Potter County, Texas.

Developer: Philip R. Slaughter

Vicinity: SE 22nd & Bolton St

AP: Q-13



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

On the 25th day of January 2016, the Amarillo Planning and Zoning Commission met in a work session in Room 206, second floor of City Hall, at 2:45 PM to review agenda items, then convened in regular session at 3:00 PM in the City Council Chamber on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
David Craig, Chairman	Y	105	86
Dean Bedwell	Y	172	163
Mike Good, Vice-Chairman	Y	87	63
Rob Parker	N	40	31
Jessie Phifer	Y	10	5
Rick Thomason	Y	10	8
Bowden Jones	Y	1	1

PLANNING DEPARTMENT STAFF:

Kelley Shaw, Planning Director
 David Soto, Planner I

Jan Sanders, Recording Secretary

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

ITEM 1: Approval of the minutes of the January 11, 2016 meeting

A motion to approve the minutes of the January 11, 2016 meeting was made by Commissioner Good, seconded by Commissioner Bedwell, and carried 4:0:2, with Commissioners Phifer and Jones abstaining.

ITEM 2: Z-16-01 Rezoning of 9.04 acre of land to change from Agricultural District to Residential District 1, 13.75 acres of land to change from Agricultural District and Residential District 1 to Residential District 3, and a 1.70 acre of land to change from Agricultural District to a Residential District 3, plus one-half of all bounding streets, alleys and public ways all in Section 39, Block 9, BS&F Survey, Randall County, Texas.

APPLICANT: Scott E Family

Mr. Shaw stated the applicant is requesting the zoning change in order to develop the next phase of The Greenways at Hillside with single-family homes. The proposed zoning is similar to those planned or existing in the surrounding area. Mr. Shaw commented staff feels the request is a logical continuation of the development and recommends approval as submitted.

A motion to approve Z-16-01 was made by Commissioner Bedwell, seconded by Commissioner Good, and carried unanimously.

ITEM 3: Z-16-02 Rezoning of a 28.95 acre tract of land out of Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Residential District 2.(Vicinity: Sonly Rd/ Loop 335 & Heritage Hills Pkwy)

APPLICANT: Seth Williams

Chairman Craig stated the zoning request was withdrawn by the applicant.

ITEM 4: Z-16-03 Rezoning of a 7.97 acre tract of land out of Section 62, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from, Planned Development District 260 to General Retail District. (Vicinity: Bent Tree Dr & Soncy Rd)
APPLICANT: Ellen Smith Bivins

Mr. Shaw stated the proposed zoning has been requested in order to expand an existing building, the Academy Sports and Outdoors. This property is adjacent to Soncy Rd/Loop 335, which is a commercial corridor with the multitude of commercial uses along Soncy Rd. Mr. Shaw advised staff feels the request is appropriate and recommends approval as submitted.

A motion to approve Z-16-03 was made by Commissioner Jones, seconded by Commissioner Good, and carried unanimously.

ITEM 5: Z-16-04 Rezoning of Lots 11 and 12, Edgefield Addition, in Section 171, Block 3, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from, Residential District 3 to Office District 1. (Vicinity: 34th Ave & S Polk St)
APPLICANT: Timothy Moore

Mr. Shaw stated given the property is in close proximity to an interstate and an arterial intersection, the property is difficult to maintain with residential uses. The request is to develop an office space, in Office District 1, which is more restrictive and would be an appropriate transitional zoning. Mr. Shaw advised staff feels the request is appropriate and recommends approval as submitted.

A motion to approve Z-16-04 was made by Commissioner Phifer, seconded by Commissioner Thomason, and carried unanimously.

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

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

ITEM 7: P-16-04 Soncy Estates Unit No. 5, an addition to the City of Amarillo, being an unplatted tract of land in Section 63, Block 9, BS&F Survey, Randall County, Texas. (3.53 acres) (Vicinity: Soncy Rd/Loop 335 Pilgrim Dr.)
DEVELOPER(S):Steve McGavock
APPLICANT: Daryl Furman

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

ITEM 8: P-16-05 Whitaker Subdivision Unit No. 3, an addition to the City of Amarillo, being a replat of all of tracts 38 and 39, and a portion of tract 40, Whitaker Subdivision, in Section 92, Block2, AB&M Survey, Potter County, Texas.(5.46 acres)(Vicinity: E. Amarillo Blvd & Triangle Dr.)
DEVELOPER(S): Dao Tran
APPLICANT: Matt Thomas

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

CARRY OVERS:

ITEMS 9-10: P-16-01 University Heights Unit No. 7, P-16-02 University Heights Unit No. 8.

No action was taken on these plats.

PENDING ITEMS:

ITEMS 11-30: P-11-31 Sundown Acres Unit No. 6, P-12-45 Redstone Addition Unit No. 1, P-12-52 Bownds Industrial Park Unit No. 1, P-13-72 Park Hills Unit No. 2, P-14-25 Arrowhead Addition Unit No. 8, P-14-28 Silverpointe Addition Conceptual Development Plan, P-14-41 Skyline Terrace Unit No. 12, P-14-72 The Colonies Unit No. 59, P-14-75 Madden Addition Unit No. 6, P-14-91 Coulter Acres Unit No. 16, P-14-96 Lonesome Dove Estates Unit No. 7, P-15-07 Canode-Com Park Unit No. 45, P-15-09 Ridgeview Medical Center Unit No. 23, P-15-10 Reed's Unit No. 1, P-15-22 Hillside Terrace Estates Unit No. 24, P-15-38 Tull Addition Unit No. 2, P-15-43 Highland Park Village Unit No. 3, P-15-49 City View Estates Unit No. 16, P-15-67 Avonbell Unit No. 4, P-15-69 Canode-Com Park Unit No. 47.

No action was taken on these plats.

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

No comments were made.

ITEM 32: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:15 P.M.



Kelley Shaw, Secretary
Planning & Zoning Commission

BOARDS AND COMMISSIONS – VACANCIES

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

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

Community Development Advisory Committee (2-year terms)

03/22/2011	Bill Bandy	12/31/2015
01/17/2006	Thomas Jones	12/31/2015
03/22/2011	Mary Jane Nelson	12/31/2015
05/30/2006	Ruben Rivera	12/31/2015
12/20/2011	Jeffery Studer	12/31/2015

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

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