

AGENDAS

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, SEPTEMBER 6, 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) Presentation on developing a program to register and regulate tire haulers;
 - (3) Discussion on AEDC Project briefing; 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) Section 551.071 -- 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.
 - (2) Section 551.087 -- Discuss commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location or retention of a facility, or for incentives the City is willing to extend, or financial information submitted by same.

REGULAR MEETING ITEMS

INVOCATION: Leah Fort, Worship Pastor at Amarillo First Nazarene Church

PROCLAMATIONS: "National Preparedness Month"
"Life Insurance Awareness Month"

1. **MINUTES:**
Approval of the City Council minutes of the regular meeting held on August 30, 2016.
2. **PUBLIC HEARING ON TAX INCREASE:**
THE CITY OF AMARILLO IS CONSIDERING A TAX RATE OF \$0.35072, WHICH IS GREATER THAN THE CURRENT RATE. THIS PROPOSED RATE WILL RAISE MORE TAXES THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.24 PERCENT. THE TAX ON AN AVERAGE HOME LAST YEAR WAS \$419.43. THE TAX ON AN AVERAGE HOME WOULD BE \$434.32 UNDER THE PROPOSED RATE.

3. **PUBLIC HEARING ON FISCAL YEAR 2016/2017 BUDGET:**

This Budget will raise more total property taxes than last year's budget by \$1,425,385 or 3.67%, and of that amount \$744,267 is tax revenue to be raised from new property added to the tax roll this year.

4. **ORDINANCE NO 7620:**

This is the first reading of an ordinance adopting the City of Amarillo budget for the 2016/2017 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year.

5. **ORDINANCE NO. 7621:**

This is the first reading of an ordinance approving the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2016 tax year. This ordinance establishes an ad valorem tax rate of \$0.32698 per \$100.00 property valuation for City maintenance and operations expenses and \$0.02374 per \$100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of \$0.35072 per \$100.00 property valuation.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.24 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$1.32.

6. **ORDINANCE NO 7619:**

This is the second and final reading of an ordinance rezoning a 44.81 acre tract of land in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Planned Development 26 and 274 to Light Commercial District. (Address: 1415 Sunrise Drive.)

7. **RESOLUTION:**

This resolution honors the services of City employee Claud H. Drinnen, III.

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

Appointments are needed for the following boards:

Bicycle/Pedestrian Committee (New Board)

(7 members, 5 citizens, Traffic Chair and Councilmember)

Canadian River Municipal Water Authority (2-year terms)

08/06/2002	William Hallerberg	07/31/2016
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Convention and Visitor Council (2-year terms)

10/01/2014	Jeff Bara	09/30/2016
07/21/2015	Randy Burkett	09/30/2016

Environmental Task Force Committee (New Board)

(7 members, 6 citizens and Councilmember)

Parks and Recreation Board (3-year terms)

01/02/2013	William Chafin	07/01/2016
09/10/2013	Terry Easterling	07/01/2016
01/02/2013	David Hudson	07/01/2016
01/02/2013	Bill Bandy	07/01/2016

9. **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 – Wavetronix Radar Detection: Purchased off of State Contract 550-A2:
Twincrest Technologies -- \$71,830.00
This item is purchased for the addition and replacement of Traffic detection at 8 intersections, 2 new Intersections and 2 replacements of old outdated Video Detection. The Radar detection picks up the movement of vehicles approaching the intersection and inputs a call to the controller to give a green light.
- B. Purchase – Pipe Fusing Machine:
HD Supply Water Works -- \$65,913.08
This item is a budget approved addition to the Fleet. Addition approved in the 2015-2016 budgets. This award will be used by the Waste Water Collection department for daily operations. This bid represents a first time purchase. Funding for this award is available in the approved FY 2015-2016 Fleet Services Machinery General Budget.
- C. Award – Oils and Greases Annual Contract:
Griffin Oil -- \$ 118,721.14
This award is to approve an annual contract for the purchase of Oils and Greases.
- D. Award – Medical Supplies Annual Contract:
Minnesota Multistate Contracting Alliance (MMCAP) -- \$155,579.32
This award is to approve an annual contract for the purchase of Medical Supplies.
- E. Approval – Federal Aviation Administration for 90% funding of the Safety Management Systems:
This item approves a FAA AIP Grant No. 3-48-0007-41-2016 with the Federal Aviation Administration for 90% funding of the Safety Management Systems (SMS) Part 139 program development services.
- F. Approval – Change Order Nos. 2 and 3 – Job 521984: Water Main Replacements in Morningside/Plemons and Miscellaneous Subdivisions:
Original Contract: \$600,156.00
Previous Change Orders: Days Only
Change Order No. 2: \$32,678.63
Change Order No. 3: \$70,080.00
Total Change Orders: \$102,758.63
Revised Contract: \$702,914.63
Percent of Changes: 17.2%
This item approves Change Order Nos. 2 and 3 to the contract with Roberts Ditching, LLC, for a change in work required on Job 521984.
- G. Approval -- Federal Department of Transportation, Small Community Air Service Development Grant, (SCASD) FAIN: DOT-OST-2016-0037-0003, Purchase Order: 2616007SC, Rick Husband Amarillo International Airport:
This grant provides up to \$750,000 funds to provide a Minimum revenue guarantee (MRG) program to recruit, initiate, and support new daily service between the Rick Husband Amarillo International Airport (AMA) and Phoenix Sky Harbor International Airport (PHX). There is a \$150,000 local match component.

PUBLIC FORUM

Comments from interested citizens on matters not on the Agenda 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. 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 2nd day of September 2016.

Amarillo City Council meetings stream live on Cable Channel 110 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 30th day of August 2016, the Amarillo City Council met at 3:30 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

PAUL HARPOLE	MAYOR
ELISHA L. DEMERSON	COUNCILMEMBER NO. 1
LISA BLAKE	COUNCILMEMBER NO. 2
RANDY BURKETT	COUNCILMEMBER NO. 3
MARK NAIR	COUNCILMEMBER NO. 4

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

TERRY CHILDERS	INTERIM CITY MANAGER
BOB COWELL	DEPUTY CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
BLAIR SNOW	MANAGEMENT ANALYST
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Greg Dowell, Central Church of Christ. Mayor Harpole led the audience in the Pledge of Allegiance.

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

A proclamation was presented for "National Hunger Action Month."

ITEM 1: Mayor Harpole presented the minutes for August 23, 2016. Motion was made by Councilmember Burkett to approve the minutes; motion was seconded by Councilmember Blake, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole opened a public hearing and stated that the City of Amarillo is considering a tax rate of \$0.35072. This proposed rate will raise more taxes than last year's tax rate. The tax rate will effectively be raised by 3.24 percent. The tax on an average home last year was \$419.43. The tax on an average home would be \$434.32 under the proposed rate. Michelle Bonner stated the wording addresses the effective tax rate needed to raise the same amount of revenue on the same property. She further announced the meeting times to adopt the tax rate, September 6 and 13. There would be a second public hearing and then two readings to adopt tax rate.

Jesse Pfrimmer, 5723 South Milam Street, questioned the 4% tax increase coming in November and inquired how to simplify and reduce the 3.24% increase to pennies. James Schenck, 6216 Gainsborough Street, stated the reality is property valuations go up and then taxes go up. Mayor Harpole replied there is a process to protest a PRAD revaluation. Councilmember Nair stated there is a separation between the entities because of the undue influence on the appraisal district. Mr. McKamie stated the state did away with assessments and created the appraisal district to take it out of the political realm. Irma Heras, 1604 South Harrison Street, stated she was tired of getting told seniors' taxes are frozen. She asked the Council to consider people with fixed incomes. There were no further comments. Mayor Harpole closed the public hearing.

ITEM 3: Mayor Harpole presented an ordinance rezoning a 44.81 acre tract of land in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Planned Development 26 and 274 to Light Commercial District. (Address: 1415 Sunrise Drive) Motion was made by Councilmember Burkett, seconded by Councilmember Nair, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7619

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 INTERSTATE HIGHWAY 40 AND SUNRISE DRIVE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS PLACE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 4: Mayor Harpole presented an ordinance authorizing the Amarillo Fire Department to conduct Prescribed Fires. As a part of the Community Wildfire Protection Plan (CWPP), this ordinance would authorize the Amarillo Fire Department to remove excess fire fuel vegetation through a fuel reduction program that includes the practice of burning off the hazardous vegetation. All prescribed fire functions will be conducted in accordance with all applicable state and federal regulations.

Matt Ricks 7101 Wolflin Avenue, stated this ordinance was for the safety and the protection of the community. He stated there are hostile situations between the Bureau of Land Management and the Forest Service. He inquired if there were legal procedures for these practices. Chief Jeff Greenlee, stated this was no different than a weed abatement. Councilmember Nair stated Section 10-3-56 Preparation, stated the ultimate decision rests with the Chief and there are a series of steps written in the ordinance. Motion was made by Councilmember Blake, seconded by Councilmember Nair, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7618

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 10-2, ARTICLE II, SECTIONS 10-2-16; ADDING ARTICLE IV, FIRE MITIGATION, SECTIONS 10-3-54 THROUGH 10-3-57; PROVIDING FOR CONTINUATION OF PRIOR LAW; SEVERABILITY REPEALER; PENALTY; PROVIDING AN EFFECTIVE DATE.

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

ITEM 5: Mayor Harpole presented an ordinance adopting the 2016/2017 budget and five (5) year service plan, along with establishing and levying an annual property assessment for the Tutbury Public Improvement District (PID). The Tutbury PID is located within the Tutbury Subdivision in Southwest Amarillo. Motion was made by Councilmember Nair, seconded by Councilmember Blake, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7617

AN ORDINANCE LEVYING AN ASSESSMENT ON PROPERTY WITHIN THE TUTBURY PUBLIC IMPROVEMENTS DISTRICT AS AUTHORIZED BY CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE FOR FISCAL YEAR 2016-2017; ADOPTING A BUDGET FOR FISCAL YEAR 2016-2017 AND FIVE-YEAR SERVICE PLAN; DESCRIBING THE AREA WITHIN THE PUBLIC IMPROVEMENT DISTRICT; OBLIGATING THE AREA TO PAY THE COSTS ASSOCIATED WITH THE PUBLIC IMPROVEMENT DISTRICT; ESTABLISHING AN ESTIMATE OF THE TOTAL COST OF PROVIDING SPECIAL SERVICES WITHIN THE DISTRICT; SPECIFYING THE METHOD OF PAYMENT OF THE ASSESSMENT; ESTABLISHING THAT ASSESSMENTS MAY BE PAID IN PERIODIC INSTALLMENTS AND OBLIGATING PERSONS PURCHASING PROPERTY WITHIN THE PUBLIC IMPROVEMENT DISTRICT TO PARTICIPATE IN THE PAYMENT OF ASSESSMENTS; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PENALTIES AND AN

EFFECTIVE DATE.

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

Item was taken out of order.

ITEM 6: Mayor Harpole and Councilmembers presented a resolution honoring the services of City employee Vernie Jerome Lyons. Motion was made that the following captioned resolution be passed:

**RESOLUTION NO. 08-30-16-1
A RESOLUTION HONORING CITY EMPLOYEE VERNIE "JEROME"
LYONS, JR.**

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

ITEM 7: Mayor Harpole presented a resolution approving the 2016/2017 Amarillo Convention and Visitor Council (CVC) budget with funding from hotel/motel occupancy tax revenue collected within the City. The Amarillo Convention and Visitor Council performs tourism, convention and cultural events, promotions and recruitment efforts for the City. Gary Molberg, 6302 Hyde Parkway, stated Dan Quandt has over 36 years of experience in hotel/motel business. Dan Quandt, gave a presentation on the 2016-2017 CVC budget proposal. Irma Heras, 1604 Harrison Street, stated she was a Board Member of the War Memorial and there needs to be signs advertising it on interstate 40 and the need for brochures. Councilmember Nair left the meeting. Dipak Patel, 46 Colonial Drive, stated that over the last 16-years there has been approximately 20 new motels and more in the pipeline. He stated the CVC website needed work and the need for nice city signs advertising the tourist attractions. Jesse Pfrimmer, 5723 South Milam Street, stated the need for better advertising other attractions such as the Amarillo and Railroad Museums. Motion was made by Councilmember Blake, seconded by Councilmember Demerson, that the following captioned resolution be passed:

**RESOLUTION NO. 08-30-16-2
A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: APPROVING
EXPENDITURE OF HOTEL OCCUPANCY TAX REVENUE BY THE
AMARILLO CONVENTION AND VISITOR COUNCIL FOR THE FISCAL
YEAR OCTOBER 1, 2016 TO SEPTEMBER 30, 2017.**

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

ITEM 8: Mayor Harpole presented a resolution approving the 2016/2017 Amarillo Economic Development Corporation (AEDC) Budget. This budget is funded by an existing one-half cent local sales tax and is utilized to attract and develop industrial, manufacturing and associated economic development enterprises as well as to retain and expand existing qualified business. These activities create employment and economic development opportunities for our community. This budget is recommended for approval by the Amarillo Economic Development Corporation Board of Directors.

Doug Nelson, Interim Executive Director, presented the AEDC budget. The project fund is a mechanism AEDC uses to make investments in companies and projects that bring job creation and capital investment. Councilmember Burkett inquired if there were parameters on projects. Mr. Nelson responded that the Texas Enterprise Center monitors the grants. He further stated there have been 77 grant recipients with over 80% still in business. Texas Enterprise Center provides coaching and they stay in contact with the recipients as they go through process. Keith Grays, 707 South Polk Street, stated the ½ cent sales tax should be used for acquisitions of properties that have been abandoned in North Amarillo. Jesse Pfrimmer, 5723 South Milam Street, inquired if the complete budget could be acquired and out of the \$8.2 million of debt service, how much debt was it servicing. Mr. Nelson replied it was for two different bond issuances with the remaining balance being \$60 million.

Mr. Schenck asked Council to consider an expense policy and if Council was considering moving types of corporations could they continue to operate on an edge funding itself. Councilmember Blake inquired as to what steps needed to be developed for an expense policy and guidelines. Mr. Nelson stated there were no written policies. Councilmember Burkett encouraged receipts. Mr. Nelson stated they are aware of how perception is construed. Councilmember Blake inquired as to a timeframe for guidelines. Mayor Harpole stated he would call the Board. Councilmember Demerson stated through the Interim City Manager and City Attorney they would ensure that the public's interest is maintained and identify where it was not as robust and identified. Motion was made by Councilmember Demerson, seconded by Mayor Harpole, that the following captioned resolution be passed:

RESOLUTION NO. 08-30-16-3
A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: APPROVING
THE PROPOSED OPERATING BUDGET FOR THE FISCAL YEAR 2016-
2017 FOR THE AMARILLO ECONOMIC DEVELOPMENT
CORPORATION.

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

ITEM 9: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Beth Duke, thanked the Council and stated Center City had many great events this past year. She presented Council with a picture book. Funds have been raised through membership drives and received they have sponsors for many events. Next Tuesday, there will be a decision from the Texas Commission on the Arts who will determine if Amarillo is on the map as a Cultural District. Motion was made by Councilmember Demerson to approve the consent agenda, seconded by Councilmember Burkett.

A. Purchase – Traffic Signal Equipment:

This item is a purchase for Traffic Signal Equipment for new and replacement of equipment.

Signal Poles	\$43,596.00	Structural Steel Products Inc.
Cabinet Equipment	\$94,175.00	Mobotrex
Signal Display	\$9,083.25	Texas Highway Products
Signal Equipment	\$22,983.00	McCain Inc.
School Flasher Equipment	\$26,419.20	Consolidated Traffic Controls
Video Detection	\$13,656.00	Paradigm
Total	\$209,912.45	

B. Approval – Agreement for Services with Center City Of Amarillo, Inc.:

This item approves a one (1) year agreement with Center City of Amarillo, Inc. for services associated with the preservation, improvement and revitalization of the Central Business District of Amarillo. Two sources of funding are included in the agreement:

- The City will provide \$90,000 for administrative operations.
- The City will provide \$70,000 as matching funds for a Center City façade grant program up to \$20,000 to a business for exterior building improvements

The Tax Increment Reinvestment Zone #1 will provide \$150,000 for matching grants up to \$50,000 for streetscape improvements in the City's right of way.

C. Approval – Federal Aviation Administration for 90% funding of the Safety Management Systems:

This item approves a FAA AIP Grant No. 3-48-0007-41-2016 with the Federal Aviation Administration for 90% funding of the Safety Management Systems (SMS) Part 139 program development services.

D. Approval -- Task Order #18, AMA Airfield Electrical Improvements, Phase III:

Vault and Associated Electrical Circuit Upgrades, Design + Bid with RS&H, Inc. (Federal funding: \$238,050, local funding: \$26,450, total project: \$264,500) for the Rick Husband Amarillo International Airport.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Blake and Burkett; Voting NO were none; the motion carried by a 4:0 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.

Matt Ricks, 7101 Wolflin Avenue, stated a piece of our history the Madame Queen 5000 needed to be preserved and it is what makes this a great community and a part of our heritage. Mayor Harpole stated they are not allowed to comment but he would address the issues after the meeting. Dipak Patel, 46 Colonial Drive, inquired as to any progress on welcome signs and the need for additional CVC advertisement. James Schenck, 6216 Gainsborough Street, stated the DAUDS stifles development in the residential areas and the design standards make the properties more expensive when doing work. He stated the bond issue for street improvements is not needed because he saw no need for additional street improvements. He further stated the City Manager should work within the City's budget. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

Frances Hibbs, City Secretary

Paul Harpole, Mayor

DRAFT



Amarillo City Council Agenda Transmittal Memo



Meeting Date	September 6, 2016	Council Priority	
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Department	City Manager
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Agenda Caption

PUBLIC HEARING ON TAX INCREASE:
THE CITY OF AMARILLO IS CONSIDERING A TAX RATE OF \$0.35072, WHICH IS GREATER THAN THE CURRENT RATE. THIS PROPOSED RATE WILL RAISE MORE TAXES THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.24 PERCENT. THE TAX ON AN AVERAGE HOME LAST YEAR WAS \$419.43. THE TAX ON AN AVERAGE HOME WOULD BE \$434.32 UNDER THE PROPOSED RATE.

Agenda Item Summary

This public hearing is the second public hearing on the proposed tax rate: at this meeting Council must have a public hearing on the tax rate and announce meeting dates and times to adopt the tax rate.

Requested Action

Council hold a public hearing on the tax rate and announce the meeting dates and times to adopt the tax rate.

Funding Summary

N/A

Community Engagement Summary

The City Council met on August 2nd, 3rd, 4th and 8th to review the proposed 2016/2017 budget. At the August 9th Council meeting, City Staff presented an overview of the proposed 2016 tax rate and required tax notices. On August 16, 2016 the City Council held a public hearing on the tax rate and approved a motion to consider a \$0.35072 property tax rate. On August 30, 2016 Council held the first mandatory public hearing on the 2016 tax rate.

Staff Recommendation

No action at this hearing.



Amarillo City Council Agenda Transmittal Memo



Meeting Date	September 6, 2016	Council Priority	
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Department	City Manager
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Agenda Caption**PUBLIC HEARING ON FISCAL YEAR 2016/2017 BUDGET:**

This Budget will raise more total property taxes than last year's budget by \$1,425,385 or 3.67%, and of that amount \$744,267 is tax revenue to be raised from new property added to the tax roll this year.

Agenda Item Summary

This is the public hearing on the 2016/2017 budget.

Requested Action

Council hold a public hearing on the budget.

Funding Summary

N/A

Community Engagement Summary

The City Council met on August 2nd, 3rd, 4th and 8th to review the proposed 2016/2017 budget. At the August 9th Council meeting, City Staff presented an overview of the proposed 2016 tax rate and required tax notices. On August 16, 2016 the City Council held a public hearing on the tax rate and approved a motion to consider a \$0.35072 property tax rate. On August 30, 2016 Council held the first mandatory public hearing on the 2016 tax rate. (The property tax rate generates the amount necessary to fund the proposed 2016/2017 Budget.)

Staff Recommendation

No action at this hearing.



Amarillo City Council Agenda Transmittal Memo



Meeting Date	September 6, 2016	Council Priority	
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Department	City Manager
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Agenda Caption

ORDINANCE NO. _____ :
 This is the first reading of an ordinance adopting the City of Amarillo budget for the 2016/2017 fiscal year. This budget allows for the City to continue providing effective public services, programs and assistance to Amarillo residents in the upcoming year.

Agenda Item Summary

This is the first reading of the ordinance adopting the City of Amarillo budget for the 2016/2017 fiscal year.

Requested Action

Council approval of the ordinance. The wording on the motion to approve the budget ordinance:

'I move that we adopt the proposed budget which reflects an increase in revenue derived from property tax revenues over last year's budget.'

A record vote is required for approval of the budget ordinance, with the name and vote of each member officially recorded.

Funding Summary

N/A

Community Engagement Summary

The City Council met on August 2nd, 3rd, 4th and 8th to review the proposed 2016/2017 budget. At the August 9th Council meeting, City Staff presented an overview of the proposed 2016 tax rate and required tax notices. On August 16, 2016 the City Council held a public hearing on the tax rate and approved a motion to consider a \$0.35072 property tax rate. On August 30, 2016 and September 6, 2016 Council held formal public hearings on the 2016 tax rate. On September 6, 2016 Council held a public hearing on the 2016/2017 budget.

Staff Recommendation

Staff recommendation is to approve the first reading of the ordinance adopting the City of Amarillo budget for the 2016/2017 fiscal year.

ORDINANCE NO. 7620

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2016, THROUGH SEPTEMBER 30, 2017, FOR THE CITY OF AMARILLO; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET; AMENDING VARIOUS PROVISIONS OF THE AMARILLO MUNICIPAL CODE TO ADD, MODIFY, INCREASE, OR DELETE VARIOUS FEES AND RATES; CHAPTER 4-6, ARTICLE 1, AND CHAPTER 4-1, ARTICLE I, CONCERNING VARIOUS FEES FOR PLAN REVIEW, INSPECTIONS AND PERMITS; CHAPTER 8-5, ARTICLE IV, CONCERNING CERTAIN ENVIRONMENTAL HEALTH FEES; CHAPTERS 18-2 AND 18-3, VARIOUS WATER AND SEWER RATES; AMENDING DEFINITIONS AND REGISTRATION PROVISIONS, CHAPTER 8-5 CONCERNING ENVIRONMENTAL HEALTH; AMENDING CHAPTER 4-3 CONCERNING JUDICIAL REVIEW RELATED TO DANGEROUS STRUCTURES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, a budget for operating the municipal government of the City of Amarillo for the fiscal year October 1, 2016 through September 30, 2017 (hereafter, "fiscal year" or "FY") has been prepared by the City Manager of the City of Amarillo, and

WHEREAS, all public notices and hearings required by State law and the City Charter have been duly and legally advertised, published and conducted as required; and

WHEREAS, said budget has been filed with the City Secretary for more than fifteen (15) days immediately prior to the public hearing heretofore held upon said budget; and

WHEREAS, at the public hearing the financial condition, comparative expenditures as filed, and public comments were duly considered;

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

SECTION 1. That the budget as filed with the City Secretary of the City of Amarillo for the fiscal year of October 1, 2016 through September 30, 2017 (hereafter, "the fiscal year"), together with any amendments made upon motion, second, and majority vote during public hearings, is hereby approved, adopted and ratified as the Annual Budget for the City of Amarillo, Texas, for the fiscal year.

SECTION 2. That the number, classification, and designation of each position, as listed in the Annual Budget and incorporated herein by reference, is hereby created, established and adopted as the official plan for the classified service and unclassified service (managerial schedule and part-time

schedule) of the City of Amarillo for the fiscal year. Any classified or unclassified position which is not listed in said Annual Budget is expressly found, after having been examined in budget work sessions to be a surplus position and, in order to increase efficiency of providing service and to reduce expenditures, such position is hereby abolished. The number of authorized positions may be increased by subsequent action if grants or other revenue sources become available during the fiscal year to fund such position(s). to be activated on the date shown and shall be filled in accordance with civil service law.

SECTION 3. That in accordance with the annual personnel budget for the City, effective January 1, 2017, the City contribution rate to the Texas Municipal Retirement System will be 11.70%. Effective January 1, 2017, the City contribution rate to the Amarillo Firemen's Relief and Retirement Fund will be 19.57%. Effective January 1, 2017, the City contribution rate towards the City's Other Post Employment Benefits (OPEB) liability will be two point forty-three percent (2.43%). This does not change the amounts contributed by employees each payroll period.

SECTION 4. That, in accordance with the annual budget adopted for the Capital Project and Development Engineering Division, Chapter 4-6, Article I, Section 4-6-3, of the Amarillo Municipal Code is hereby added to read as follows:

Sec. 4-6-3. Fees.

(a) Fees related to the processing of applicable permits and services described in this Chapter shall be set out as follows:

TABLE NUMBER ONE

<u>Description</u>	<u>Fee</u>
(1) <u>Right of Way (ROW) Permit Fee.....</u>	<u>\$ 260.00</u>
(2) <u>ROW Re-inspection Fee</u>	<u>\$ 50.00</u>
(3) <u>ROW No Permit Fee (per day).....</u>	<u>\$ 500.00</u>
(4) <u>Flood Plain Development Permit.....</u>	<u>\$ 200.00</u>
(5) <u>Sidewalk Wavier -Commercial</u>	<u>\$ 800.00</u>
(6) <u>Sidewalk Wavier -Residential</u>	<u>\$ 80.00</u>
(7) <u>Drainage Report Application Fee.....</u>	<u>\$ 250.00</u>
(8) <u>Drainage Report Fee (Per Acre).....</u>	<u>\$ 3.00</u>

(9) Construction Plan Review.....1% of the total cost of the project.

Secs. 4-6-3 Sec. 4-6-4 – Sec. 4-6-5. - Reserved

SECTION 5. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 1, Section 4-1-3, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-3. – Application, plan review and permit time limits, cancellations and refunds.

(a) – (b) [NO TEXT CHANGE]

(c) *Fee for renewing expired permits.* A permit that has expired by time limitations may be renewed for an additional time period as stated above provided there have been no substantial changes in the plans or scope of work, and upon payment of a renewal fee as follows:

(1)	Not more than sixty (60) days after expiration date:	Forty fifty dollars (\$40.00) (\$50.00)
(2)	Sixty-one (61) to not more than one hundred eighty (180) days after expiration date:	One-half (½) original fee, but not less than forty fifty dollars (\$40.00) (\$50.00)
(3)	More than one hundred eighty (180) days after expiration date:	New application and at full price

SECTION 6. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 2, Section 4-1-21, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-21. – Building permit and inspection fee schedule.

(a) [NO TEXT CHANGE]

(b) *Building Permit Fee Schedule.*

(1) All Projects: \$ Value × 0.0030 = Permit Fee: Rounded to whole dollars.

(2) Minimum Permit Fees:

a. New construction: One hundred twenty dollars (\$120.00) plus forty ~~fifty~~ dollars (~~\$40.00~~) (\$50.00) times the number of other permits required for electrical, plumbing and HVAC work.

b. Remodels and Additions: Sixty dollars (\$60.00) plus ~~forty~~ fifty dollars (~~\$40.00~~) (\$50.00) times the number of other permits required for electrical, plumbing and HVAC work.

(3) (a)-(g) [NO TEXT CHANGE]

h. Re-inspection:~~40.00~~ 50.00

i. [NO TEXT CHANGE]

j. Siding and exterior veneer: Value of project × 0.0030 minimum:~~40.00~~ 50.00

(k.) – (m) [NO TEXT CHANGE]

(n) Technology Fee.....10.00

(o) Glass/Glazing Permit.....50.00

(p) Insulation Permit.....50.00

SECTION 7. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 3, Section 4-1-30, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-30. - Fee schedule.

(a) [No TEXT CHANGE]

(b) *Electrical Permit and Inspection Fee Schedule*

(1) New Construction and additions to panel service:

a. Minimum fee:~~\$40.00~~ 50.00

b. Fee for construction taps:~~40.00~~ 50.00

c. All 120-volt through 480-volt single- or three-phase services, per ampere:00.30

(2) Alterations:

a. Alteration of residential service entrance:~~40.00~~ 50.00

b. Alteration of nonresidential service entrance:~~40.00~~ 50.00

(3) Equipment additions:

a. Gasoline pump and dispensers, generators and wind generators, transformers, signs, sign transformers, electrical device or opening not listed; each:10.00

b. Electrical passenger or freight elevator or dumbwaiter installation, each:~~40.00~~ 50.00

(4) Inspection fees

a. Inspection not otherwise noted above, and those requested after hours, two hour minimum charge, per hour:60.00

b. Re-inspection fee:~~40.00~~ 50.00

SECTION 8. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 4, Section 4-1-40, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-40. - Heating, Ventilation, and Air Conditioning, HVAC, Permit Fee Schedule.

(a) [NO TEXT CHANGE]

(b) *Existing buildings, equipment installations.* For the installation or relocation of HVAC equipment in existing buildings when separate from a project requiring a building permit:

(1) Commercial hoods, Type I or II, for the first unit:~~\$40.00~~ 50.00

For each additional unit:10.00

(2) Commercial refrigeration, for the first unit:~~40.00~~ 50.00

For each additional unit:10.00

(3) Commercial cold storage box, for the first unit:~~40.00~~ 50.00

For each additional unit:10.00

(4) Boilers—first 100,000 BTU/hour input:~~40.00~~ 50.00

Each additional 100,000 BTU/hour input or portion thereof:10.00

(c) *Alterations and Equipment Change Outs.* Alterations of or changing out environmental air system equipment when separate from a project requiring a building permit require the following fees:

(1) Floor heaters, wall furnaces, unit heaters: First unit:~~\$40.00~~ 50.00

Each additional unit thereafter:10.00

(2) Equipment change out, per unit: First 5 tons:~~40.00~~ 50.00

Each additional 5 tons or portion thereof:10.00

(3) Relocation, replacement or installation of new duct, chilled water or steam pipes in existing buildings, per square foot of floor area:00.02

(d) *Minimum permit:*~~40.00~~ 50.00

(e) [NO TEXT CHANGE]

(f) *Re-inspection fee:*~~40.00~~ 50.00

SECTION 9. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 5, Section 4-1-50, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-1-50. - Plumbing permit fees.

(a) [NO TEXT CHANGE]

(b) *Plumbing Permit Fee Schedule.*

(1) New construction, additions, and remodeling. The permit fee for a plumbing permit shall be combined with the fees for a building permit, when one is issued on the same project, in accordance with the building code fee schedule.

(2) New fixture installations, additions, alterations and repairs. When there is no building permit issued on the same project where a plumbing installation is made, the plumbing permit fee shall be based on the following schedule:

=====

a. Minimum fee for all installations:~~\$40.00~~ 50.00

b. New Installations and additions per fixture, including but not limited to: bathtub, bidet, dishwasher, drinking fountain, floor drain, garbage disposal, grease interceptor, grease trap, hose bib, lavatory, shower, sink, toilet, urinal, wash rack, washing machine outlet assembly, and water heater.6.00

(3) Repairs and Replacements:

a. Replacement of water, gas, or sewer service line:~~40.00~~ 50.00

When more than one (1) of these service lines are replaced at the same time the fee shall cover all the lines that are installed and inspected at the same time. If the lines are not ready for inspection at the same time, re-inspection fees for additional inspections will be required.

b. Water Heater Replacement:~~40.00~~ 50.00

c. Water, sewer, or gas re-piping within a structure and separate from service lines:~~40.00~~
50.00

Plus per plumbing fixture and gas outlet:2.00

(4) Medical Gas Installations, minimum:~~40.00~~ 50.00

Plus per outlet assembly:2.00

(5) Inspection not otherwise noted above, and those requested after hours, two hour minimum charge per hour:60.00

(6) Re-inspection~~40.00~~ 50.00

(7) Minimum permit fee is ninety dollars (\$90.00) for the first seventy-five (75) heads plus fifty cents (\$0.50) per head thereafter.

SECTION 10. That, in accordance with the annual budget adopted for the Building Safety Department, Chapter 4-1, Article I, Division 6, Section 4-1-60, of the Amarillo Municipal Code is hereby deleted:

~~Sec. 4-1-60. Sign permit and inspection fee schedule.~~

~~(a) Fees established. For the erection of all Signs requiring a permit, the following fees shall apply: fees based on the cost of construction as calculated in accordance with Section 4-1-21, with ninety dollars (\$90.00) being the minimum amount per permit.~~

~~(b) Temporary Sign Fees. The permit fee for~~

~~(1) An Annually Renewable Temporary Sign shall be sixty dollars (\$60.00) per sign;~~

~~(2) A Limited Temporary Sign shall be fifteen dollars (\$15.00) per sign, which shall be required each time a limited temporary sign is placed on a site;~~

~~(3) A Banner shall be sixty dollars (\$60.00) per banner, which shall be a one-time annual fee for placement of a banner on a site.~~

SECTION 11. That, Chapter 8-5, Article I, Section 8-5-1, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 8-5-1. - Definitions.

* * *

~~Exempt Pre-packed Food Vendor: Any person who sells, offers, or gives away single-service, pre-packaged, non-TCS (Time/Temperature Control for Safety) food from fixed location that is less than 200 square foot for the total food operation (includes display and storage areas).~~

* * *

~~Snow Cone Stand: An establishment mounted on wheels equipped as required with self-contained plumbing system and which serves only snow cones and prepackaged non-potentially hazardous foods.~~

SECTION 12. That, in accordance with the annual budget adopted for the Environmental Health Department, Chapter 8-5, Article IV, Section 8-5-15, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 8-5-15 Fees

(a) Environmental Health Fees.

(1) Food Establishments that are eating or drinking establishments; permit fees and renewal of fees are based on Occupancy Loads as established by the City Building Official and are as follows:

- 0 to 20\$200.00 0 to 50.....250.00
- 21 to 125250.00 51 to 150.....\$350
- 126 to 225300.00 151 to 250.....\$450
- 226 to 325350.00 251 to 350.....\$550
- Over 326400.00 Over 350.....\$650

(b) (2) Food Establishments ~~operating with~~ where 50% or more of their business ~~off-premises is for~~ offsite consumption permit fees and renewal fees are based on square footage of the business and area as follows:

Square Feet

- 0 to 500\$200.00 \$250
- 501 to 3,000250.00 \$350
- 3,001 to 5,000300.00 \$450
- 5,001 to 15,000350.00 \$550
- 15,001 to 30,000400.00
- 15,001 and Over\$650.00

~~(c) (3) Food Establishment permit fees for Caterers, Farmers Markets, wholesale meat permits, meat processors, mobile unit~~ Mobile Food Units (to include snow cone stands), and Snow Cone Stand200.00 \$250

~~(d) (4) Food Establishment permit fees for schools and child care facilities.....\$250.00~~

(5) Produce Vendor50.00

(6) Food Establishment Application Fee for New, Change of Owner, Remodel, or Repair.....\$25.

(7) Food Establishment Plan Review and Inspection for New, Change of Owner, Remodel, or Repair.....\$85.

(8) Prepackaged Food Vendors less than 200 square feet of total food operation area are exempt from permit and fees.

(9) TCS Vending Machine permit fees.....\$100 per unit.

(10) Food Establishment Re-inspection Fee.....\$75 and Produce Vendor50.00

(e) (11) Duplicate copy of Permit, registration, or license25.00

(12) Late Food Establishment Permit Fee.....\$50

(13) Application fee for New and Change of Owner for Liquor License.....\$25.

(14) Late Renewal fee of Liquor License.....\$25.

(15) Application fee for New and Change of Owner for Beer and Wine License.....\$25.

(16) Late Renewal fee for Beer and Wine License.....\$25.

(f) (17) Environmental Inspection of a day child care facility or group home35 \$50.00

(g) Temporary Food Establishment permit per day, per booth20.00

(h) Temporary Food Establishment permit per day, per booth when only drinks and/or pre-packaged, non-potentially hazardous foods are sold10.00

(18) Temporary Food Establishment permit per day per booth. Licensed caterers must obtain a Temporary Food Establishment permit but are exempt from fees.

<u># of Booths</u>	<u>Large Events (21 booths or greater)</u>	<u>Small Events (20 booths or less)</u>
<u>0-5</u>	<u>X</u>	<u>\$25</u>
<u>6-12</u>	<u>X</u>	<u>\$20</u>
<u>13-20</u>	<u>X</u>	<u>\$15</u>
<u>21-40</u>	<u>\$20</u>	<u>X</u>
<u>41-80</u>	<u>\$15</u>	<u>X</u>
<u>81 or more</u>	<u>\$10</u>	<u>X</u>

(i) (19) Certified Food Manager annual certification registration\$40.00.

(20) Late Certified Food Manager annual registration.....\$10.

(j) (21) Renewal of Food Manager's certification before expiration10.00 Certified Food Manager Certification (course and exam).....\$150 per person.

(k) (22) Renewal of Food Manager's certificate within 60 days of expiration35.00 Food Handler Certification (course and exam).....\$20 per person.

(l) (23) Water sample collection\$40.00.

(m) School and day cares250.00

(n) (24) Commercial on-site sewage permit195.00 OSSF – Primary Treatment systems for single family dwellings.....\$250.

~~(e)~~ (25) ~~Residential on-site sewage permit185.00~~ OSSF – Primary Treatment systems for multi-family dwellings.....\$280.

~~(26)~~ OSSF – Advanced Treatment systems (secondary treatment or greater).....\$300.

~~(p)~~ (27) ~~Inspection of an existing on-site sewage facility~~ OSSF – Existing system inspection\$150.00

~~(28)~~ OSSF – Re-inspection fee.....\$75

~~(e)~~ (29) (Annual permit (year round usage) for Public pools and spas, PIWF; Semi-public pools, spas, PIWF.....\$200 or, if more than one (1) at the same property, then \$50 for each unit after the first. Fees will not be pro-rated. Permits are non-transferable.

~~(f)~~ (30) Seasonal permit (Operating less than 9 months of the permit year) for Public pools, spas, PIWF; Semi-public pools, spas, PIWF \$100 or, if more than one (1) at the same property, then \$50 for each unit after the first.

~~(s)~~ (31) Re-inspections to re-open a closed pool: \$50. Every effort will be made to re-inspect the same day of notification that the violation(s) has been corrected. Re-inspections of closed pools will be made within one (1) working day. A re-inspection fee for code compliance may be required on the 2nd re-inspection.

~~(t)~~ (32) Late fees for annual public pool permits will be \$50 and for seasonal permits will be \$25.

~~(u)~~ (33) Cost per seat in the Certified Pool Technician course will be \$125 for the initial 2-day course and exam. A one (1) day refresher course with exam will be offered for \$50 per seat for those who have taken the initial course with the City. Payments must be made in advance and are non-refundable.

~~(v)~~ (34) Application and plan review for new construction, modification, or repair of a public swimming pool, spa, or PIWF: \$50.

~~(35)~~ All Environmental Health fees will increase annually by 3% or consumer Price Index (CPI), whichever is greater.

SECTION 13. That, Chapter 8-5, Article IV, Section 8-5-18, of the Amarillo Municipal Code is hereby amended to read as follows:

(a) It shall be unlawful for any Food Establishment to operate for a period of forty-five (45) days or more without a Certified Food Manager registered with the Environmental Health Department. Every permitted Food Establishment must have at least one Certified Food Manager that is registered with the Department. Certified Food Manager Registration must be renewed annually.

(b) It shall be unlawful for any Person to serve as a Certified Food Manager without possessing a valid Food Manager's certificate recognized by the Texas Department of State Health Services as required by the Texas Food Establishment Rule, issued under the direction of the Director of Environmental Health.

(c) A Food Manager's ~~certificate~~ registration may be issued to any ~~P~~person who:

(1) Completes a course of study and obtains a current, valid certificate of any course recognized by the Texas Department of Health as an accredited Food Managers course. ~~scores a minimum of seventy-five (75) percent on an examination administered under the direction of the Director of Environmental Health; and~~

(2) Pays the required annual registration fee.

~~(3) Submits a current, valid certificate of any course recognized by the Texas Department of Health as an accredited Food Managers course and pays the required fee.~~

~~(d) Any person who scores under seventy-five (75) percent on such examination may repeat the examination once without repeating the course of study.~~

(e) ~~(d)~~ A course of study for a Food Manager's certificate will be offered once each month by the Director of Environmental Health or his designated representative.

~~(f) A Food Manager's certificate issued in compliance herewith shall be valid for one (1) year from its date of issuance.~~

~~(g) A Food Manager's certificate shall be renewed each year. No examination shall be required for renewal of the certificate unless the previously issued certificate was revoked.~~

~~(h) (e)~~ Wholesale distributors and warehousemen shall be exempt from the Food Manager's certificate requirements of this section. For purposes of this exemption wholesale distributors and warehousemen are defined as Food Establishments at which food is packaged for sale, or stored for thirty (30) days or more, and sold only at wholesale. Any wholesale distributor or warehouseman which also cooks, bakes, mixes, prepares, makes or manufactures food intended for human consumption shall not be exempt.

~~(i) (f)~~ Temporary Food Establishments ~~which sell only packaged food, packaged at a permitted and approved location,~~ shall be exempt from the Food Manager's certificate and registration requirements ~~of this section.~~

~~(j) (g)~~ A Food Manager's registration certificate that is not renewed prior to its annual expiration shall be revoked. Late renewals will be assessed a fee.

(k) ~~For a period of sixty (60) days following revocation of a Food Manager's certificate, the certificate may be reinstated upon the payment of the required fee without taking any additional courses.~~

SECTION 14. That, Chapter 4-3, Article 1, Section 4-3-3, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 4-3-3. - Abatement of substandard structures.

(a)–(h) [NO TEXT CHANGE]

(i) *Appeal.* The findings and decision of the City Council ~~Commission~~ may be appealed 30 day to district court within thirty (30) days after rendering of the decision, ~~for a trial in accordance with City of Dallas v. Stewart, No. 09-0257 (Tex.) (op. on reh., Jan. 2012)~~ in accordance with Section 214.0012 of the Texas Local Government Code as amended concerning judicial review.

(j) [No Text Change]

SECTION 15. That, in accordance with the annual budget adopted for the Utility Division, the water rates and charges in Chapter 18-2, Article III, Section ~~18-2-57~~ of the Amarillo Municipal Code are hereby amended in part to read as follows:

(a) The following minimum monthly meter service charges include the first three thousand (3,000) gallons consumption:

Meter Size (inches)	Size Code	Water Rate 1 Inside City	Water Rate 2 Outside City
5/8 or 3/4	A	\$13.11 <u>13.50</u>	\$ 19.67 <u>20.26</u>
1	B	17.60 <u>18.13</u>	26.40 <u>27.19</u>
1 ½	C	22.55 <u>23.23</u>	33.83 <u>34.84</u>
2	D	35.04 <u>36.09</u>	52.56 <u>54.14</u>
3 or FH Meter	L, H, X	128.89 <u>132.76</u>	193.34 <u>199.14</u>
4	E, Y	163.57 <u>168.48</u>	245.36 <u>252.72</u>
6	F A	244.57 <u>251.91</u>	366.86 <u>377.87</u>
8 or larger	G, J, K, M, W	337.18 <u>347.30</u>	505.77 <u>520.94</u>

(b) In addition to the monthly meter charge set forth in subsection (a) above, the following shall apply to the amount of water used in excess of three thousand (3000) gallons per month:

TABLE INSET:

<i>Quantity (gallons)</i>	Inside City per 1,000 Gallons	Outside City per 1,000 Gallons
<i>Residential:</i>		
0 -- 3,000	Minimum Charge	Minimum Charge
3,001 --10,000	\$ 2.34 <u>2.41</u>	\$ 3.51 <u>3.62</u>
10,001-30,000	3.06 <u>3.15</u>	4.59 <u>4.73</u>
30,001 – 50,000	4.53 <u>4.67</u>	6.80 <u>7.00</u>
Over 50,000	5.15 <u>5.30</u>	7.73 <u>7.96</u>

TABLE INSET:

<i>Commercial / Industrial:</i>		
0 -- 3,000	Minimum Charge	Minimum Charge
Over 3,000	\$ 2.67 <u>2.75</u>	\$ 4.01 <u>4.13</u>

TABLE INSET:

<i>Irrigation (all service groups)</i>		
0 -- 3,000	Minimum charge	Minimum charge
3,001 – 10,000	\$ 2.67 <u>2.75</u>	\$ 4.01 <u>4.13</u>
10,001 – 30,000	3.06 <u>3.15</u>	4.59 <u>4.73</u>
30,001 – 50,000	4.53 <u>4.67</u>	6.80 <u>7.00</u>
Over 50,000	5.15 <u>5.30</u>	7.73 <u>7.96</u>

SECTION 16. ~~That~~ In accordance with the annual budget adopted for the Utility Division, the waste water rates and charges in Chapter 18-3, Article IV, Section 18-3-73 and Section 18-3-74 of the Amarillo Municipal Code are hereby amended in part to read as follows

Meter Size (inches)	Charge for the first 3,000 gallons
5/8 or ¾	\$ 14.85 <u>15.30</u>
1	15.34 <u>15.80</u>
1½	15.74 <u>16.21</u>
2	17.09 <u>17.60</u>

3	19.32	<u>19.90</u>
4	28.24	<u>29.09</u>
6	41.56	<u>42.81</u>
8 or larger	54.93	<u>56.58</u>

(2) For usage in excess of three thousand (3,000) gallons a monthly service charge shall also be charged to all Residential users in the amount of ~~one dollar and seventy-seven cents (\$1.77)~~ one dollar and eighty-two cents (\$1.82) per one thousand (1,000) gallons of water used over the initial allotment of 3,000 gallons. The service charge for all Commercial and Industrial users shall be ~~one dollar and ninety-two cents (\$1.92)~~ one dollar and ninety-eight cents (\$1.98) per one thousand (1,000) gallons over the initial allotment, unless the Wastewater is metered in which case the service charge shall be ~~two dollars and twelve cents (\$2.12)~~ two dollars and eighteen cents (\$2.18) per thousand over the initial allotment as more specifically set forth hereinafter.

a. - d. [NO TEXT CHANGE]

(3) [TEXT UNCHANGED]

(4) [TEXT UNCHANGED]

Sec. 18-3-74. Rates beyond corporate limits.

(1) [NO TEXT CHANGE]

(2) A monthly service charge shall also be charged to residential Users outside the corporate limits in the amount of ~~two dollars and sixty-six cents (\$2.66)~~ two dollars and seventy-four cents (\$2.74) per one thousand (1,000) gallons of water used over the initial allotment of 3,000 gallons. The service charge for all Commercial and Industrial users outside the corporate limits shall be ~~two dollars and eighty-eight cents (\$2.88)~~ and ninety-seven cents (\$2.97) per one thousand (1,000) gallons over the initial allotment of 3,000 gallons, unless the wastewater is actually metered, in which case the service charge shall be ~~three dollars and eighteen cents (\$3.18)~~ twenty-eight cents (\$3.28) or as contracted.

SECTION 17. That, in accordance with the annual budget adopted for the Utility Division, water meter tap fees and charges in Chapter 18-2, Article III, Section 18-2-56 of the Amarillo Municipal Code are hereby amended in part to read as follows

Sec. 18-2-56. - Water meter and main tap fees.

The Water Department shall collect from each person the following fees for the various services and hardware described in this section.

(a) For the tapping of a municipal water main, the amount specified for the size of opening:

~~3/4 inch tap\$575.00~~

~~1-inch tap675.00~~

~~1 1/2-inch tap1,075.00~~

~~2-inch tap1,200.00~~

~~Taps larger than 2-inchActual Cost*~~

TABLE 1

<u>Tap Size</u>	<u>Meter/Tap Fee</u>	<u>Meter Set Only</u>
1" Tap with 3/4" Meter Domestic/Irrigation	\$775.00	\$75.00
1" Tap with 1" Meter Domestic/Irrigation	\$775.00	\$75.00
2" Tap with 1 1/2" Meter Domestic/Irrigation	\$1175.00	\$75.00
2" Tap with 2" Meter Domestic/Irrigation	\$1300.00	\$75.00
4" Tap with 3" Meter Domestic	\$6500.00	\$5000.00
4" Tap with 3" Meter Irrigation	\$5500.00	\$4000.00
4" Tap with 4" Meter Domestic	\$7500.00	\$6000.00
4" Tap with 4" Meter Irrigation	\$6500.00	\$5000.00
6" larger Tap with 6" and larger Meter	Actual Cost	Actual Cost

*Actual cost means all costs, including meter and meter vault, based on City's cost of labor, material and equipment to extend water service lines to the customer's side of the meter.

~~(b) Except as provided in subsection (c), tap enlargements which require a new tap will be charged the tap fee for the tap size as set out in subsection (a) above plus an additional fee of seventy five dollars (\$75.00) for abandoning the existing tap.~~

~~(c) Fee for meter enlargements from three-fourths inch to one (1) inch shall be two hundred twenty five dollars (\$225.00).~~

(b) Tap enlargements shall be charged as follows:

TABLE 2

Water Tap Enlargements

<u>Enlargements</u>	<u>Cost</u>
3/4" to 1"	\$225.00
3/4" or 1" to 1 1/2" or 2" 1 1/2" or 2"	Meter/Tap Fee + *\$75.00
1 1/2" to 2"	\$225.00
3/4" through 2" to 3"	3" Meter/Tap Fee cost + *\$75.00
3" to 4"	4" Meter Set Only cost
4" to 6" and Larger	Actual Cost

* \$75.00 is to abandon the old tap

(c) Tap reductions shall be charged as follows:

TABLE 3

Water Tap Reductions

<u>Reductions</u>	<u>Cost</u>
1" to 3/4"	\$225.00
1 1/2" to 1" or smaller	\$225.00
2" to 1 1/2" or smaller	\$225.00
3" to 2" or smaller	Meter/Tap Fee+ *\$75.00
4" to 3" or smaller	Meter Set Only cost+ *\$75.00

(d) Fee for plugging abandoned water service taps shall be ~~two hundred dollars (\$200.00)~~ three hundred dollars (\$300.00) for two (2) inch or smaller main and six hundred dollars (\$600.00) for three (3) inch or larger main.

SECTION 18. That, in accordance with the annual budget adopted for the Utility Division, sewer connections and related fees in Chapter 18-3, Article IV, Section 18-3-71 of the Amarillo Municipal Code are hereby amended in part to read as follows:

Sec. 18-3-71. - Sewer connections; taps, fees.

(a) That portion of the Building Sewer known as the Wastewater tap and that portion known as the service lateral from the Wastewater main to the property line shall be constructed only by City forces or by a contractor employed or approved by the City.

Any person seeking a connection to the Wastewater main shall first apply for a Wastewater tap at the City utility billing department.

The charges for any such tap will be ~~six hundred dollars (\$600.00)~~ seven hundred and seventy-five dollars (\$775.00) for four (4) inch tap and one thousand dollars (\$1,000.00) for a six (6) inch tap. For a tap eight (8) inches or larger, the fee shall be Actual Cost, but not less than one thousand dollars (\$1,000.00) (Must be tapped into Manhole). Actual Cost which shall mean all costs to the City for labor, materials, and equipment to install the tap and restore the surface. Additional taps on the property must be approved by the Sewer Supervisor and shall be charged at Actual Cost but not less than seven hundred and seventy-five dollars (\$775.00).

(b) - (c) [NO TEXT CHANGE]

(d) The City Utilities Division, solely, is authorized to plug abandoned Sewer taps. Any person seeking Sewer tap abandonment will be charged a fee of three hundred dollars (\$300.00) regardless of size ~~The following fees shall be required for such work and shall be with said fee due in advance of the work being performed, based on the depth of the tap below the surface: zero to seven (7) feet is two hundred dollars (\$200.00); eight (8) to seventeen (17) feet is four hundred dollars (\$400.00); more than seventeen (17) feet is actual cost and requires an advance deposit of four hundred dollars (\$400.00). The difference between the deposit and the actual cost will be either refunded or due and payable immediately upon completion.~~

SECTION 19. That should any part, portion, section, fee, charge, or expenditure enacted by or contained within either this ordinance or the budget that it adopts, be declared inoperative, unconstitutional, invalid, or void for any reason by a court of competent jurisdiction, then such decision, opinion, or judgment shall in no way affect the remaining portions, parts, sections, fees, charges, or expenditures of either this ordinance or the budget, which remaining provisions shall be and remain in full force and effect.

SECTION 20. That all ordinances, resolutions, and appropriations for which provisions have heretofore been made are hereby expressly repealed to the extent of any conflict with the provisions of this ordinance.

SECTION 21. That the City Manager is authorized to approve transfers between line items in any departmental budget and to make transfers between funds within the budget which will neither decrease a program or service adopted in said budget, nor increase expenditures over the total amount of expenditures approved in said budget, in order to meet unanticipated expenditures within any department, program, or service.

SECTION 22. That this ordinance shall be effective on and after its adoption; provided, however, that the Annual Budget adopted herein, along with fees and charges established herein, shall be effective on October 1, 2016, unless a different effective date is specified for a particular Section hereof.

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

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM

William M. McKamie, City Attorney



Amarillo City Council Agenda Transmittal Memo



Meeting Date	September 6, 2016	Council Priority	
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Department	City Manager
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Agenda Caption

ORDINANCE NO. _____ :

This is the first reading of an ordinance approving the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2016 tax year. This ordinance establishes an ad valorem tax rate of \$0.32698 per \$100.00 property valuation for City maintenance and operations expenses and \$0.02374 per \$100.00 property valuation for existing debt expenses resulting in a total ad valorem rate of \$0.35072 per \$100.00 property valuation.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.24 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$1.32.

Agenda Item Summary

This is the first reading of the ordinance adopting the City of Amarillo tax rate for the 2016/2017 fiscal year.

Requested Action

Council consideration and approval of the ordinance. The wording on the motion to approve the tax rate ordinance: (Per Texas Tax Code, is required only on the 2nd/final reading; that is:..."on the vote...setting the tax rate." City Attorney recommendation is to use this language on both readings of the ordinance.)

"Whereas the proposed tax rate exceeds the effective rate, and pursuant to Texas Tax Code section 26.05(b), I now move that the property tax rate be increased by the adoption of a tax rate, being \$0.32698 for maintenance and operations, and \$0.02374 for debt service, for a combined rate of \$.35072, which is effectively a 3.24% increase in the tax rate."

A record vote is required for approval of the tax rate ordinance, with the name and vote of each member officially recorded, and must be approved by at least 60 percent of the members of the governing body.

Comment [m1]: Statutory language: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the effective tax rate) percent increase in the tax rate."

Funding Summary

N/A

Community Engagement Summary

The City Council met on August 2nd, 3rd, 4th and 8th to review the proposed 2016/2017 budget. At the August 9th Council meeting, City Staff presented an overview of the proposed 2016 tax rate and required

Amarillo City Council Agenda Transmittal Memo



tax notices. On August 16, 2016 the City Council held a public hearing on the tax rate and approved a motion to consider a \$0.35072 property tax rate. On August 30, 2016 and September 6, 2016 Council held public hearings on the 2016 tax rate.

Staff Recommendation

Staff recommendation is to approve the first reading of the ordinance adopting the City of Amarillo tax roll, setting an ad valorem property tax rate and levying a tax on all property subject to taxation within the City for the 2016 tax year.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: APPROVING TAX ROLL; SETTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF AMARILLO FOR THE TAX YEAR 2016; ESTABLISHING AN EFFECTIVE DATE; REPEALING CONFLICTING ORDINANCES.

WHEREAS, the Chief Appraisers of the Potter and Randall Counties Tax Appraisal Districts have prepared and certified the appraisal roll for the City of Amarillo, Texas, said roll being that portion of the approved appraisal roll from each Tax Appraisal District which lists property taxable by the City of Amarillo within each respective county; and

WHEREAS, the Chief Appraisers of the Potter and Randall Counties Tax Appraisal Districts have performed the statutory calculations required by Section 26.04 of the Texas Property Tax Code and has submitted said rates to the City Council of said City prior to its adoption of this ordinance; and,

WHEREAS, the City has published the effective tax rate, the rollback tax rate, and other information as allowed or required by the Texas Local Government Code, and has fulfilled all other requirements for publication and postings as required by law, in a manner designated to call to the attention of all residents of said City; and,

WHEREAS, the City Council has complied with all applicable posting, hearing, filing, and meeting requirements of Texas law prior to the setting of the tax rate for 2016; and

WHEREAS, a quorum of the City Council is present in a regular meeting open to the public; NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That the appraisal roll with the amount of tax calculated thereon by the Tax Assessor Collectors of Potter and Randall Counties is hereby approved.

SECTION 2. That for the year 2016, there is hereby levied on all of the property located in the City of Amarillo, Texas, on the first day of January, 2016, and not exempted from taxation by the Constitution and Statutes of the State of Texas, an ad valorem tax of \$0.02374 for debt expenses plus \$0.32698 for maintenance and operation expenses (total of \$0.35072, per \$100.00 valuation of all such property to provide revenue for carrying on the City Government and the current expenses thereof. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.24% PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$1.32.

SECTION 3. Monies collected pursuant to this ordinance shall be expended in accordance with the ordinance adopting the City of Amarillo budget for fiscal year 2016-2017, and any monies collected which are not specifically appropriated shall be deposited in the general fund.

SECTION 4. All ordinances or parts thereof that conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the 6th day of September, 2016 upon a voice roll call vote as follows:

Mayor Paul Harpole	_____
Councilmember Place 1 Elisha Demerson	_____
Councilmember Place 2 Lisa Blake	_____
Councilmember Place 3 Randy Burkett	_____
Councilmember Place 4 Mark Nair	_____

and PASSED on Second and Final Reading the 13th day of September, 2016 upon a voice roll call vote as follows:

Mayor Paul Harpole	_____
Councilmember Place 1 Elisha Demerson	_____
Councilmember Place 2 Lisa Blake	_____
Councilmember Place 3 Randy Burkett	_____
Councilmember Place 4 Mark Nair	_____

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

Amarillo City Council

Agenda Transmittal Memo



6

Meeting Date	August 30, 2016	Council Priority	Community Appearance
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Department	Planning Department
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Agenda Caption

Address: 1415 Sunrise Dr.

This is an ordinance rezoning a 44.81 acre tract of land in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Planned Development 26 and 274 to Light Commercial District.

Agenda Item Summary

The City Zoning Ordinance allows primary residential uses within Light Commercial (LC) and Heavy Commercial (HC) zoning, including one-family housing and multiple-family housing units. Research of prior zoning actions revealed that Planned Development 26 was approved in 1971 for a mobile home park. The City Zoning Ordinance currently allows mobile home parks within Manufactured Home District, Commercial District, and Industrial District. Additionally, Planned Development 274, previously zoned light commercial, was approved in 2000 for an amusement facility that also allowed other light commercial use. In the area, large strips of commercial zoning exist on both sides due to Interstate 40 being a major freeway within the City.

This site is bounded by a residential zoned district to the north and northwest. With commercial development being proposed in close proximity to an existing residential area, what must be addressed is adequate protection. Section 4-10-291 of the Amarillo Zoning Ordinance, requires that visual screening be provided along the rear and side lot lines of any non-residential land uses when adjacent to residential land uses. This screening will further protect the residences and help mitigate any impacts created by the proposed commercial use. It should be noted that there is an existing alley along and adjacent to the north and west side of this site, which will further separate the two land uses.

The proposed zoning and associated development standards are similar to zoning that currently exist in the surrounding area. Given that the current use of the Planned Development District 26 is allowed in less restrictive districts and Planned Development District 274 is associated with Light Commercial (LC) District, staff is of the opinion that Light Commercial (LC) District zoning and allowed uses within that district would be appropriate.

Requested Action

The applicant is requesting a Light Commercial (LC) zoning in order to develop the tract with multiple commercial amusement facilities.

Funding Summary

N/A

Amarillo City Council Agenda Transmittal Memo



Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received two calls regarding concerns of traffic increase, crime increase, and noise increase related to this rezoning

The item was recommended for approval by 5:0 vote of the Planning and Zoning Commission at its August 22, 2016 public meeting.

City Manager Recommendation

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

ORDINANCE NO. 77619

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 INTERSTATE HIGHWAY 40 HWY & SUNRISE DR, 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 a 44.81 acre tract of land in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Planned Development 26 and 274 to Light Commercial District.

DESCRIPTION

FIELD NOTES for a 44.81 acre tract of land in Section 106, Block 2, AB&M Survey, Potter County, Texas.

BEGINNING at the southwest corner of Sunrise Park Unit No. 4, an addition to the City of Amarillo, Potter County, Texas, according to the recorded map or plat thereof, of record in Volume 900, Page 677 of the Deed Records of Potter County, Texas;

THENCE N. 89° 59' 52" E., (Directional Control GPS Observation WGS-84), 78.44 feet to the beginning of a curve to the left with a radius of 623.54 feet;

THENCE Northeasterly, along said curve, an arc distance of 202.50 feet with a chord of N. 81° 39' 26" E., 201.61 feet to the end of said curve;

THENCE N. 71° 19' 12" E., 502.31 feet;

THENCE N. 71° 32' 23" E., 59.98 feet;

THENCE N. 71° 24' 07" E., 222.01 feet to the beginning of a curve to the right with a radius of 510.00 feet;

THENCE Northeasterly, along said curve, an arc distance of 88.14 feet with a chord of N. 76° 14' 17" E., 88.03 feet to the end of said curve;

THENCE S. 00° 04' 44" E., 220.22 feet to the beginning of a curve to the left with a radius of 192.00 feet;

THENCE Southeasterly, along said curve, an arc distance of 301.60 feet with a chord of S. 45° 04' 08" E., 271.53 feet to the end of said curve;
THENCE N. 89° 57' 59" E., 214.79 feet;
THENCE N. 18° 07' 13" E., 84.32 feet;
THENCE N. 89° 56' 32" E., 144.89 feet;
THENCE S. 00° 03' 28" E., 1211.17 feet;
THENCE S. 89° 58' 10" W., 629.92 feet along the centerline of Interstate Highway No. 40;
THENCE N. 00° 04' 49" W., 449.95 feet along the centerline of Sunrise Drive;
THENCE S. 89° 56' 24" W., 1350.05 feet;
THENCE N. 00° 02' 47" W., 794.01 feet;
THENCE S. 89° 59' 05" E., 147.53 feet;
THENCE N. 89° 58' 30" E., 147.46 feet to the POINT OF BEGINNING.

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 August, 2016 and PASSED on Second and Final Reading on this the _____ day of September, 2016.

Paul Harpole, Mayor

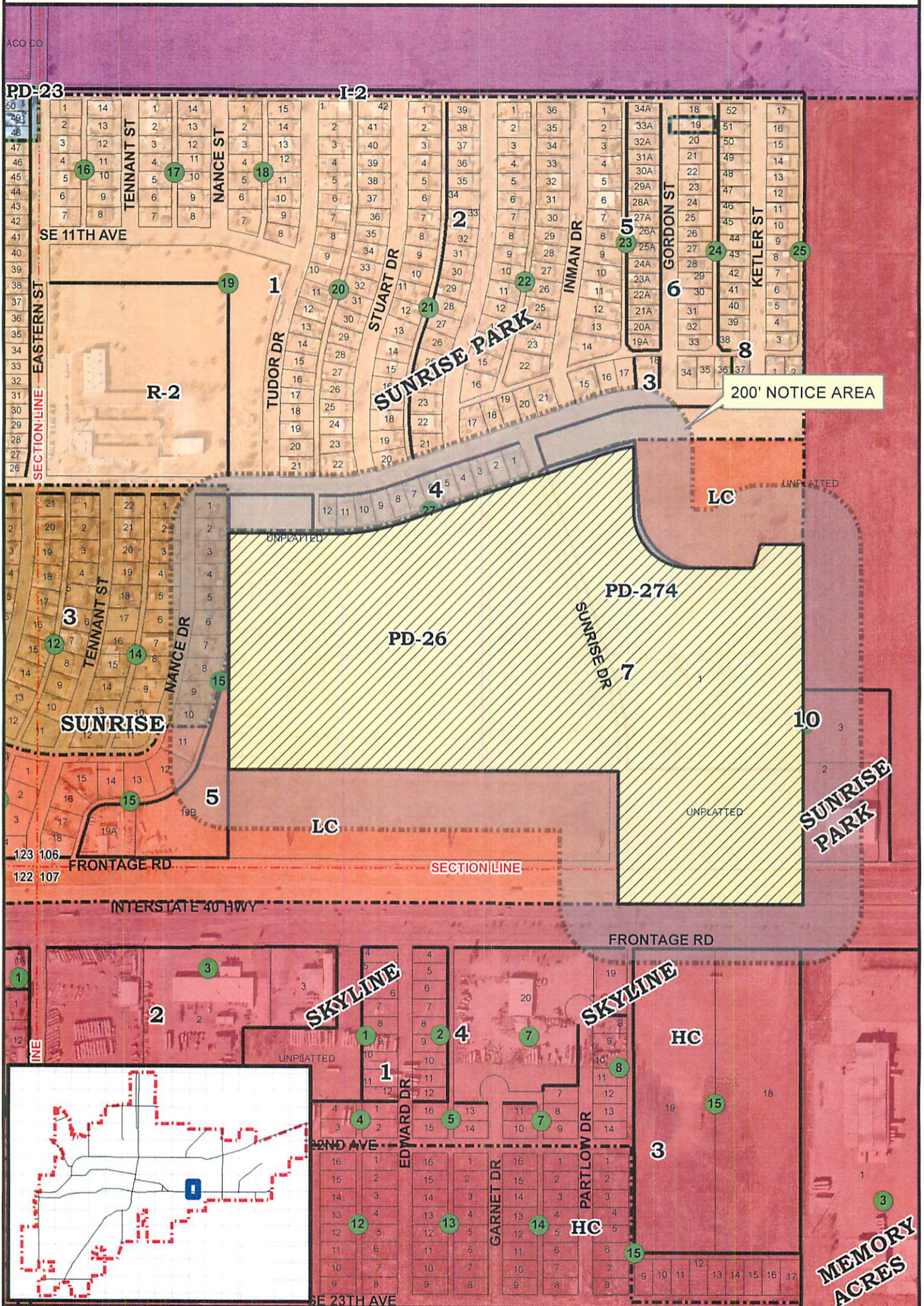
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

REZONING FROM PD-26 & PD-274 TO LC



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Z-16-25 Rezoning of a 44.81 acre tract of land in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Planned Development 26 and 274 to Light Commercial District.

Scale: 1" = 400'
Date: 8-12-16
Case No: Z-16-25



Applicant: Galaxy Catering
Surveyor: IH-40 Hwy & Sunrise Dr

AP: R-12



RESOLUTION NO. _____

A RESOLUTION HONORING CITY EMPLOYEE CLAUD H. DRINNEN, III

WHEREAS, Claud has been an invaluable member of the City of Amarillo full-time since 1993 when he accepted a position in the Legal Department as a Municipal Prosecutor and later as a Assistant City Attorney before being promoted to Deputy City Attorney; and

WHEREAS, Claud was also a member of AA for 29 years and in those years he made significant impact in numerous lives; and

WHEREAS, Claud was a warm and caring person who was generous and has always had concern for the public good; and

WHEREAS, Claud's City friends and colleagues will miss his hard work and leadership on behalf of the City, but will really miss his teasing and companionship; and

WHEREAS, the passing of Claud Drinnen has caused a deep void of sadness at the City; and the City Council would like to honor the service and memory of Claud Drinnen to the City of Amarillo;

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

SECTION 1. The City Council recognizes and thanks Claud Drinnen for his professional and personal dedication to the City of Amarillo.

SECTION 2. The City of Amarillo hereby expresses its deep appreciation for his dedication to the City and extends to his family our sincere sympathy upon his passing.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 6th day of September, 2016.

Paul Harpole, Mayor

Elisha Demerson, Councilmember

Lisa Blake, Councilmember

Randy Burkett, Councilmember

Mark Nair, Councilmember

ATTEST:

Frances Hibbs, City Secretary

Amarillo City Council Agenda Transmittal Memo



A

Meeting Date	September 6, 2016	Council Priority	Long Term Plan for Infrastructure
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Department	Traffic Field Operations / 1732
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Agenda Caption
Purchase – Wavetronix Radar Detection: Purchased off of State Contract 550-A2: Twincrest Technologies - \$71,830.00.

Agenda Item Summary
This item is purchased for the addition and replacement of Traffic detection at 8 intersections, 2 new Intersections and 2 replacements of old outdated Video Detection. The Radar detection picks up the movement of vehicles approaching the intersection and inputs a call to the controller to give a green light. Detection for Signalized intersection is used at all signalized intersections in Amarillo, Radar technology is the newest and most advance detection. Radar detection has been found to work the best in Amarillo.

Requested Action
Award this bid to Twincrest Technologies in the amount of \$71,830.00; this is the same price per intersection that was last purchased in September of 2015.

Funding Summary
Funding for the amount of \$71,830.00 for the purchase of Wavetronix Radar Detection will be out of three jobs, New Traffic Signals 411014.17400.1040 (14/15) \$19,195.00, Traffic Signals Rebuild 411043.17400.1040 (15/16) \$16,720.00, and End of Life Signal Components 410970.17400.1040 (15/16) \$ 35,915.00. The cost is the same as budgeted since they are being purchased off the State Contract, no state or federal funds will be used.

Community Engagement Summary
Radar Detection is the one of the detection systems used under best practices for Signalized Intersections; it has proven to be one of the best systems for our Traffic in Amarillo. Under best practices detection systems should be changed out every ten years to update technology to improve efficiency and fix declining infrastructure.

Staff Recommendation
Traffic Field Operations recommends acceptance of the purchase as offered by state contract.

Bid No. 5555 TRAFFIC SIGNAL & CONTROLLER DETECTION
Opened 4:00 p.m. August 23, 2016

To be awarded as one lot TWINCREST TECHNOLOGIES

Line 1 Traffic signal & control detectors,
Radar detection: WAVETRONIX-WX-SS-
704-020, per specifications

4 ea

Unit Price \$135.000

Extended Price 540.00

Line 2 Traffic signal & control detectors,
Radar detection: WAVETRONIX-WX-SS-
225-4AC-650, per specifications

1 ea

Unit Price \$16,180.000

Extended Price 16,180.00

Line 3 Traffic signal & control detectors,
Radar detection: TTI-MTRX-ADV-CBL, per
specifications

1,500 ea

Unit Price \$1.650

Extended Price 2,475.00

To be awarded as one lot

TWINCREST TECHNOLOGIES

Line 4 Traffic signal & control detectors,
Radar detection: WAVETRONIX-WX-SS-
704-020, per specifications

4 ea

Unit Price

\$135.000

Extended Price

540.00

Line 5 Traffic signal & control detectors,
Radar detection: WAVETRONIX-WX-SS-
225-4AC, per specifications

1 ea

Unit Price

\$16,180.000

Extended Price

16,180.00

Line 6 Traffic signal & control detectors,
Radar detection: WAVETRONIX-WX-SS-
704-020, per specifications

8 ea

Unit Price

\$135.000

Extended Price

1,080.00

Line 7 Traffic signal & control detectors,
Radar detection: WAVETRONIX-WX-SS-
225-4AC-650, per specifications

2 ea

Unit Price

\$16,180.000

Extended Price

32,360.00

To be awarded as one lot

TWINCREST TECHNOLOGIES

Line 8 Traffic signal & control detectors,
Radar detection: TTI-MTRX-ADV-CBL, per
specifications

1,500 ea

Unit Price

\$1.650

Extended Price

2,475.00

Bid Total

71,830.00

Award by Vendor

71,830.00

Amarillo City Council Agenda Transmittal Memo



B

Meeting Date	09/06/2016	Council Priority	Infrastructure Initiative
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Department	Fleet Services
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Agenda Caption

Purchase – Pipe Fusing Machine

HD Supply Water Works

\$65,913.08

Total Award \$65,913.08

This item is a budget approved addition to the Fleet. Addition approved in the 2015-2016 budgets. This award will be used by the Waste Water Collection department for daily operations. This bid represents a first time purchase. Funding for this award is available in the approved FY 2015-2016 Fleet Services Machinery General Budget.

Agenda Item Summary

Addition to the Fleet of a Pipe Fusing Machine used by Waste Water Collection for daily department requirements. Recommended award based on competitive bid evaluation.

Requested Action

Approval

Funding Summary

Fleet Services, account 61120.84200 request total award \$65,913.08.

beginning funding \$1,406,313.00 remaining account balance \$1,340,400.00

Community Engagement Summary

Additional fleet vehicles insures departments provide city services in a consistent manner.

City Manager Recommendation

City staff recommends approval.

Bid No.5488 PIPE FUSING MACHINE
 Opened 4:00 p.m. August 11, 2016

		HD SUPPLY WATERWORKS		
To be awarded as one lot		LTD	GAJESKE INC	FORTILINE INC
Line 1 Hydraulic Fusion Machine for pipe, per specifications				
1 ea				
Unit Price	\$65,913.080		\$51,404.110	\$66,422.500
Extended Price		65,913.08	51,404.11	66,422.50
Bid Total		65,913.08	51,404.11	66,422.50
Award by Vendor		65,913.08	DOES NOT MEET SPECS	

Amarillo City Council Agenda Transmittal Memo



C

Meeting Date	September 6, 2016	Council Priority	N/A
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Department	Central Stores
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Agenda Caption

Award – Oils and Greases Annual Contract
Griffin Oil - \$ 118,721.14

Total \$118,721.14

This award is to approve an annual contract for the purchase of Oils and Greases.

Agenda Item Summary

Award of Annual Oils and Greases Contract for use by City Fleet Vehicles.

Requested Action

Consider approval and award for the City Annual Contract for Oils and Greases.

Funding Summary

Funding for this award is available in the Central Stores Inventory Account 1000.15400.

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval and award of the contract.

Bid No. 5443 OIL & GREASE ANNUAL CONTRACT
Opened 4:00 p.m. June 09, 2016

To be awarded as one lot

GRIFFIN OIL CO

Line 1 Fuel, oil, grease and lubricant,
15w40 heavy duty motor oil, 1 quart
bottles, 12 QTS per case, per
specifications

10 CA

Unit Price

\$30.130

Extended Price

301.30

Line 2 Fuel, oil, grease and lubricant,
15w40 heavy duty motor oil, bulk
delivery, gallon, Municipal Garage, per
specifications

6,000 GA

Unit Price

\$5.370

Extended Price

32,220.00

Line 3 Fuel, oil, grease and lubricant,
hydraulic oil, bulk delivery,
gallon, Municipal Garage, per
specifications

10,000 GA

Unit Price

\$2.790

Extended Price

27,900.00

Line 4 Fuel, oil, grease and lubricant,
multipurpose chassis grease 120lb keg,
bulk delivery, gallon,Municipal Garage,
Hollywood road, per specifications

31 ea		
Unit Price	\$226.390	
Extended Price		7,018.09

Line 5 Fuel, oil, grease and lubricant, SAE
85-140 Uni. Gear oil, 55 gallon
drum,Municipal Garage, per
specifications

12 DR		
Unit Price	\$372.090	
Extended Price		4,465.08

Line 6 Fuel, oil, grease and lubricant,
transmission fluid, 55 gallon
drum,Municipal Garage, per
specifications

12 DR		
Unit Price	\$248.690	
Extended Price		2,984.28

Line 7 Fuel, oil, grease and lubricant,
Univ. transdraulic oil, 55 gallon
drum,Municipal Garage, River Road
WWTP per specifications

12 DR		
Unit Price	\$248.670	
Extended Price		2,984.04

Line 8 Fuel, oil, grease and lubricant,
15w40 heavy duty motor oil, 55 gallon
drum, Hollywood Road WWTP, River
Road WWTP, per specifications

5 DR		
Unit Price	\$334.380	
Extended Price		1,671.90

Line 9 Fuel, oil, grease and lubricant, 40w
engine oil, 55 gallon drum, Hollywood
Road WWTP, per specifications

4 DR		
Unit Price	\$359.690	
Extended Price		1,438.76

Line 10 Fuel, oil, grease and lubricant, 90
wt gear oil, 55 gallon drum, Hollywood
Road WWTP, River Road WWTP per
specifications

34 PA		
Unit Price	\$34.310	
Extended Price		1,166.54

Line 11 Fuel, oil, grease and lubricant,
gear and bearing oil, 55 gallon
drum, River Road WWTP per
specifications

3 DR		
Unit Price	\$270.090	
Extended Price		810.27

Line 12 Fuel, oil, grease and lubricant,
gear and bearing oil, 55 gallon
drum,Hollywood Road WWTP,River Road
WWTP per specifications

4 DR		
Unit Price	\$251.940	
Extended Price		1,007.76

Line 13 Fuel, oil, grease and lubricant,
synthetic transmission fluid, 55 gallon
drum,Transit, per specifications

2 DR		
Unit Price	\$0.000	
Extended Price		-

Line 14 Fuel, oil, grease and lubricant,
15w40 heavy duty motor oil, 55 gallon
drum,Transit, per specifications

1,200 GA		
Unit Price	\$5.370	
Extended Price		6,444.00

Line 15 Fuel, oil, grease and lubricant,
premium hydraulic oil, 55 gallon
drum,Hollywood Road WWTP, Airport,
Transfer Station, per specifications

15 DR		
Unit Price	\$190.310	
Extended Price		2,854.65

Line 16 Fuel, oil, grease and lubricant,
premium hydraulic oil, 55 gallon
drum,Airport, per specifications

1 DR

Unit Price \$190.310

Extended Price 190.31

Line 17 Fuel, oil, grease and lubricant,
multi purpose automatic transmission
fluid, 55 gallon drum,Airport, per
specifications

2 DR

Unit Price \$248.690

Extended Price 497.38

Line 18 Fuel, oil, grease and lubricant,
40w engine oil, 55 gallon drum,Airport,
per specifications

2 DR

Unit Price \$359.690

Extended Price 719.38

Line 19 Fuel, oil, grease and lubricant,
80w90 multipurpose, 5 gallon
pail,Airport, per specifications

2 PA

Unit Price \$37.290

Extended Price 74.58

Line 20 Fuel, oil, grease and lubricant,
SAE 15w40 motor oil, 55 gallon
drum,Airport, per specifications

2 DR

	Unit Price	\$334.270	
	Extended Price		668.54
<hr/>			
Line 21 Fuel, oil, grease and lubricant, premium synthetic motor oil, 55 gallon drum,Airport, per specifications			
	2 DR		
	Unit Price	\$274.710	
	Extended Price		549.42
<hr/>			
Line 22 Fuel, oil, grease and lubricant, HD fleet 40w981, 55 gallon drum,Airport, per specifications			
	1 DR		
	Unit Price	\$359.690	
	Extended Price		359.69
<hr/>			
Line 23 Fuel, oil, grease and lubricant, heat transfer oil, 55 gallon drum,Street, per specifications			
	5 DR		
	Unit Price	\$440.180	
	Extended Price		2,200.90
<hr/>			
Line 24 Fuel, oil, grease and lubricant, 75- 90 synthetic hypoid gear, 55 gallon drum,Transit, per specifications			
	3 DR		
	Unit Price	\$782.550	
	Extended Price		2,347.65
<hr/>			

Line 25 Fuel, oil, grease and lubricant,
5w20 semi synthetic oil, 55 gallon drum,
Municipal Garage, per specifications

25 DR		
Unit Price	\$274.710	
Extended Price		6,867.75

Line 26 Fuel, oil, grease and lubricant,
transmission and drive train oil, 55 gallon
drum, Municipal Garage, per
specifications

8 DR		
Unit Price	\$346.010	
Extended Price		2,768.08

Line 27 Fuel, oil, grease and lubricant,
aircraft hydraulic oil, 55 gallon drum,
Aiport, per specifications

1 DR		
Unit Price	\$0.000	
Extended Price		-

Line 28 Fuel, oil, grease and lubricant,
synthetic gear and bearing oil, 630 or
equal, 55 gallon drum, Aiport, per
specifications

2 DR		
Unit Price	\$0.000	
Extended Price		-

Line 29 Fuel, oil, grease and lubricant,
synthetic gear and bearing oil, 630 or
equal, 55 gallon drum, Aiport, per
specifications

1 DR		
Unit Price	\$0.000	
Extended Price		-

Line 30 Fuel, oil, grease and lubricant,
summit industries FG-500-SCH, 629
synthetic food grade, 55 gallon drum,
Osage Surface water, per specifications

2 DR		
Unit Price	\$0.000	
Extended Price		-

Line 31 Fuel, oil, grease and lubricant,
mobile 629 gear oil, 55 gallon drum,
Osage Surface water, per specifications

2 DR		
Unit Price	\$0.000	
Extended Price		-

Line 32 Fuel, oil, grease and lubricant,
mobile DTE10hydraulic oil, 55 gallon
drum, Osage Surface water, per
specifications

1 DR		
Unit Price	\$202.310	
Extended Price		202.31

Line 33 Fuel, oil, grease and lubricant,
diesel exhaust fluid or Cummins engines
used in Transit buses, per specifications

4,500 GA

Unit Price \$1.410

Extended Price 6,345.00

Line 34 Fuel, oil, grease and lubricant,
terrestrial 68 ISO/VG or equiv., per
specifications

4 dr

Unit Price \$415.870

Extended Price 1,663.48

Line 35 Fuel, oil, grease and lubricant,
Mobil 630 gear oil., per specifications

1 dr

Unit Price \$0.000

Extended Price -

Bid Total 118,721.14

Award by Vendor 118,721.14

Amarillo City Council Agenda Transmittal Memo



Meeting Date	September 6, 2016	Council Priority	N/A
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Department	Central Stores
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Agenda Caption

Award – Medical Supplies Annual Contract
Minnesota Multistate Contracting Alliance (MMCAP) - \$155,579.32

Total \$155,579.32

This award is to approve an annual contract for the purchase of Medical Supplies.

Agenda Item Summary

Award of Annual Medical Supplies for use by various City Departments

Requested Action

Consider approval and award for the City Annual Contract for Oils and Greases.

Funding Summary

Funding for this award is available in various City Departments.

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval and award of the contract.

Bid No. 5162 Medical Supplies Annual Contract
Opened 4:00 p.m. August 24, 2016

To be awarded as one lot

MMCAP

Line 1 Medical and Dental Equipment and Supplies, per specifications

1 ea


Unit Price

\$155,579.320

Extended Price

155,579.32

Bid Total

155,579.32 

Award by Vendor

155,579.32

Amarillo City Council Agenda Transmittal Memo



E

Meeting Date	September 6, 2016	Council Priority	Safety Program, Best Practices
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Department	Aviation
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Agenda Caption

Approval of FAA AIP Grant No. 3-48-0007-41-2016 with the Federal Aviation Administration for 90% funding of the Safety Management Systems (SMS) Part 139 program development services.

Agenda Item Summary

Approval of FAA AIP Grant No. 3-48-0007-41-2016 with the Federal Aviation Administration for 90% funding of the Safety Management Systems (SMS) Part 139 program development services. This is an FAA Entitlement Grant, funded through the Aviation and Airway Trust Fund.

Requested Action

Approval of FAA AIP Grant No. 3-48-0007-41-2016 with the Federal Aviation Administration.

Funding Summary

The reimbursement and reporting requirements in the letter to Mayor Harpole are routine and will not create any compliance issues. A design contract with RS&H, Inc has been previously approved and executed by City Council on August 16, 2016.

Current funding has been identified and budgeted through the proposed CIP FY16/17 budget. This is also a project that has been identified for FAA funding at 90% of total project cost through AIP grant No. 3-48-0007-41.

FAA Entitlement Funding:	\$269,460.00
Airport (Sponsor) Funding:	<u>\$29,940.00</u>
Total Project Cost:	\$299,400.00

Community Engagement Summary

N/A

Staff Recommendation

The grant must be executed by September 9, 2016 in order to be valid. Considering the importance of this project, I am requesting that it be placed on the next available Council agenda.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Airports Division
Southwest Region
Texas

FAA ASW-650
10101 Hillwood Pkwy
Fort Worth, TX 76177

AUG 25 2016

Ms. Sara Freese
10801 Airport Blvd.
Amarillo, TX 79111

 **ORIGINAL**

Dear Ms. Freese:

We are enclosing the original and one copy of the Grant Offer for Airport Improvement Program (AIP) Project No. 3-48-0007-041-2016 at Rick Husband Amarillo International in Amarillo, Texas. This letter outlines expectations for success. Please read the conditions and assurances carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, no later than **September 9, 2016**, in order for the grant to be valid. The date of the attorney's signature must be on or after the date of the sponsor's authorized representative's signature.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. After you properly execute the grant agreement:
 - Return the executed Grant Agreement marked "Original" to our office via US mail or commercial courier.
 - Retain the copy marked "Sponsor" for your records.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

Please note Grant Condition No. 4 requires you to complete the project without undue delay. We will be paying close attention to your progress to ensure proper stewardship of these Federal funds. **You are expected to submit payment requests for reimbursement of allowable incurred project expenses in accordance with project progress.** Should you fail to make draws on a regular basis, your grant may be placed in "inactive" status which will impact future grant offers.

Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

- A signed/dated SF-270 (non-construction projects) or SF-271 or equivalent (construction projects) and SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 31 of each year this grant is open); and
- Performance Reports are due within 30 days of the end of a reporting period as follows:

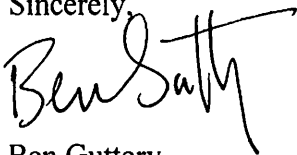
1. Non-construction project: Due annually at end of the Federal fiscal year.
2. Construction project: Submit FAA form 5370-1, Construction Progress and Inspection Report at the end of each fiscal quarter.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once the project(s) is completed and all costs are determined, we ask that you close the project without delay and submit the final closeout report documentation as required by your Region/Airports District Office.

Anthony Mekhail, (817) 222-5663, is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,



Ben Guttery
Manager, Texas Airports
District Office



U.S. Department
of Transportation
Federal Aviation
Administration

ORIGINAL

GRANT AGREEMENT

PART I – OFFER

Date of Offer	<u>August 25, 2016</u>
Airport/Planning Area	<u>Rick Husband Amarillo International</u>
AIP Grant Number	<u>3-48-0007-041-2016</u>
DUNS Number	<u>556777667</u>
TO:	<u>City of Amarillo</u> (herein called the "Sponsor")

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated June 30, 2016, for a grant of Federal funds for a project at or associated with the Rick Husband Amarillo International Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Rick Husband Amarillo International Airport (herein called the "Project") consisting of the following:

Prepare SMS Manual and Implementation Plan

which is more fully described in the Project Application.

NOW THEREFORE, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014, and the Sponsor's acceptance of this Offer, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided,

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay ninety (90) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is **\$269,460**.

The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):

- \$269,460 for planning
- \$0 for airport development or noise program implementation
- \$0 for land acquisition.

2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the project period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor.

The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR § 200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR § 200.343).

The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.

3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs – Sponsor.** Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application and as accepted by the FAA to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies and procedures of the Secretary. The Sponsor also agrees to comply with the assurances which are part of this agreement.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before **September 9, 2016**, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by

settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

- 10. United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
- 11. System for Award Management (SAM) Registration And Universal Identifier.**
- A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
- B. Requirement for Data Universal Numbering System (DUNS) Numbers
1. The Sponsor must notify potential subrecipient that it cannot receive a contract unless it has provided its DUNS number to the Sponsor. A subrecipient means a consultant, contractor, or other entity that enters into an agreement with the Sponsor to provide services or other work to further this project, and is accountable to the Sponsor for the use of the Federal funds provided by the agreement, which may be provided through any legal agreement, including a contract.
 2. The Sponsor may not make an award to a subrecipient unless the subrecipient has provided its DUNS number to the Sponsor.
 3. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866-705-5771) or on the web (currently at <http://fedgov.dnb.com/webform>).
- 12. Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
- 13. Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.
- The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of condition No. 1.
- The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.
- An informal letter amendment has the same force and effect as a formal grant amendment.
- 14. Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality

standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this grant.

15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
16. **Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.
17. **Maximum Obligation Increase For Primary Airports.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:
 - A. May not be increased for a planning project;
 - B. May be increased by not more than 15 percent for development projects;
 - C. May be increased by not more than 15 percent for land project.
18. **Audits for Public Sponsors.** The Sponsor must provide for a Single Audit in accordance with 2 CFR Part 200. The Sponsor must submit the Single Audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. The Sponsor must also provide one copy of the completed 2 CFR Part 200 audit to the Airports District Office.
19. **Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR § 180.200, the Sponsor must:
 - A. Verify the non-federal entity is eligible to participate in this Federal program by:
 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if non-federal entity is excluded or disqualified; or
 2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
 3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.
 - B. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g. Sub-contracts).
 - C. Immediately disclose to the FAA whenever the Sponsor: (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debar a contractor, person, or entity.
20. **Ban on Texting While Driving.**
 - A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:

- a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.

21. Trafficking in Persons.

- A. Prohibitions: The prohibitions against trafficking in persons (Prohibitions) apply to any entity other than a State, local government, Indian tribe, or foreign public entity. This includes private Sponsors, public Sponsor employees, subrecipients of private or public Sponsors (private entity). Prohibitions include:
- 1. Engaging in severe forms of trafficking in persons during the period of time that the agreement is in effect;
 - 2. Procuring a commercial sex act during the period of time that the agreement is in effect; or
 - 3. Using forced labor in the performance of the agreement, including subcontracts or subagreements under the agreement.
- B. In addition to all other remedies for noncompliance that are available to the FAA, Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), allows the FAA to unilaterally terminate this agreement, without penalty, if a private entity –
- 1. Is determined to have violated the Prohibitions; or
 - 2. Has an employee who the FAA determines has violated the Prohibitions through conduct that is either:
 - a. Associated with performance under this agreement; or
 - b. Imputed to the Sponsor or subrecipient using 2 CFR part 180, “OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),” as implemented by the FAA at 2 CFR part 1200.


22. AIP Funded Work Included in a PFC Application:

Within 90 days of acceptance of this award, Sponsor must submit to the Federal Aviation Administration an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this grant award. The airport sponsor may not make any expenditure under this award until project work addressed under this award is removed from an approved PFC application by amendment.

- 23. Exhibit “A” Property Map.** The Exhibit “A” Property Map dated January 28, 1999, is incorporated herein by reference or is submitted with the project application and made part of this grant agreement.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**



(Signature)

Ben Guttery

(Typed Name)

Manager, Texas Airports District Office

(Title of FAA Official)

PART II - ACCEPTANCE

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.¹

Executed this _____ day of _____.

City of Amarillo

(Name of Sponsor)

(Signature of Sponsor's Authorized Official)

By:

(Typed Name of Sponsor's Authorized Official)

Title:

(Title of Sponsor's Authorized Official)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of _____. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ (location) this _____ day of _____.

By:

(Signature of Sponsor's Attorney)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

Amarillo City Council Agenda Transmittal Memo



Meeting Date	September 6, 2016	Council Priority	Infrastructure Initiative
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Department	Capital Projects and Development Engineering
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Agenda Caption

Approval - Change Order No. 2 and Change Order No. 3 – Job 521984: Water Main Replacements in Morningside/Plemons and Misc. Subdivisions

Original Contract: \$600,156.00

Previous Change Orders: Days Only

Change Order No. 2: \$32,678.63

Change Order No. 3: \$70,080.00

For a total of change orders \$102,758.63

Revised Contract: \$702,914.63

Percent of Changes: 17.12%

This item approves Change Order No. 2 and Change Order No. 3 to the contract with Roberts Ditching, LLC, for a change in work required on Job 521984.

Agenda Item Summary

Change Order No. 2 will allow the contractor the additional quantities required to complete the project. Existing water mains are shallower than the standard for new mains, causing the need for additional material quantities. Some existing water mains were not located as shown on the plans, causing the need for larger shutdowns and additional quantities. Larger shutdowns and inoperable valves have caused time delays on the project. Some items will be decreased or unused as a result of the work.

Change Order No. 3 will allow the contractor to replace a partially-collapsed sanitary sewer main discovered during construction on the project. In order to safely do the water main replacement on the project the sanitary sewer main needs to be replaced. The Contractor will replace the main including surface restoration, trench safety, erosion control, and traffic control.

Requested Action

Consideration and approval of Change Order No. 2 and Change Order No. 3.

Funding Summary

Funding for this change order is available within Job 521984 and the Water E&I Fund.

Community Engagement Summary

The additional quantities do not change the impact the project will have on the community. The sanitary sewer main replacement will have minimal additional impact on one alley on the project.

Staff Recommendation

City Staff is recommending approval of Change Order No. 2 and Change Order No. 3.

Bid No. 5079 Water Main Replacements in Morningside/Plemons & Misc Subdivisons
 Opened 4:00 p.m. June 11, 2015

To be awarded as one lot	Roberts Ditching	Amarillo Utility Contractors	High Plains Contractors	LA Fuller & Sons Construction LTD
Line 1 Furnish and install ten (10") inch water pipe, complete, per specifications 6 ls				
Unit Price	\$50.000	\$73.30	\$73.920	\$50.00
Extended Price	300.00	439.80	443.52	300.00
Line 2 Furnish and install six (6") inch water pipe, complete, per specifications 262 ls				
Unit Price	\$30.000	\$30.35	\$40.680	\$21.00
Extended Price	7,860.00	7,951.70	10,658.16	5,502.00
Line3 Furnish and install 6" C900 RJ Water Pipe by HDD, complete, per specifications 7,547 ls				
Unit Price	\$32.000	\$26.95	\$37.140	\$55.00
Extended Price	241,504.00	203,391.65	280,295.58	415,085.00
Line 4 Furnish and install three (3") HDPE pipe, complete, per specifications 6 ls				
Unit Price	\$116.000	\$225.00	\$76.470	\$103.00
Extended Price	696.00	1,350.00	458.82	618.00
Line 5 Furnish and install two (2") HDPE pipe, complete, per specifications 57 ls				
Unit Price	\$27.000	\$23.50	\$52.880	\$18.00
Extended Price	1,539.00	1,339.50	3,014.16	1,026.00
Line 6 Furnish and install six (6") MJ gate valve, complete, per specifications 43 ea				
Unit Price	\$1,100.000	\$1,360.00	\$998.990	\$1,622.00
Extended Price	47,300.00	58,480.00	42,956.57	69,746.00

To be awarded as one lot	Roberts Ditching	Amarillo Utility Contractors	High Plains Contractors	LA Fuller & Sons Construction LTD
Line 7 Furnish and install six (6") AWWA C153 SSB-DI fittings, complete, per specifications				
2 ton				
Unit Price	\$11,052.500	\$7,660.00	\$6,962.940	\$11,077.00
Extended Price	22,105.00	15,320.00	13,925.88	22,154.00
Line 8 Furnish and install mega lug restraint or approved equal, complete, per specifications				
5 ea				
Unit Price	\$50.000	\$118.00	\$61.180	\$77.00
Extended Price	250.00	590.00	305.90	385.00
Line 9 Furnish and install concrete blocking, complete, per specifications				
12 cy				
Unit Price	\$150.000	\$160.00	\$235.290	\$528.00
Extended Price	1,800.00	1,920.00	2,823.48	6,336.00
Line 10 Furnish and install ten (10") x six (6") tapping sleeve, complete, per specifications				
1 ea				
Unit Price	\$1,080.000	\$911.00	\$1,003.530	\$290.00
Extended Price	1,080.00	911.00	1,003.53	290.00
Line 11 Furnish and install six (6") x six (6") tapping sleeve, complete, per specifications				
3 ea				
Unit Price	\$1,050.000	\$810.00	\$801.960	\$290.00
Extended Price	3,150.00	2,430.00	2,405.88	870.00
Line 12 Furnish and install six (6") tapping valve, complete, per specifications				
4 ea				
Unit Price	\$1,560.000	\$1,375.00	\$841.770	\$3,488.00
Extended Price	6,240.00	5,500.00	3,367.08	13,952.00

To be awarded as one lot	Roberts Ditching	Amarillo Utility Contractors	High Plains Contractors	LA Fuller & Sons Construction LTD
Line 13 Furnish and install six (6") tap to main, complete, per specifications				
4 ea				
Unit Price	\$2,400.000	\$450.00	\$941.180	\$818.00
Extended Price	9,600.00	1,800.00	3,764.72	3,272.00
Line 14 Furnish and install standard fire hydrant, complete, per specifications				
3 ea				
Unit Price	\$2,500.000	\$3,000.00	\$2,729.420	\$3,283.00
Extended Price	7,500.00	9,000.00	8,188.26	9,849.00
Line 15 Remove existing fittings and valves, complete, per specifications				
38 ea				
Unit Price	\$200.000	\$340.00	\$176.470	\$272.00
Extended Price	7,600.00	12,920.00	6,705.86	10,336.00
Line 16 Plug and abandon watr main with concrete, complete, per specifications				
29 ea				
Unit Price	\$200.000	\$57.00	\$117.650	\$164.00
Extended Price	5,800.00	1,653.00	3,411.85	4,756.00
Line 17 Tie into existing water main, complete, per specifications				
25 ea				
Unit Price	\$1,100.000	\$852.25	\$1,058.830	\$121.00
Extended Price	27,500.00	21,306.25	26,470.75	3,025.00
Line 18 Furnish and install wet connection, complete, per specifications				
8 ea				
Unit Price	\$1,000.000	\$1,700.00	\$1,764.710	\$336.00
Extended Price	8,000.00	13,600.00	14,117.68	2,688.00

To be awarded as one lot	Roberts Ditching	Amarillo Utility Contractors	High Plains Contractors	LA Fuller & Sons Construction LTD
Line 19 Furnish and install one (1") water tap and service line, complete, per specifications 241 ea				
Unit Price	\$650.000	\$860.00	\$581.530	\$589.00
Extended Price	156,650.00	207,260.00	140,148.73	141,949.00
Line 20 Furnish and install twelve (12") inch steel casing, complete, per specifications 18 lf				
Unit Price	\$40.000	\$40.00	\$61.500	\$298.00
Extended Price	720.00	720.00	1,107.00	5,364.00
Line 21 Remove and replace 6" concrete base paving with 6" x 6" - w2.9 s w2.9 wore mesh including sawcuts, complete, per specifications 245 sy				
Unit Price	\$40.000	\$57.00	\$48.050	\$114.00
Extended Price	9,800.00	13,965.00	11,772.25	27,930.00
Line 22 Furnish & install two-inch (2") hot-mix asphaltic concrete paving, complete, per specifications 245 sy				
Unit Price	\$100.000	\$45.50	\$33.650	\$75.00
Extended Price	24,500.00	11,147.50	8,244.25	18,375.00
Line 23 Remove & replace statndard concrete apron, including saw cuts as necessary, complete, per specifications 41 sy				
Unit Price	\$90.000	\$102.00	\$170.600	\$162.00
Extended Price	3,690.00	4,182.00	6,994.60	6,642.00
Line 24 Remove and replace existing concrete curb and gutter, complete, per specifications 31 lf				
Unit Price	\$20.000	\$40.00	\$64.710	\$100.00
Extended Price	620.00	1,240.00	2,006.01	3,100.00

To be awarded as one lot	Roberts Ditching	Amarillo Utility Contractors	High Plains Contractors	LA Fuller & Sons Construction LTD
Line 25 Remove and replace concrete valley gutter, complete, per specifications 30 lf				
Unit Price	\$20.000	\$40.00	\$70.590	\$79.00
Extended Price	600.00	1,200.00	2,117.70	2,370.00
Line 26 Furnish, install and maintain trench safety system complying with OSHA rules and regulations, complete, per specifications 252 lf				
Unit Price	\$1.000	\$0.15	\$1.470	\$19.00
Extended Price	252.00	37.80	370.44	4,788.00
Line 27 Furnish, install and maintain temporary erosion, sediment, and water pollution control measures in compliance with Federal, State, and Local requirements, complete, per specifications 1 ls				
Unit Price	\$500.000	\$600.00	\$1,764.710	\$4,558.00
Extended Price	500.00	600.00	1,764.71	4,558.00
Line 28 Furnish, install, and maintain traffic safety and control system, meeting or exceeding the Texas Manual on Uniform Traffic Control Devices (COA 9.04), complete, per specifications 1 ls				
Unit Price	\$3,000.000	\$3,700.00	\$29,400.000	\$43,490.00
Extended Price	3,000.00	3,700.00	29,400.00	43,490.00
Bid Total	600,156.00	603,955.20	628,243.37	828,756.00
Award by Vendor	600,156.00			
Change Order No. 2	32,678.63			
Change Order No. 3	70,080.00			
Revised Amount Awarded to Vendor	702,914.63			



Amarillo City Council

Agenda Transmittal Memo



Meeting Date	09/06/2016	Council Priority	Best Practices
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Department	Aviation
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Agenda Caption

Approval of Federal Department of Transportation, Small Community Air Service Development Grant, (SCASD) FAIN: DOT-OST-2016-0037-0003, Purchase Order: 2616007SC, Rick Husband Amarillo International Airport.

Agenda Item Summary

Approval of Small Community Air Service Development Grant, (SCASD) FAIN: DOT-OST-2016-0037-0003 Purchase Order: 2616007SC. This Grant provides up to \$750,000 funds to provide a Minimum revenue guarantee (MRG) program to recruit, initiate, and support new daily service between the Rick Husband Amarillo International Airport (AMA) and Phoenix Sky Harbor International Airport (PHX). There is a \$150,000 local match component.

Requested Action

Approve the Small Community Air Service Development Grant, (SCASD) FAIN: DOT-OST-2016-0037-0003 Purchase Order: 2616007SC.

Funding Summary

N/A

Community Engagement Summary

Community Engagement has commenced with local business owners regarding the local match. A kick off meeting for the Community Stakeholder Partnership Initiative will occur in late September.

Staff Recommendation

Staff recommends the approval of Small Community Air Service Development Grant, (SCASD) FAIN: DOT-OST-2016-0037-0003, Purchase Order: 2616007SC.

**GRANT AWARD AND AGREEMENT BETWEEN THE
U.S. DEPARTMENT OF TRANSPORTATION
AND THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT,
ACTING FOR THE COMMUNITY OF AMARILLO, TEXAS, UNDER
THE SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM
CFDA 20.930 FAIN: DOT-OST-2016-0037-0003
Purchase Order: 2616007SC**

WHEREAS, the Rick Husband Amarillo International Airport (the Sponsor), on behalf of the community of Amarillo, Texas, has applied for a Grant under the Small Community Air Service Development Program; now THEREFORE, the U.S. Department of Transportation (DOT), acting for the UNITED STATES, presents this Grant Award and Agreement (Grant Agreement) to the Sponsor for a grant of up to \$750,000 to assist in the Sponsor's efforts to address the air service needs of the community. This Grant Agreement shall be effective on the date of last signature by the Sponsor and DOT (collectively, the Parties). Unless otherwise defined in this Grant Agreement, capitalized terms shall have the meanings assigned to such terms in Section E hereof.

**THIS GRANT AWARD AND AGREEMENT IS MADE ON AND SUBJECT TO
THE FOLLOWING TERMS AND CONDITIONS:**

A. GENERAL CONDITIONS

1. The maximum obligation of the United States payable under this Grant Agreement shall be \$750,000.
2. Payment of the United States' share of the Total Project Cash Costs will be made pursuant to and in accordance with the provisions of such regulations and procedures as DOT may prescribe, including, without limitation, 2 CFR Parts 200 and 1201. Final determination of the United States' share may be based upon a final review of the Total Project Cash Costs and settlement will be made for adjustments to the United States' share of costs.
3. The Sponsor shall carry out and complete the Grant Project without undue delays and in accordance with the terms hereof and pursuant to any regulations and procedures as DOT may prescribe.
4. This Grant Agreement constitutes an obligation of federal funding. The grant awarded hereunder shall expire and the United States shall not be obligated to pay any part of the costs of the Grant Project unless the Sponsor signs this Grant Agreement on or before **September 13, 2016**, or such subsequent date as may be prescribed in writing by DOT. If the Sponsor makes any substantive changes to this Grant Agreement, such changes shall constitute amendments to this Grant Agreement and further action on the part of DOT is required in order for DOT to accept such amendments to the initial grant award obligation. If not signed and returned to DOT without modification by the Recipient on or before **September 13, 2016**, DOT may unilaterally terminate this Grant Agreement.

5. The Sponsor shall take all steps, including litigation, if necessary, to recover Federal funds when DOT determines, after consultation with the Sponsor, that such funds have been spent fraudulently, wastefully, or in violation of Federal laws, or misused in any manner in any project upon which Federal funds have been expended. For the purposes of this Grant Agreement, the term "Federal funds" means funds however used or disbursed by the Sponsor that were originally paid pursuant to this Grant Agreement.
6. The Sponsor shall retain all documents relevant to this Grant Agreement and the Grant Project for a period of three (3) years after completion of all projects undertaken pursuant to the Grant Agreement and receipt of final reimbursement from the U.S. Treasury, whichever is later. It shall furnish DOT, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share shall be approved in advance by DOT.
7. The United States shall not be responsible or liable for damage to property or injury to persons that may arise from, or be incident to, compliance with this Grant Agreement.
8. The Sponsor shall ensure compliance with Federal regulations requiring conduct of a Federally-approved audit of any expenditure of funds of \$750,000 or more in a year in Federal awards.
9. The provisions of 2 CFR 200.317–200.326 (Procurement Standards), as implemented and modified by 2 CFR 1201, shall apply to the extent that the Sponsor procures property and services in carrying out the Grant Project.

B. SPECIAL CONDITIONS

1. Subject to the terms set forth in this Grant Agreement, DOT reserves the right to terminate the Grant Agreement, and DOT's obligations hereunder, on ninety (90) days' prior written notice, unless otherwise agreed between the Sponsor and DOT, if any of the following occurs:
 - a. The Sponsor fails to provide the local contribution as provided in its Grant Application, or alternatives approved by DOT;
 - b. The Sponsor fails to provide any In-Kind Contributions that are provided in its Grant Application, or alternative In-Kind Contributions approved in writing by DOT;
 - c. The Sponsor does not meet the conditions and obligations specified under this Grant Agreement; or
 - d. DOT determines that termination is in the public interest.
2. Either Party may seek to amend or modify this Grant Agreement on thirty (30) days' prior written notice to the other Party. The Grant Agreement will be amended or modified only on mutual written agreement by both parties.
3. At any time, on thirty (30) days' prior written notice, the Sponsor may request termination of this Grant Agreement.

4. Subject to the terms set forth in this Grant Agreement, and unless otherwise agreed between the Sponsor and DOT, this Grant Agreement will expire on January 10, 2020.

C. PROPOSAL SPECIFIC CONDITIONS

1. Sponsor: The Rick Husband Amarillo International Airport, designated by the community of Amarillo, Texas, as the legal Sponsor under the Small Community Air Service Development Program, is a government entity that shall administer the Grant according to the terms and conditions set forth in this Grant Agreement.

Sponsor Contact:

Name: Ms. Sara Freese

Title: Director of Aviation

Company: Rick Husband Amarillo International Airport

Address: 10801 Airport Boulevard, Amarillo, Texas 79111

Phone: (806) 335-1671

Fax: (806) 335-1672

Email: sara.freese@amarillo.gov

DUNS Number:065032807

TIN Number:75-60000444

Other Grant Project Contact:

2. Scope of the Grant Project

Grant Project: Minimum revenue guarantee (MRG) program to recruit, initiate, and support new daily service between the Rick Husband Amarillo International Airport (AMA) and Phoenix Sky Harbor International Airport (PHX).

3. Funding

- a. Total Project Cash Costs: \$900,000
Federal Share: \$750,000
Local Share: \$150,000
- b. Payment by DOT shall not exceed **\$750,000** for the Grant Project's Total Project Cash Costs, which are costs arising from the Grant Project described in Section 2 above.
- c. The community will provide any In-Kind Contributions described in its Grant Application, or alternative In-Kind Contributions approved by DOT, toward implementation of the Grant Project.
- d. The Sponsor shall pay the costs associated with the Grant Project prior to seeking reimbursement from DOT. If the Sponsor is seeking private contributions to complete the Local Share, the Sponsor is responsible for ensuring that the full Local Share is provided.

- e. To seek reimbursement from DOT, the Sponsor shall submit documentary evidence of all expenditures associated with the Grant Project set forth in Section C.3.b above, and included in the Total Project Cash Costs set forth in Section C.3.a above (those to be covered by the local and/or state contribution, as well as those covered by the Federal contribution) on a monthly basis. DOT will reimburse the Sponsor on a monthly basis for **83.33 percent** of all valid expenditures submitted (the specific Federal share of Total Project Cash Costs is set forth in Sections C.3.a and C.3.b above), subject to Section C.3.c, above, and Sections C.3.f and C.3.g, below. All reimbursement requests to DOT shall include sufficient documentation to justify reimbursement of the Sponsor, including invoices and proof of payment of the invoice.
- f. Payment of the final ten percent (10%) of the Federal funding for the Grant Project will be made after receipt by DOT of the final report set forth in Section C.4 below.

Section C.4.g shall apply only if this box is checked.

- g. No reimbursement by DOT will be made until the Sponsor has provided DOT with a copy of the revenue guarantee, subsidy, or financial incentive agreement between the Sponsor and air carrier(s), including the cost and revenue bases for the compensation required.

Section C.4.h shall apply only if this box is checked.

- h. At the sole option of DOT, funding may terminate twelve (12) months after the Execution of this Grant Agreement if the Sponsor is unable to execute an agreement with an Air Carrier to provide the new air service described above, unless otherwise agreed between the Sponsor and DOT.

Section C.4.i shall apply only if this box is checked.

- i. At the sole option of DOT, funding may terminate within six (6) months after execution of an agreement with an Air Carrier to provide the new air service described above if the marketing program to support the service has not been developed and implemented, unless otherwise agreed between the Sponsor and the DOT.

Section C.4.j shall apply only if this box is checked.

- j. At the sole option of DOT, funding under this Grant Agreement may terminate if no air service by an Air Carrier has commenced within twelve (12) months after the Execution of this Grant Agreement, unless otherwise agreed between the Sponsor and DOT.

- k. If during the term of a revenue guarantee agreement, subsidy agreement, or other financial incentive agreement with the Community, the Air Carrier stops providing the agreed-upon service, DOT will only provide reimbursement to the Grant Recipient for the actual service provided by the Air Carrier under the relevant agreement.
- l. The Sponsor shall ensure that the funds provided by DOT are not misappropriated or misdirected to any other account, need, project, line-item, or the like.
- m. All requests for reimbursement must be made by the Grant Recipient within sixty (60) calendar days after the date of expiration (see Section B.4) of this Grant Agreement.
- n. All expenses for this Grant Project must be incurred by the date of expiration of this Grant Agreement (see Section B.4), unless otherwise agreed between the Sponsor and DOT.
- o. Should this Grant Agreement be terminated prior to the expiration date provided herein (see Section B.4), DOT reserves the right to require that the Sponsor return to DOT any of the funds reimbursed for expenses subsequently deemed ineligible.

4. Reports

- a. Grant Project reports, including progress on milestones as set forth in Section 4.b, below, shall be reported to DOT on a quarterly basis, with reports due to DOT as follows: January 15 for the First Quarter, April 15 for the Second Quarter, July 15 for the Third Quarter, and October 15 for the Fourth Quarter. **The first Grant Project report is due on April 15, 2017.**
- b. Project reports shall include the following: (i) brief narrative detailing the status of the Grant Project and the progress being made towards the scope of the Grant Project described in Section C.2; (ii) status report on the hiring of any consultants in conjunction with implementation of the Grant Project; (iii) status report on progress toward completion of any and all In-Kind Contributions committed to implementation of the Grant Project as described in Section C.3.a above and in the Grant Application, or alternative Third-Party In-Kind contributions approved by DOT, including documentation evidencing that In-Kind Contributions were made; (iv) status report on any and all marketing or promotional activities undertaken; (v) status report on any and all contract negotiations with Air Carriers, including any revenue guarantee, subsidy, or financial incentive agreements; and (vi) status report on contract negotiations with other third parties in conjunction with the implementation of the Grant Project.
- c. Final report (in a format to be provided by DOT) of the Sponsor's assessment of the Grant Project shall be made to DOT within three months after expiration of this Grant Agreement or conclusion of the Grant Project, whichever occurs earlier.

5. Sponsor Obligations

Section C.5.a shall apply only if this box is checked.

- a. Within three months following the date of Execution of the Grant Agreement, the Sponsor shall submit to DOT a detailed marketing plan as set forth in the Grant Application, including the types of media to be used, projected expenditures for each marketing component, and timeline for release of the marketing/advertising material.

Section C.5.b shall apply only if this box is checked.

- b. Within six (6) months following the date of execution of an agreement with an Air Carrier for service at the community, the Sponsor shall submit to DOT a detailed marketing plan as set forth in the Grant Application, including the types of media to be used, projected expenditures for each marketing component, and timeline for release of the marketing/advertising material.
- c. The Sponsor shall, within fifteen (15) calendar days after their execution, provide DOT with a copy of all agreements executed between the Community and any consultants, Air Carriers, or other parties with respect to the Grant Project. The Sponsor shall, within fifteen (15) calendar days after execution, also provide DOT with notice of any amendment to, or termination of such agreements. The Sponsor shall ensure that all agreements entered into with third parties regarding this grant are consistent with this Grant Agreement and the documents incorporated by reference into the Grant Agreement, and any amendments or modifications executed, pursuant to Section B.
- d. The Sponsor shall ensure that the obligations set forth in this Grant Agreement are met. Failure to do so may result in termination of the Grant Agreement by DOT.

D. ASSURANCES

The Sponsor shall execute the attached assurances and certifications (Assurances) in conjunction with its signing of this Grant Agreement and shall ensure compliance by the Grant Recipient with these Assurances and any amendments or modifications thereto. The Assurances are integral parts to this Grant Agreement and are deemed to be incorporated by reference into this Grant Agreement.

E. DEFINITIONS

Air Carrier: A United States-certificated air carrier undertaking to provide air transportation, including, without limitation, scheduled and unscheduled air carriers, regional air carriers, commuter air carriers, and air taxi operators.

Assurances: This term shall have the meaning ascribed to it in Section D of this Grant Agreement.

Community: All parties identified in the Grant Application as participating in the Grant Project, including the Sponsor.

DOT: United States Department of Transportation.

Execution of Grant Agreement: Signing of this Grant Agreement by DOT and the Sponsor.

Federal Share: Federal funds authorized for use by the Grant Recipient in implementing the Grant Project.

Grant Agreement: This written agreement between DOT and the Sponsor describing the scope of the Grant Project and setting forth the terms and conditions of the Community's participation in the Small Community Air Service Development Program, and incorporating by reference (a) all attachments and exhibits to this Grant Agreement, including the Assurances, in their entirety; (b) the Grant Application, except to the extent inconsistent with the terms of this written agreement; and (c) DOT Order 2015-6-18 in its entirety.

Grant Application: The complete document submitted in FY 2016 to DOT by the Community in Docket DOT-OST-2015-0126, including any information submitted in the docket as confidential material.

Grant Project: The scope of the project set forth in Section C.2 of this Grant Agreement.

Grant Recipient: Community receiving the SCASDP grant, including the Sponsor.

In-Kind/Third-Party In-Kind Contribution: Property or services that benefit the Grant Project and that are contributed by non-Federal third parties without charge to the Grant Recipient or a cost-type contractor under the Grant Agreement.

Local Share: Public, community, state, or private funds described in the Grant Application for use in implementing the Grant Project, excluding any In-Kind Contributions (including Third-Party In-Kind Contributions).

Party: DOT and/or the Sponsor, as the context indicates.

Proposal: A proposed project described by the Community in its Grant Application.

Quarter or Quarterly: Calendar quarter. Reports or other information required for submission on a quarterly basis are due no later than 15 calendar days after the close of the calendar quarter.

Small Community Air Service Development Program (SCASDP): A grant-in-aid financial assistance program originally established under the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21), Pub. L. No. 106-181, as amended by Vision 100—The Century in Aviation Reauthorization Act, Pub. L. No. 108-176, and the FAA Modernization and Reform Act of 2012, Pub. L. No. 112-95, and codified in Title 49 U.S.C. § 41743.

Sponsor Obligations: Responsibilities of the Sponsor under this Grant Agreement and those documents incorporated by reference into the Grant Agreement as set forth above (see definition of Grant Agreement).

Sponsor: A government entity and legal sponsor of the Grant Recipient that agrees pursuant to this Grant Agreement to administer and oversee implementation of this Grant Agreement and the fulfillment of the Grant Project.

Total Project Cash Costs: Sum of the Federal and local cash shares contributed toward completion of the Grant Project, excluding any In-Kind Contributions (including Third-Party In-Kind Contributions). Total Project Cash Costs are described in Sections C.3.a and C.3.b of this Grant Agreement.

GRANT AWARD AND AGREEMENT

This Grant Award and Agreement is made in accordance with Title 49 U.S.C. § 41743 and is subject to the terms and conditions of this Grant Agreement and the Assurances attached hereto and incorporated herein.

Executed this _____ day of _____, 2016.

(SEAL)

United States Department of Transportation

Brooke Chapman
Associate Director
Small Community Air Service Development
Program

ACCEPTANCE

The undersigned Sponsor agrees to accomplish each element of the Grant Project in compliance with the terms and conditions of this Grant Agreement and the Assurances attached hereto and incorporated herein.

Executed this _____ day of _____, 2016.

Sponsor Name
City and State

(SEAL)

By: _____
Signature of Sponsor's Designated Official Representative

Printed Name

Title

Attest: _____

Title: _____

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)

Emergency Care Advisory Board (3-year terms)

10/01/2013	Stephen Neumann	04/21/2018 (resigned)
04/21/2010	Brian Eades	04/21/2019 (resigned)

Library Advisory Board (3-year terms)

09/10/2013	Joy Brennaman	07/19/2016
10/01/2013	Cullen Lutz	09/30/2016
09/07/2010	Mary Roman-Jordan	07/19/2016

Parks and Recreation Board (3-year terms)

01/02/2013	William Chafin	07/01/2016
09/10/2013	Terry Easterling	07/01/2016
01/02/2013	David Hudson	07/01/2016
09/13/2011	Rene McCown	07/01/2017 (resigned)
01/02/2013	Bill Bandy	07/01/2016 (resigned)

Planning and Zoning Commission (3-year terms)

06/28/2011	David Craig	05/15/2016
05/14/2014	Jessie Phifer	05/15/2018 (resigned 07/11/2016)