AGENDAS

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, NOVEMBER 1, 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 Economic Development Strategic Plan;
 - (3) Discussion on Hughes Street Pedestrian Safety Enhancements;
 - (4) Discussion on Preliminary Project and Financing Plan for East Gateway TIRZ #2; and
 - (5) Consider future Agenda items and request reports from City Manager.
- B. City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:
 - (1) Section 551.074 Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee, in accordance with the Texas Open Meetings Act.
 - (2) Discuss goals and objectives regarding upcoming search for City Manager, candidate profile, recruitment planning and related matters.
 - (3) Sec. 551.087. Discuss commercial or financial information received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the City and with which the governmental body is conducting economic development negotiations; and to deliberate the offer of a financial or other incentive to a business prospect.

REGULAR MEETING ITEMS

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

PROCLAMATION: "National Hospice Month"

1. MINUTES:

Approval of the City Council minutes of the regular meeting held on October 25, 2016.

2. PRESENTATION AND DISCUSSION OF PARTNERSHIP BETWEEN WEST TEXAS A&M UNIVERSITY AND CITY OF AMARILLO: Dr. Walter Wendler, President of West Texas A&M University.

3. PUBLIC HEARING - CREATION OF EAST GATEWAY TAX INCREMENT REINVESTMENT ZONE NUMBER 2:

This is a public hearing on the creation of East Gateway Tax Increment Reinvestment Zone Number Two, City of Amarillo, Texas (the "Zone") under the provisions of Chapter 311 of the Texas Tax Code and the benefits of the Zone to the City and the property in the Zone. (The general impact of the proposed Zone will be to increase the value of taxable properties through the construction of new public and private improvements.)

4. **ORDINANCE NO. 7627:**

This is the first reading of an ordinance creating the East Gateway Tax Increment Reinvestment Zone Number Two, City of Amarillo, Texas (the "Zone") under the provisions of Chapter 311 of the Texas Tax Code.

5. **ORDINANCE NO. 7628:**

This is the first reading of an ordinance rezoning of a 43.32 acre tract of land in Section 3, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District (A) to Residential District 2 (R-2). (Vicinity: Bell Street and Attebury Drive.)

6. **RESOLUTION – MUNICIPAL COURTS WEEK:**

This resolution recognizes the importance of Municipal Courts, the rule of law, and the fair and impartial administration of justice; and declares November 7-11, 2016 as "Municipal Courts Week," in the City of Amarillo.

7. <u>RESOLUTION - ESTABLISHING THE OFFICIAL POLICY FOR THE RENAMING OF CITY STREETS:</u>

This resolution establishes the official policy for the City of Amarillo on the renaming of City streets.

8. **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. <u>Approval -- Appointments Public Health Authority/Medical Director</u>:
 This item considers the appointment of Scott Milton to serve as Health Authority for Potter and Randall Counties and Dr. Thien Vo to serve as Medical Director for Public Health. This recommendation comes from the Amarillo Bi-city-County Health District Board.
- B. <u>Approval Change Order No. 2 Job #521943: Hillside Terrace Estates</u> 30" Sewer Replacement Contract 1 Soncy Road to Arden Road Project:

Original Contract:

\$986,565.00

Previous Change Orders:

\$54,785.00

Current Change Order:

\$11,987.26

Revised Contract Total:

\$1,053,337.26

This item is to approve Change Order No. 2 to the contract with Condie ConstructionCompany, Inc. for additional work on the 30" sewer pipeline.

C. <u>Approval – Water Rights Agreement between Ezra's Old Place and the City of Amarillo:</u>

Parties desire to clarify Ezra's rights concerning the number of water wells that may be drilled. Ezra grants to the City a water line easement(s) over, across and under 10 feet on either side of the City's existing water lines.

D. <u>Approval of Payment – Tri State Fairgrounds</u>:

Authorization to pay \$50,000 from the Civic Center Activity Fund to fund the sponsorship payment for the American Quarter Horse 2016 Adequan Select Event.

9. **PRESENTATION**: Amarillo 101 VIII Graduation and Recognition.

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. Planning and Zoning Commission, minutes of October 10, 2016.
- 2. Boards and Commissions appointments as listed on attached.

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

Posted this 28th day of October 2016.

STATE OF TEXAS COUNTIES OF POTTER AND RANDALL CITY OF AMARILLO

On the 25th day of October 2016, the Amarillo City Council met at 3:00 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
ELISHA 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
BOB COWELL
BILAIR SNOW
BLAIR SNOW
FRANCES HIBBS
INTERM CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
MANAGEMENT ANALYST
FINANCES HIBBS

The invocation was given by Greg Corona, Hillande Christian Church. Mayor Harpole led the audience in the Pledge of Allegiance.

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

ITEM 1: Mayor Harpole presented the minutes for October 18, 2016. Motion was made by Councilmember Burkett to approve the minutes, seconded by Councilmember Demerson, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented the second and final reading of an ordinance rezoning Lot 7 Block 34 Eastridge Addition Unit No. 4, Section 104, Block 2, AB&M Survey Potter County, Texas plus one-half of all bounding streets, alleys and public ways to change from Residential District 2 to Residential District 2 with a Specific Use Permit for placement of a carport (Address: 1327 Dahlia Street). Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned adjunance be passed on second and final reading:

ORDINANCE NO. 7624

AN ORDINANCIOF 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 NORTHEAST 16TH AVENUE AND DAHLIA STREET, POTER COUNTY, TEXAS. PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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 3: Mayor Harpole presented the second and final reading of an ordinance rezoning Lot 22, Block 39, Grandview Addition Unit No. 11, in Section 139, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways to change from Residential District 1 to Residential District 1 with a Specific Use Permit for the placement of a carport (Address: 3117 Browning Street). Motion was made by Councilmember Burkett, seconded by Councilmember Blake, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7626

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

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 4: Mayor Harpole advised that appointments are needed for certain boards and commissions. Councilmember Demerson motion to appoint to the Airport Advisory Board, Tom Hickman, Thomas Devlin and Freda Powell to replace Robert Dempsey, Jim Mitchell and John Whitaker and to reappoint John S. Denton and Bill Harris, such terms to expire October 1, 2019; motion was seconded by Councilmember Nair. Councilmember Burkett suggested to replace Jim Mitchell with Lowder and consider Mary Braley. Without a second the motion was not considered. Councilmember Demerson stated there are additional names in the queue and the subcommittee did not want to take them out of order of submission. He also wated the need for diversity. He further stated he would like to see the subcommittee changed on with the Council at the first of the year. Councilmember Burkett wated he would like it to take effect November 1.

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

Councilmember Demerson motion to reappoint to the Board of Review Landmarks & Historic District, L.V. Perkins and Ton Thatcher and replace Carson Burgess and Kim Crawford with Wes Knapp and Anne Jones, such terms to expire May 21, 2019; motion was seconded by Councilmember Blake James Schenck, 6216 Gainsborough Street, stated Tom Warren is involved with the City and should be considered for a board. Councilmember National board member's attendance is considered and the subcommittee does not want to set a bad precedence. He further stated the need to keep board members for the two terms. Keith Grays, 707 South Polk Street, inquired if Council could appoint additional board members. Mayor Harpole replied the boards are currently under the eview. Councilmember National Stated many of the boards are created by ordinance. Mr. McKamie replied that some boards are sized by state law. Cole Camp, 4402 marlene Street noted some terms are not actual full terms by the time they are appointed.

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

Councilmember Demesson motion to reappoint to the Downtown Urban Design Review Board, Steve Pair and appoint Alan Cox as an alternate member, such terms to expire August 17, 2019; motion was seconded by Councilmember Blake.

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. Councilmember Burkett stated he would have liked to nominate Tom Warren, III.

Councilmember Demerson motion to reappoint Stephen Carter to the Greenways Public Improvement District Advisory Board, such term to expire September 30, 2019; motion was seconded by Councilmember Burkett.

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.

Councilmember Demerson motion to reappoint Sam Reeves to the Texas Panhandle Centers, such term to expire October 4, 2018; motion was seconded by Councilmember Blake. Councilmember Nair explained there were some exceptions to the rule on two term limits. Some boards have legal obligations or certain authority.

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.

Councilmember Burkett motion to appoint to the Zoning Board of Adjustment, Page Butler to replace Tom Kolius, Alpesh Patel to replace Craig Davis, and move Chris Rhynehart to a voting member. Without a second the motion was not considered. Councilmember Demerson motion to reappoint to the Zoning Board of Adjustment, Craig Davis and Tom Kolius, to appoint Jackie Payne as an alternate member and move Chris Rhynehart to a voting member position, such terms to expire September 1, 2018, motion was seconded by Councilmember Nair.

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

<u>ITEM 5</u>: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Councilmember Nair to approve the consent agenda, seconded by Councilmember Demerson.

A. <u>Award – Purchase of Point of Sale (POS) System for Civic Center Complex Concessions:</u>

Best evaluated response: Appetize Technologies, Inc -- \$131,973.64 This is a new, first time purchase of an integrated POS System for use throughout the Civic Center Complete managing and reporting concession sales and inventory for all events. Funding for this award is available in the FY 2015 Capital Improvement Fund for the Civic Center complex.

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.

Mr. Childers asked Michelle Bonner to present the Capital Improvements Program expenditures both historical and current. Mr. Childers stated Council was previously presented this information and the need for capital funding during the budget workshop. Ms. Bonner presented in five year capital improvement comparison and the general construction fund.

James Schenck, 62 Gainsberough Street, inquired where this information was before the bond election. Mayor Harpole replies it was presented at the budget meetings. Mr. Schenck, stated this was information the press needed. Mayor Harpole replied he does not control the press Mr. Childers stated this information was laid out in March and April and the need to have the capital program addressed. The only piece not provided was the five year comparison. He further stated this information was made available to Council turing workshops. It was stated that the City could no longer afford to pay as you go and they have been stripped of the ability to have a real capital program to address the community's needs. Mr. Schenck stated the City was divided over the taxes and going to deeper debt. Councilmember Nair stated he was pushing for open government through the 311 technology. Mr. Schenck questioned the use of City property to advocate the bond election. Allen Finegold, 2601 North Grand Street, stated he has previously requested that the City hold hearings on capital improvements, streets, and drainage.

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

Jesse Pfrimmer, 5723 South Milam Street, presented his recent water bill. He further stated rates have consistently been raised over the last eight years. He further inquired if Every Drop Counts, why is it costing more, and there was no reward for conservation. Mr. Childers stated they would engage a rate consultant to help design policy objectives and conservation. Kit Rudd, 6850 Grande, stated there was no human compassion in Dallas and he appreciated the City working with YCCO. Keith Grays, 707 South Polk Street, questioned the renaming of a portion of North Hughes Street, to Martin Luther King, Jr. Boulevard because of the history of Hughes Street. He further stated in 1995,

John Ward, City Manager, cleaned up Wild Horse Lake and the adjacent park was named Martin Luther King, Jr. park. Changing the name would change Amarillo's history and the precedence has not been to change street names but name them as designations. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:		
Frances Hibbs, City Secretary	Paul Harpole, Mayor	



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Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 1, 2016	Council Priority	Best Practices and Infrastructure

Agenda Caption

Public Hearing and First Reading of an Ordinance Establishing the East Gateway Tax Increment Reinvestment Zone #2

This is a public hearing and first reading of an Ordinance establishing the East Gateway Tax Increment Reinvestment Zone #2, City of Amarillo Texas under the provisions of Chapter 311 of the Texas Tax Code.

Agenda Item Summary

This item considers an Ordinance establishing a 940 acre TIRZ for the purposes of addressing infrastructure deficiencies that impede economic growth in the area and to afford opportunities to make public investments that will induce further economic growth in the area. The item establishes the TIRZ, creates the TIRZ fund, establishes the TIRZ Board and approves the Preliminary Project and Financing Plan.

The requested action follows several Council workshops and presentations. The taxing entities in the proposed TIRZ area have been provided written notice of the actions to be considered and copies of the Preliminary Project and Financing Plan.

Requested Action

Conduct Public Hearing and approve the Ordinance establishing the TIRZ

Funding Summary

See the TIRZ Preliminary Project and Financing Plan

Community Engagement Summary

Individual discussions between staff and the major property owners in the area have been conducted. Workshop presentations have been conducted in public meetings, a public hearing is being conducted by the City Council, notice of the public hearing has been posted in the newspaper and presentations to taxing entities will be conducted in public meetings.

City Manager Recommendation

Recommend approval of the proposed Ordinance

ORDINANCE NO. 7627

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: DESIGNATING A CERTAIN CONTIGUOUS GEOGRAPHIC AREA IN THE CITY OF AMARILLO, **TEXAS** THE "EAST **GATEWAY** INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF AMARILLO, TEXAS;" CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING EFFECTIVE **AND DATES TERMINATION FOR** THE ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; AND CONTAINING OTHER MATTERS RELATED TO THE ZONE; PROVIDING A SEVERANCE CLAUSE; PROVIDING EFFECTVE DATE.

WHEREAS, the Amarillo City Council desires to promote the development or redevelopment of a certain contiguous geographic area in the City of Amarillo, which is more specifically described in Exhibit "A" and depicted by map in Exhibit "B", this Ordinance (the "Zone"), through the creation of a new reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, Chapter 311, Texas Tax Code; and

WHEREAS, notice of the public hearing was published in a newspaper of general circulation in the City on October 21, 2016, which satisfies the requirement of Section 311.003(c) of the Texas Tax Code and that publication of the notice occurred not later than the seventh day before the date of the public hearing.

WHEREAS, the City is providing written notice to the governing body of each taxing unit that levies real property taxes in the Zone of (ii) the City's intent to establish the Zone; (ii) a description of the boundaries of the Zone; (iii) the City's tentative plans for development of the Zone; and (iv) an estimate of the general impact of the Zone on property values and tax revenues; and

WHEREAS, the City has prepared a preliminary financing plan and project plan for the Zone and is providing a copy of that plan to the governing body of each taxing unit that levies taxes on real property in the Zone, as required by Section 311.003(b) of the Texas Tax Code; and

WHEREAS, in accordance with Section 311.003(f) of the Texas Tax Code, the City is making a single presentation to the governing body of each taxing unit that levies real property taxes in the Zone, as agreed to by such governing bodies, which presentation, among other things, includes (i) a description of the proposed boundaries of the Zone; (ii) the City's tentative plans for development of the Zone; and (iii) an estimate of the general impact of the Zone on property values and tax revenues; and

WHEREAS, on November 1, 2016 a public hearing was conducted by the City Council on the creation of the Zone and its benefits to the city and to property in the Zone, and afforded a reasonable opportunity for (i) all interested persons to speak for or against the creation of the Zone, its boundaries or the concept of tax increment financing and the creation of a board of directors for the zone and (ii) owners of real property in the Zone to protest inclusion of their property in the Zone, as required by Sections 311.003(c) and (d) of the Texas Tax Code;

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

Section 1. Findings

That after reviewing all information before it regarding the establishment of the East Gateway Tax Increment Reinvestment Zone Number 2 and after conducting a public hearing regarding the creation of the Zone and its benefits to the City and to property in the Zone and affording a reasonable opportunity for (i) all interested persons to speak for or against the creation of the Zone, its boundaries or the concept of tax increment financing and (ii) owners of real property in the Zone to protest inclusion of their property in the Zone, the City Council hereby makes the following findings of fact:

- 1.1 The statements and facts set forth in the recitals of this Ordinance are true and correct. Therefore, the City has met the notice and procedural requirements set forth in Chapter 311 of the Texas Tax Code for creation of a reinvestment zone.
- 1.2 Development or redevelopment of the property in the zone as a whole has not occurred in the past and will not occur solely through private investment in the reasonable foreseeable future.
- 1.3 Improvements in the Zone, including, but not limited to those putlined to the City Council and the governing bodies of all other taxing units that levy real property taxes in the Zone, will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the City, its residents and property owners.
- 1.4 The Zone is a contiguous geographic area wholly within the corporate limits of the City.
- 1.5 Among other things, areas within the Zone include and that substantially impairs and arrests the sound growth of the City, retards the provision of housing accommodations and constitute an economic liability and a determent to the public health and safety because of (i) a substantial number of substandard, deteriorated and deteriorating structures (ii) the predominance of madequate sidewalk and street layouts; (iii) faulty for layout in relation to size adequacy, accessibility and usefulness; (iv) unsanitary and made conditions. (v) the deterioration of site and other improvements; and (vi) conditions that endanger life and property by fire or other cause. Therefore, the area within the Zone meets the criteria for designation of a reinvestment zone and satisfies the requirement of Section 311.005 of the Texas Tax Code.
- 1.6 According to the most recent appraisal roll of the City, the total appraised value of all taxable real property in the Zone and in existing reinvestment zones in the City does not exceed fifteen percent (15%) of the total appraised value of taxable real property in the City and in industrial districts created by the City, if any.
- 1.7 The Zone does not contain more than fifteen percent (15%) of the total appraised value of real property taxable by any county or school district.
- 1.8 Ten percent (10%) or less of the property in the Zone, excluding property dedicated to public use, is used for residential purposes (defined as any property occupied by a house having fewer than five living units) and such residential property does not exceed 15% of the total appraised value of real property taxable in the municipality and in industrial districts created by the city, if any.

Section 2. Designation of Zone

That the City Council hereby designates the Zone as described by metes and bounds and depicted by map, both attached hereto as **Exhibit "A" and "B"** and made a part of this Ordinance for all purposes, as a reinvestment zone pursuant to and in accordance with Chapter 311 of the Texas Tax Code. This reinvestment zone shall be known as "East Gateway Tax Increment Reinvestment Zone Number Two, City of Amarillo, Texas."

Section 3. Board of Directors

A board of directors for the Zone ("Board") is hereby created. The Board shall consist of nine (9) members who shall serve for terms of two (2) years each. The Board shall be appointed as follows:

- 3.1 Of these nine (9) members, each taxing unit other than the City that levies taxes on real property in the Zone may, but is not required to, appoint one (1) member to the Board. Within 60 days of the passage of this Ordinance, each taxing unit other than the City may designate to the City either the name of the member that the taxing unit wishes to appoint or the fact that the taxing unit wishes to waive its right to appoint a member. The City Council shall appoint whatever number of members is necessary to fill the remaining positions on the Board. All members appointed to the Board shall meet the eligibility requirements as set forth in Section 311.009 of the Texas Tax Code. Such members may be members of the City Council.
- 3.2 The City Council shall annually designate a member of the Board to serve as chairperson of the Board and the Board shall elect from its members a vice chairperson or other of from as it considers appropriate.
- 3.3 The Board shall make recommendations to the City Council concerning the administration management and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City for its approval. The Board shall perform all duties imposed upon it by chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issue bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone's project plan or financing plan.

Section 4. Effective Date of Zone

That the Zone shall take effect upon the final adoption of this Ordinance and terminate on the earlier of (i) November 8, 2046 or, (ii) at an earlier termination date designated by a subsequent ordinance adopted after the effective date of this Ordinance, or (iii) the date on which all project costs, tax increment bonds and interest on those bonds have been paid in full.

Section 5. Determination of Tax Increment Base

The Tax Increment Base for the Zone is \$43,560,700 as of January 1, 2016, which is the total appraised value of all taxable real property located in the reinvestment zone in the year of the Zone's designation.

Section 6. Tax Increment Fund

A tax increment fund for the Zone ("TIF Fund") is hereby created and established. The TIF Fund may be divided into such accounts as may be authorized by subsequent resolution or ordinance of the City Council. The TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Tax Code, plus (ii) one hundred percent (100%) of the City's tax increment, as defined by Section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment. The NF Fund small be maintained in an account at a depository bank of the City and shall be secured in the manner prescribed by law for Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or part from the tax increments; (ii) revenues from the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. TIF Funds will be used solely in accordance with Section 311.014 of the Texas Tax Code.

Section 7. Tax Increment Agreements

Those, pursuant to Sections 311.008 and 311.013 of the Texas Tax Code, the City Manager and City Attorney are hereby authorized to execute and deliver, for and on behalf of the City, tax increments with taxing units that levy real property taxes in the Zone.

Section 8. Severability

That it my portion, section or part of a section of this Ordinance is subsequently declared invalid, inoperative or void for any reason by a court of competent jurisdiction, the remaining portions, sections or parts of sections of this Ordinance shall be and remain in full force and effect and shall not in any way be impaired or affected by such decision, opinion, or judgment.

Section 9. Effective Date

That the establishment of the East Gateway Tax Increment Reinvestment Zone Number 2, Amarillo, Texas shall take effect on the date of the final passage of this Ordinance.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this 1st day of November 2016, and PASSED on Second and Final Reading on this the 8th day of November 2016.

Paul Harpole, Mayor

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Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



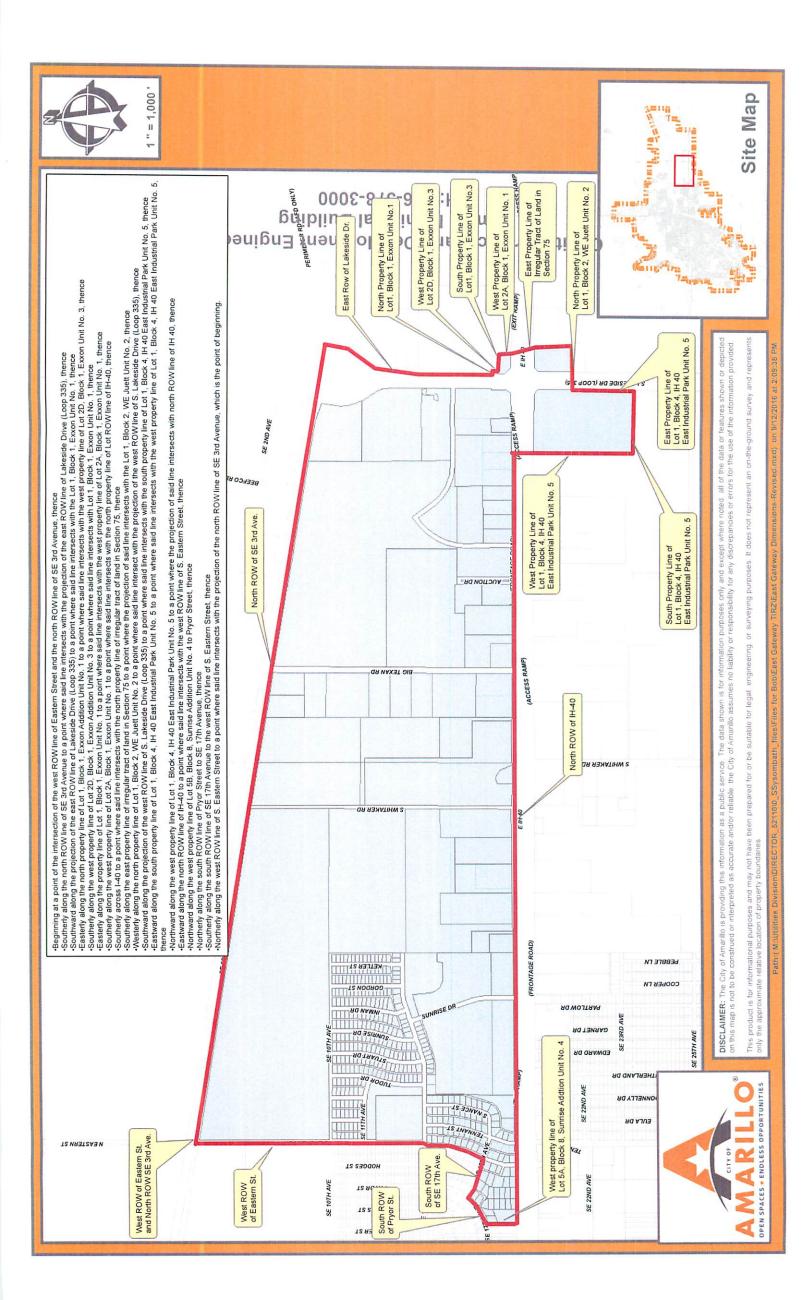
Exhibit A

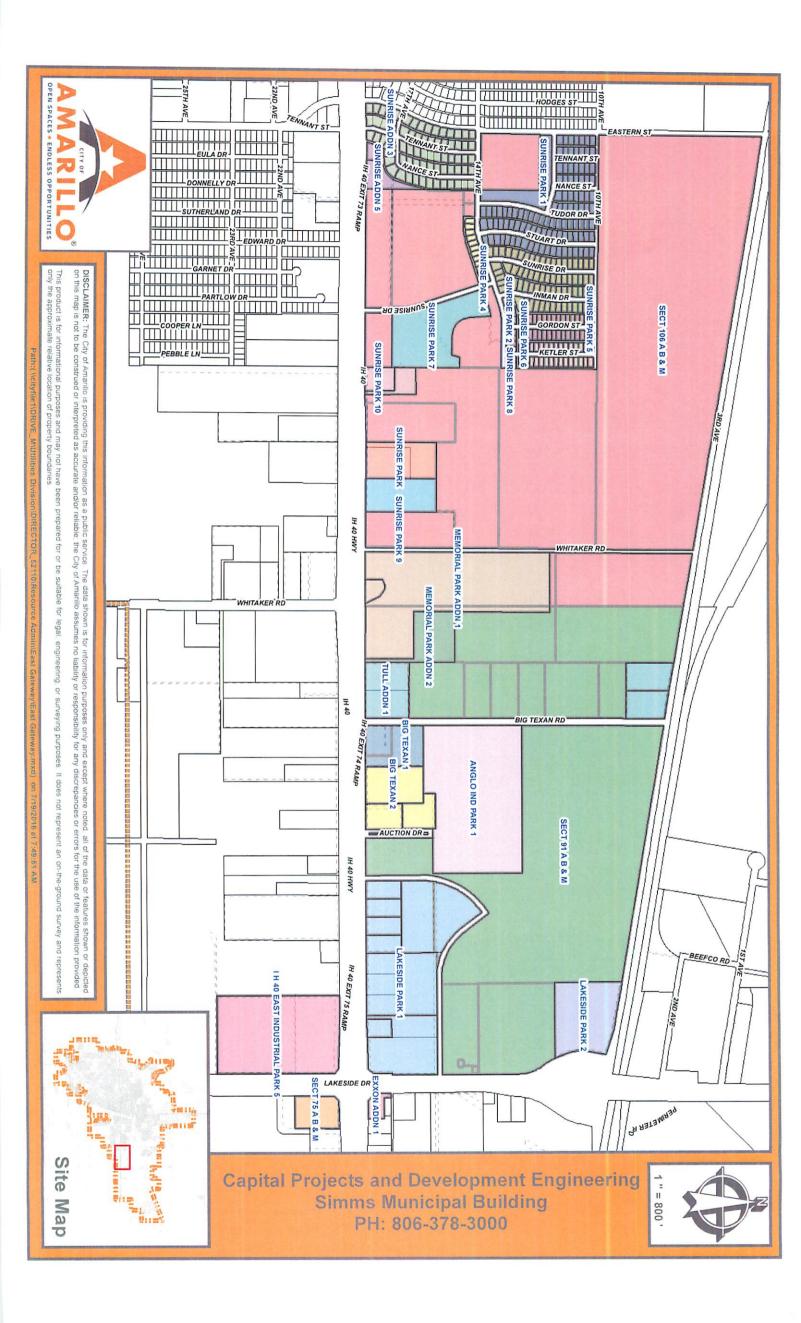
Metes and Bound Description

Exhibit A

Map Depiction of Zone











Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 1, 2016	Council Priority	Community Appearance	

Agenda Caption

Vicinity: Bell St. & Attebury Dr.

Rezoning of a 43.32 acre tract of land in Section 3, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District (A) to Residential District 2 (R-2).

Agenda Item Summary

This tract of land is currently zoned A as a result of being annexed in 1982 and 2015 – the A district is the "holding zone" for all Amarillo annexations. This rezoning is consistent with the approved preliminary plan associated with this site, which was approved on 8/17/2016. This preliminary plan contains 11 residential phases and 8 commercial phases, of which this rezoning is associated with phase 1 of the residential development.

This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which indicates suburban residential land use for this area. Changing conditions in the area with an increase in development southward across Loop 335 is also consistent with this request.

Zoning to the north of Loop 335 near this location consists primarily of residential zoning districts for which this zoning request is consistent. The establishment of residential zoning districts next to agricultural districts is consistent with the reasonable transitions between zoning districts as stated in the adopted Zoning Ordinance, and in this case, residential districts are the next less restrictive zoning district from Agriculture (A).

When analyzing locations of residential development in reference to education facilities within the city and how this concept relates to the principles of neighborhoods in the adopted Comprehensive Plan, the establishment of residential developments around educational facilities is common practice, and this request is consistent with such development to occur around Randall High School and Sundown Lane Elementary School.

Based on the above analysis, it appears the request will not have any detrimental impacts on the nearby area.

Requested Action

The applicant is requesting a change in the zoning of 43.32 acres, currently Agricultural (A), to Residential district 2 (R-2), in order to develop the next phase of the planned Pinnacle subdivision with single-family residences.

Amarillo City Council Agenda Transmittal Memo



Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 2 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request, either in favor of or in opposition to the request.

The item was recommended for approval by 6:0 vote of the Planning and Zoning Commission at its October 24, 2016 public meeting.

City Manager Recommendation

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

ORDINANCE NO. 1/628

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 BELL ST. & ATTEBURY DR., RANDALL 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 43.32 acre tract of land in Section 3, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Residential District 2.

DESCRIPTION

FIELD NOTES A 43.32 acre tract of land being a portion of a tract of land described in that certain instrument recorded in Volume 662, Page 143 of the Deed Records of Randall County, Texas, all out of Section 3, Block 9, B.S.& F. Survey, Randall County, Texas and said tract of land being further described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod, found at the southwest corner of Hollywood South Unit No. 2, an addition to the City of Amarillo, according to the recorded map or plat thereof, of record in Volume 782, Page 303 of the Deed Records of Randall County, Texas;

Thence S. 89° 44' 59" E., (Directional Control GPS Observation WGS-84), 407.88 feet to the northwest and BEGINNING CORNER of this tract of land;

Thence S. 89° 44' 59" E., 530.00 feet along the south right-of-way line of Attebury Drive as dedicated by said Hollywood South Unit No. 2 to a 3/8 inch iron rod with a cap stamped "KEYS R.P.L.S. 2507", found at the northwest corner of The Pinnacle Unit No. 1, an addition to the City of Amarillo, according to the recorded map or plat thereof, of record under Clerk's File No. 2015009533 of the Official Public Records of Randall County, Texas;

Thence S. 00° 15' 01" W., 408.86 feet to a 3/8 inch iron rod with a cap stamped "KEYS R.P.L.S. 2507", found at the southwest corner of said The Pinnacle Unit No. 1 and a jog corner of this tract of land;

Thence S. 89° 44' 59" E., 338.80 feet to a 3/8 inch iron rod with a cap stamped "KEYS R.P.L.S. 2507", found at the southeast corner of said The Pinnacle Unit No. 1 and a jog corner of this tract of land;

Z-16-26 Page 1 of 3

Thence N. 00° 15' 01" E., 408.86 feet to a 3/8 inch iron rod with a cap stamped "KEYS R.P.L.S. 2507", found at the northeast corner of said The Pinnacle Unit No. 1;

Thence S. 89° 44′ 59" E., 781.34 feet along the south right-of-way line of said Attebury Drive to a 1/2 inch iron rod, found the southeast corner of said Hollywood South Unit No. 2 and the northeast corner of this tract of land:

Thence S. 00° 16' 33" E., 48.02 feet to the beginning of a curve to the left having a radius of 970.00 feet;

Thence Southeasterly, along said curve, an arc distance of 686.67 feet with a chord of S. 20° 33' 21" E., 672.43 feet to the end of said curve;

Thence S. 40° 50′ 10″ E., 182.86 feet to the beginning of a non-tangent curve to the right having a radius of 2530.00 feet and the most easterly southeast corner of this tract of land;

Thence Southwesterly, along said curve, an arc distance of 275.85 feet with a chord of S. 62° 40' 47" W., 275.71 feet to the end of said curve and the beginning of a curve to the left having a radius of 38.50 feet;

Thence Southwesterly, along said curve, an arc distance of 13.01 feet with a chord of S. 56° 07' 27" W., 12.95 feet to the end of said curve;

Thence S. 46° 26' 43" W., 24.97 feet to the beginning of a curve to the left having a radius of 38.50 feet;

Thence Southwesterly, along said curve, an arc distance of 11.08 feet with a chord of S. 38° 11' 54" W., 11.04 feet to the end of said curve and the beginning of a curve to the left having a radius of 116.50 feet;

Thence Southeasterly, along said curve, an arc distance of 158.55 feet with a chord of S. 09° 02' 13" E., 146.59 feet to the end of said curve;

Thence S. 48° 12' 04" E., 30.16 feet to a jog corner of this tract of land;

Thence S. 41° 37' 22" W., 122.00 feet to the beginning of a non-tangent curve to the left having a radius of 788.50 feet;

Thence Northwesterly, along said curve, an arc distance of 264.31 feet with a chord of N. 57° 58' 48" W., 263.07 feet to the end of said curve and the beginning of a curve to the left having a radius of 38.50 feet;

Thence Northwesterly, along said curve, an arc distance of 15.23 feet with a chord of N. 78° 54' 54" W., 15.13 feet to the end of said curve and the beginning of a curve to the right having a radius of 383.50 feet;

Thence Northwesterly, along said curve, an arc distance of 50.47 feet with a chord of N. 86° 28' 36" W., 50.43 feet to the end of said curve;

Thence N. 82° 42' 23" W., 17.90 feet to the beginning of a curve to the left having a radius of 88.50 feet;

Thence Southwesterly, along said curve, an arc distance of 33.42 feet with a chord of S. 86° 28' 36" W., 33.22 feet to the end of said curve and the beginning of a curve to the right having a radius of 2530.00 feet;

Thence Southwesterly, along said curve, an arc distance of 204.89 feet with a chord of S. 77° 58' 48" W., 204.84 feet to the end of said curve and the beginning of a non-tangent curve to the left having a radius of 1370.00 feet;

Thence Southeasterly, along said curve, an arc distance of 145.87 feet with a chord of

Z-16-26 Page 2 of 3

S. 36° 13′ 15" E., 145.80 feet to the most southerly southeast corner of this tract of land;

Thence S. 66° 20' 25" W., 98.81 feet to a jog corner of this tract of land;

Thence S. 81° 17' 03" W., 229.49 feet to a jog corner of this tract of land;

Thence N. 89° 44' 59" W., 142.23 feet to a jog corner of this tract of land;

Thence S. 60° 21' 44" W., 235.03 feet to the most southerly southwest corner of this tract of land;

Thence N. 26° 52' 22" W., 162.17 feet to a jog corner of this tract of land;

Thence N. 31° 50′ 31″ W., 950.62 feet to a jog corner of this tract of land; Thence N. 00° 15′ 01″ E., 491.28 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.

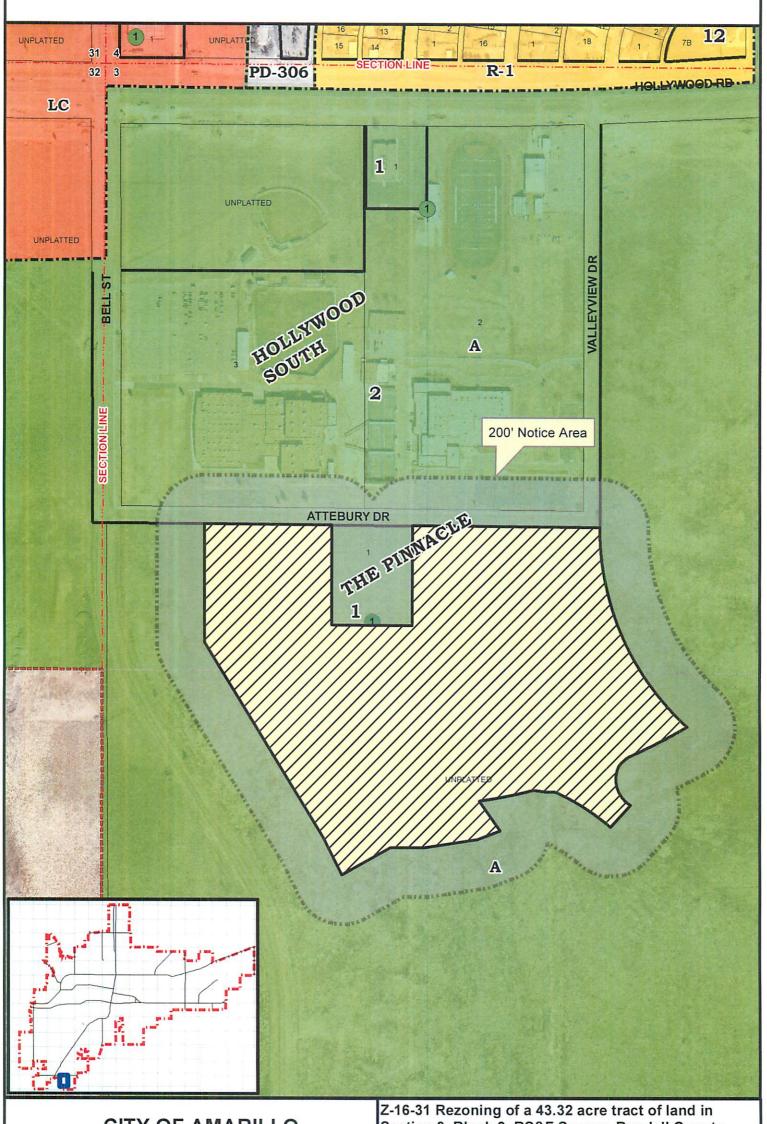
SECTION 3. In the event this ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes 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 da	y of November, 2016 and PASSED on Second and
Final Reading on this the da	y of November, 2016.
ATTEST:	Paul Harpole, Mayor
Frances Hibbs, City Secretary	
APPROVED AS TO FORM:	
William M. McKamie, City Attorney	

Z-16-26 Page 3 of 3

REZONING FROM A TO R-2



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1" = 400' Date: 10-14-16 Case No: Z-16-31



Z-16-31 Rezoning of a 43.32 acre tract of land in Section 3, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Residential District 2.

Applicant: Robert Keys

Vicinity: Bell St. & Attebury Dr.

AP: K-18





Meeting Date	November 1, 2016	Council Priority	Best Practices	
Department	Logal			
Department	Legal			

Agenda Caption

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE: AND DECLARES NOVEMBER 7-11, 2016 AS "MUNICIPAL COURTS WEEK" IN THE CITY OF AMARILLO

Agenda Item Summary

The recognition of Municipal Court Week is requested in support of the Amarillo Municipal Court, its Judges and staff, and in recognition of the excellent service provided to the community. November 7-11 is "Municipal Court Week" throughout Texas.

Requested Action Approval of the Resolution **Funding Summary** N/A **Community Engagement Summary** N/A

City Manager Recommendation

The City Manager and Staff recommend approval in recognition of our Amarillo Municipal Court, its Judges and Staff

RESOLUTION NO
A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE; AND DECLARES NOVEMBER 7-11, 2016 AS "MUNICIPAL COURTS WEEK" IN THE CITY OF AMARILLO
WHEREAS, November 7-11, 2016 has been is Municipal Courts Week throughout Texas; and
WHEREAS, municipal courts play a significant role in preserving public safety and promoting
quality of life in Texas; and
WHEREAS, more people come in contact with municipal courts than all other Texas courts
combined and public impression of the Texas judicial system is largely dependent upon the public's
experience in municipal court; and
WHEREAS, the City of Amarillo has hosted the Amarillo Municipal Court continuously since
1899, and has served as a Court of Record since 1960; and
WHEREAS, state law authorizes a municipality to either appoint or elect a municipal judge for a
term of office, the Amarillo Municipal Court is a Texas State Court and its judges are members of the
State judiciary; and
WHEREAS, the procedures for the Amarillo Municipal Court operations are set forth in the
Texas Code of Criminal Procedure and other laws of the State of Texas; and
WHEREAS, the City of Amarillo is committed to the notion that our legal system is based on the
principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern
us and that judges and court personnel should comply with the law and act in a manner that promotes
public confidence in the integrity and impartiality of the judiciary; and
WHEREAS, Amarillo Municipal Judges are not policy makers for the City of Amarillo, but are
bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of
the governing body of the City Council, city officials, and employees; and
WHEREAS, the City Council recognizes that the Constitution and laws of the State of Texas
contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and
fully supports the Amarillo Municipal Court in complying with such legal requirements.
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
AMARILLO, TEXAS:
That the week of November 7 - 11, 2016 is hereby recognized as and declared "Municipal Court
Week" in recognition of the fair and impartial justice offered to our citizens by the Amarillo Municipal
Court.
INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 1st day of
November, 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	November 1, 2016	Council Priority	Community Counts	
Department				

Agenda Caption

Consideration and possible action on a resolution approving a uniform street renaming policy for the City of Amarillo.

Agenda Item Summary

In August of 2016, discussion regarding the possible renaming of N Hughes St led staff to the need to establish a street renaming policy for the City, by which any request for renaming of a street would be submitted and processed. At the August 26th City Council meeting, staff presented a draft renaming policy to the Council for discussion, which included a general information meeting (consistent with the principles of Blueprint for Amarillo), notifications to internal City departments and external utilities for comment, and notifications to affected property owners, as well as advertising both in the local newspaper and online.

Now that final edits have been made to the document, it is ready for final review and possible adoption by the City Council. The final draft is attached.

Requested Action

Approval of this policy, to guide all future street renaming applications.

Funding Summary

N/A

Community Engagement Summary

The item was presented at the August 26 City Council work session. The public will be able to comment on the policy at the November 1^{st} meeting.

City Manager Recommendation

Staff from the Planning Department and the City Attorney's office have compiled and reviewed the associated policy and resolution, and recommend the City Council approve the item as submitted.

Street Renaming Policy

Policy Statement

The Amarillo City Council may consider renaming of streets if one of the following warrants are met:

- To improve mobility of the community through consistent street names to direct travelers around the community;
- Based on a written petition of at least 60% of the property owners adjacent to a street;
- To honor an individual who has made a substantial contribution to the life of the community, state or nation;
- While living persons may be considered for this honor, it is preferred non-living persons be considered for street renaming; or,
- It is found to be in the best interest of the health, safety, welfare, public convenience, and safety of the citizens of Amarillo.

The Council may amend or modify this policy at any time.

Street Renaming Process

- 1. City receives request for consideration of street renaming. Consideration of the Street Renaming request is heard by the City Council.
- 2. Direction, for the City Manager to initiate the Street Renaming process or not, is given by the City Council.
- 3. Notification will be sent to all relevant internal departments allowing for comment, including but not limited to: Utilities, Public Works, Community Safety & Regulatory Services, Public Safety Communications, Emergency Services. In addition, local utility companies and the US Postal Service will be notified and given the opportunity to comment.
- 4. An estimate for the cost of new street signage associated with the request is provided to the applicant, if applicable.
- 5. Notification will be sent to each owner of record and any tenants that may be identified along the affected street segment to be considered for renaming, informing them of the potential name change.
- 6. The notification will also inform residents and businesses of a date, time and location for a general information meeting on the proposed street name change.
- 7. Communication will be issued to the US Postal Service (USPS) about the potential street name change to obtain input from them and solicit their assistance to residents and business owners in updating physical addresses for postal service.
- 8. Advertisement will be published in the local newspaper of the potential name change together with the date, time and location for the general information meeting. Notices will also be posted to the Amarillo.gov website.

A general information meeting will be conducted to share information and obtain general input on the proposed change.

- 9. Advertisement will also be published in the local newspaper for the public hearings.
- 10. City Council will conduct a public hearing on the proposed Street Renaming to receive public input and receive a report from the Planning Director regarding the general information meeting.
- 11. Upon the conclusion of the public hearing, the Council may act to rename or deny the request.
- 12. Planning staff will send official notification to GIS for updating of city maps, and the addressing authority for the City of Amarillo will send official notification to the US Postal Service, so that their addressing is updated accordingly.

RESOLUTION N	O .

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS ESTABLISHING THE OFFICIAL POLICY FOR THE RENAMING OF CITY STREETS

WHEREAS, the City of Amarillo has over 1,000 miles of streets; and

WHEREAS, improvement of mobility of the community through consistent street names to direct travelers around the community is an important public objective; and

WHEREAS, a responsible process for the renaming of City streets is in the best interest of the entire community; and

WHEREAS, direct input from property owners adjacent to City streets during the renaming process is of significant value; and; and

WHEREAS, while living persons may be considered for the honor of having a City street affixed with their name, preference is best given as a tribute to non-living persons; and

WHEREAS, the City Council finds that it is in the best interest of the health, safety, welfare and safety and public convenience that the official policy for renaming of City streets be adopted.

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

SECTION 1. That the Official Policy for the renaming of City Streets shall hereafter be:

- a. The City receives a written, signed request for consideration of the renaming of a City street
- b. Notification of the request and invitation for comment shall be sent and provided to all relevant City Departments allowing for comment, including but not limited to Utilities, Public Works, Community Safety & Regulatory Services, Public Safety Communications, Emergency Services and Legal.
- c. Notification of the request and invitation for comment shall be sent and provided to local utility companies and the United States Postal Service. .
- d. After completion of all notifications and full opportunity for comment, the City Council shall consider the renaming request.
- e. The City Council shall determine whether to direct the City Manager to initiate the Street Renaming Process.
- f. An estimate of the cost for new street signage associated with the request shall be provided to the requester.
- g. Notification shall be sent and provided to each property owner of record and any tenants that may be identified abutting the affected street segment to be considered for renaming, with information regarding the potential street name change.
- h. Additional communication shall be sent and provided to the United States Postal Service to obtain input from them and solicit their assistance to property owners, residents and business owners to update postal addresses.
- i. Notice shall be published in the official newspaper of the potential street renaming as well as the City website, together with the date, time and location for an information meeting to be conducted by City staff.
- j. Upon completion of all preliminary processes described herein, the request shall be set for public hearing at a Regular Meeting of the City Council, after which the City Council will take action to approve, deny or modify the request for renaming of the City street.

SECTION 2. That this Resolution and the Official Policy for the renaming of City Streets contained herein shall be effective immediately upon passage and approval.

November, 2016.	j was warmen of Touris, unio 1 day of
ATTEST:	Paul Harpole, Mayor
Frances Hibbs, City Secretary	
APPROVED AS TO FORM:	
William M. McKamie, City Attorney	

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 1st day of

Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 1, 2016	Council Priority	
Department	Public Health		

Agenda Caption

Consideration: Consider the appointment of Dr. Scott Milton to serve as Health Authority for Potter and Randall Counties and Dr. Thien Vo to serve as Medical Director for Public Health. This recommendation comes from the Amarillo Bi-City-County Health District Board.

Agenda Item Summary

The City has an existing contract through Texas Tech for Health Authority services at an annual rate of \$65,000. It is the recommendation from Texas Tech School of Medicine to divide the Health Authority and Medical Director duties to serve the City of Amarillo, effective December 1, 2016.

Requested Action

Appoint Dr. Scott Milton to serve as Health Authority for Potter and Randall Counties and Dr. Thien Vo to serve as Medical Director for Public Health.

Funding Summary

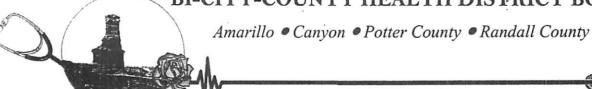
Funding for Health Authority and Medical Director is through the Department of Public Health.

Community Engagement Summary

City Manager Recommendation

It is the recommendation of Amarillo Bi-City-County Health District Board, Texas Tech School of Medicine, and staff to appoint Dr. Scott Milton to serve as Health Authority for Potter and Randall Counties and Dr. Thien Vo to serve as Medical Director for Public Health.

BI-CITY-COUNTY HEALTH DISTRICT BOARD



Board Members

Kenneth Crossland, DDS

City of Canyon

Kevin Hawkins

City of Amarillo

Vice Chair

Belinda Taylor City of Amarillo

J. Taylor Carlisle, MD

Potter County

Delores Thompson

Potter County

Judi Smith

Randall County

Lanita Tidmore

Randall County

Health Advisory Board

Roger Smalligan, M.D.

Health Authority

Sherry Medford, M.D.

Deputy Health Authority

Ako Bradford, M.D.

Deputy Health Authority

Scott Milton, M.D.

Deputy Health Authority

Robert Urban, M.D.

Deputy Health Authority

Casie Stoughton, M.P.H., RN, CPH

Public Health Director

Shaun May, M.P.H., R.E.H.S.

Environmental Health Director

Richard Havens

Animal Management & Welfare Director

Margaret Payton, MBA, RD

WIC Nutrition Director

October 20, 2016

The Honorable City Council

The City of Amarillo

509 S.E. Seventh Avenue

P.O. Box 1971

Amarillo, TX 79105-1971

Dear Council Members:

The Bi-City-County Health District Board unanimously supports and recommends the appointment of Dr. Scott Milton as Health Authority for the Bi-City-County Health District and Dr. Thien Vo as Medical Director for the City of Amarillo Department of Public Health/Deputy Health Authority for the Bi-City-County Health District.

Sincerely,

Dr. Kenneth Crossland

Chairman

Bi-City-County Health District Board

City of Amarillo • P.O. Box 1971, Amarillo, TX 79105-1971 • www.amarillo.gov





Amarillo City Council Agenda Transmittal Memo



Meeting Date	11/1/2016	Council Priority	Infrastructure Initiative
Department	Capital Projects	& Development Enginee	ering

Agenda Caption

<u>Approval – Change Order No. 2 – Job # 521943: Hillside Terrace Estates 30" Sewer Replacement Contract 1-Soncy Road to Arden Road Project</u>

Original Contract: \$ 986,565.00
Previous Change Orders: \$ 54,785.00
Current Change Order: \$ 11,987.26
Revised Contract Total: \$ 1,053,337.26

This item is to approve Change Order No. 2 to the contract with Condie Construction Company, Inc. for additional work on the 30" sewer pipeline.

Agenda Item Summary

Change Order No. 2 is to authorize additional work required on the project, which includes surveying of the existing pipeline, hydro-vacuuming selected sewer manholes, and a field adjustment to use flowable fill at the Perry Avenue crossing.

Requested Action

Consider Change Order No. 2 for approval.

Funding Summary

Funding for this project is available in the Project Budget Number 521943.17400.1090

Community Engagement Summary

N/A

Staff Recommendation

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

CHANGE ORDER # 02 CITY OF AMARILLO CAPITAL PROJECTS & DEVELOPMENT ENGINEERING

JOB NO. 521943 - HILLSIDE TERRACE ESTATES 30" SEWER REPLACEMENT - CONTRACT 1

BID NO. 5418

CONTRACTOR: CONDIE CONSTRUCTION CO. INC.

CHANGE ORDER NO. 02

DESCRIPTION OF CHANGE

Modification to allow for surveying of existing clay pipeline, which includes excavation at pipeline locations and hydro-vacuuming selected sewer manholes. A field adjustment was made to use flowable fill at the Perry Avenue crossing. These items were initiated and requested

ITEM NO.	DESCRIPTION	ORIGINAL ESTIMATE QUAN.	REVISED ESTIMATE QUAN.	NET CHANGE IN QUAN.	UNIT MEASURE		UNIT PRICE	NET CHANGE IN DOLLARS		
17	Excavation and surveying of existing VCP and manholes	0	1	1	LS	\$	8960.50 \$	8,960.50		
18	Flowable fill at Perry Ave crossing	0	1	1	1 LS		LS :		3026.76 \$	3,026.76

NET THIS CHANGE ORDER		\$	11,987.26
PREVIOUS CHANGE ORDERS		\$	54,785.00
TOTAL OF CHANGE ORDERS		\$	66,772.26
ORIGINAL CONTRACT TOTAL		\$	986,565.00
		_	1.050.007.00
REVISED CONTRACT TOTAL		\$	1,053,337.26
	Percent changed		6.77%

ORIGINAL CONTRACT TIME PREVIOUS CHANGE ORDERS NET THIS CHANGE ORDER TOTAL CONTRACT TIME

180 calendar days 7 calendar days 0 calendar days 187 calendar days

APPROVED:

CONSTRUCTION CO. INC. CONDIE

Contractor

City Manager

cc: Departmental Accounting Contractor

Project Representative Public Works Project Coord. RECOMMENDED:

10/14/2016

DATE: 10/13/2016

Marco

Project Manager

Director of Capital Projects and Development Engineering



53 North 1650 West, Springville, UT 84663 O: 801.489.3070 F: 801.489.7263

Texas Office 402 Gulf Avenue, Justin, TX 76247 O: 940-648-2000 F: 800-803-0392

Proposed Change Order

PROJECT NAME & NUMBER:

1613 - Hillside Terrace 30" Sewer Replacement - Contract 1

OWNER: City of Amarillo

SUBMITTED TO: Marco Lopez

DATE: 9/19/2016

CHANGE PROPOSAL NUMBER:

CHANGES TO BE MADE TO ORIGINAL CONTRACT:

Item	Description	Quantity	Units	Price	Total
1	Survey Existing Pipe and Manholes:				
2	Pipe Excavation Small Crew	2.00	DY	\$2,737.00	\$5,474.00
3	Survey Crew - per day/mobilization	2.00	EA	\$1,237.00	\$2,474.00
4	Hydro Vac Rental to Clean Flowline of Existing MH's for Accurate Survey	1.00	DY	\$862.50	\$862.50
5	Additional Bond Costs	1.00	LS	\$150.00	\$150.00
			Total Chan	ge Order	\$8,960.50

Original contract: Previous change orders: Total this change order: Adjusted contract:

\$986,565.00 \$54,785.00 \$8,960.50 \$1,050,310.50

DESCRIPTION:

Costs for proposed excavation and surveying of exisiting manholes and pipe as requested by Jerry Mercer and the City. Surveys to be taken at (5) existing manhole flowlines and (8) different pipe locations. Includes cleaning flowline of existing manholes to ensure accurate survey. Anticipated duration is (2) days. Final duration and corresponding costs will be adjusted (increased or decreased) to reflect actual number of days required.

Added contract time:

Requested and Approved by Owner /Engineer:

Title:

Signature:

Accepted and Approved by Condie Construction Company, Inc.

Name:

Name:

Title:

Signature:



Main Office

53 North 1650 West, Springville, UT 84663 O: 801.489.3070 F: 801.489.7263 Texas Office

402 Gulf Avenue, Justin, TX 76247 O: 940-648-2000 F: 800-803-0392

Proposed Change Order

PROJECT NAME & NUMBER:

1613 - Hillside Terrace 30" Sewer Replacement - Contract 1

OWNER: City of Amarillo

SUBMITTED TO: Marco Lopez

DATE: 9/29/2016

CHANGE PROPOSAL NUMBER:

CHANGES TO BE MADE TO ORIGINAL CONTRACT:

Item	Description	Quantity	Units	Price	Total
1	CLSM Backfill at Perry Ave			-9	
2	Additional Flowable Fill	77.00	CY	\$60.00	\$4,620.00
3	Credit Sand Material	36.00	TN	(\$6.00)	(\$216.00)
4	Credit Flex Base Material	7.00	TN	(\$12.14)	(\$85.00)
5	Credit Concrete Material	6.00	CY	(\$100.00)	(\$600.00)
6	Credit Wire Mesh	1.00	LS	(\$50.00)	(\$50.00)
7	Credit Material Trucking	1.00	LS	(\$282.00)	(\$282.00)
8	Credit Portion of Labor and Equipment	1.00	LS	(\$387.00)	(\$387.00)
9	Additional Bond Costs	1.00	LS	\$26.76	\$26.76
			Total Chan	ge Order	\$3,026.76

Original contract: Previous change orders: Total this change order: Adjusted contract: \$986,565.00 \$63,745.50 \$3,026.76 \$1,053,337.26

DESCRIPTION:

Additional costs to backfill under Perry Ave using flowable fill material as requested by the City of Amarillo in lieu of backfill, flexbase, and trench cap per detail. Includes credits for materials and labor not required but included in original method per plans.

Added contract time:

Requested and Approved by Owner /Engineer:

Signature: Title:

Accepted and Approved by Condie Construction Company, Inc.

Title: Signature: Name:

Amarillo City Council Agenda Transmittal Memo

City Staff is recommending approval.



Meeting Date	November 1 st , 2016	Council Priority
Department		Director of Utilities Office
Agenda Caption		
Approval of Water R	ights Agreement betwee	en Ezra's Old Place and the City of Amarillo.
Agenda Item Summ	27/	
water wells that may feet on either side o one or more water v	y be drilled. Ezra grants t f the City's existing wate vells on each 10-acre tra ipped so that, in the agg	es desire to clarify Ezra's rights concerning the number of to the City water line easement(s) over, across and under 10 er lines at no cost to the City. Ezra will be allowed to drill act of land (i) outside of the well buffer and (ii) drilled, gregate, all wells on the 10-acre tract produces no more than
Requested Action		
Consider and approv	val of Water Rights Agree	ement
Funding Summary		
No state or federal f	unds are involved.	
Community Engage	ment Summary	
Staff Recommendat	tion	

WATER RIGHTS AGREEMENT

* * * * * * * * *

This Water Rights Agreement (this <u>Agreement</u>) dated October 18, 2016, is between the CITY OF AMARILLO, a Texas municipal corporation (the <u>City</u>), and EZRA'S OLD PLACE, LLC, a Texas limited liability company (<u>Ezra</u>), (together, <u>Parties</u> and separately, <u>Party</u>).

Recitals

A. By Deed dated November 12, 1948, recorded in Vol. 108, page 289, of the Deed Records of Randall County, Texas (the <u>Deed</u>), the City conveyed to Carl Hanshu, among other property, the following described land (the <u>Ezra Land</u>):

The Northwest 1/4 of Section 105, Block 9, Certificate No. 1454, BS&F Survey:

The Southeast 1/4 of Section 134, Block 9, Certificate No. 1468, BS&F Survey;

The Northeast 1/4 and the Northwest 1/4 of Section 134, Block 9, Certificate No. 1468, BS&F Survey;

All in Randall County, Texas, and containing, in the aggregate, 656.5 acres of land, more or less.

- B. In the Deed, the City reserved the water rights and other rights (the <u>Water</u> <u>Rights</u>).
 - C. The Deed also provided that the grantee shall have the -
 - "...right and privilege to have, produce and use from the said land herein conveyed, so much water as may be necessary and requisite for domestic purposes and for stock raising purposes, and are authorized to erect such windmills and water tanks for such necessary purposes, ...".
 - D. Ezra is the current owner of the Ezra Land.
- E. A question has arisen as to the number of water wells Ezra is allowed to drill on the Ezra Land.
- F. Attached hereto and made a part hereof for all purposes is a survey prepared by Furman Land Surveyors, Inc. (the <u>Survey</u>), consisting of a drawing of the Ezra Land and an additional 15 pages with more detailed drawings and descriptions.
- G. The Survey depicts, among other things, (i) location of the City's water wells (the City's Water Wells), (ii) the City's water lines serving the City's Water Wells, and (iii) a 600 ft. well buffer (the Well Buffer) around each of the City's Water Wells.

H. The Parties desire to clarify Ezra's rights concerning the number of water wells that may be drilled.

Agreement

Now, therefore, for and in consideration of the above recitals which are incorporated below as if repeated verbatim, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

- 1. <u>Consent to Drill.</u> Subject to the terms of this Agreement, the City consents to the drilling of water wells and producing of water by Ezra, its successors and assigns, from the Ezra Land for domestic purposes and stock raising purposes, except no drilling or producing by Ezra is allowed (i) on the sites where the City Water Wells are located and (ii) within the Well Buffer.
- 2. <u>City Water Wells</u>. The locations of the City's Water Wells on the Ezra Land are described in the Survey.
- 3. <u>City Easement</u>. Ezra grants to the City an easement (the <u>Water Line Easement</u>) over, across, and under 10 feet on either side of the City's water lines depicted on the Survey (i) for ingress and egress over and across the Water Line Easement and (ii) to lay, construct, operate, maintain, inspect, test, repair, replace, remove, and abandon water lines and pipelines over, across, and under the Water Line Easement.
- 4. <u>Limitation on Drilling.</u> Pursuant to Section 36.117 of the Texas Water Code, Ezra may drill one or more water wells on each 10-acre tract of land so long as the wells on each 10-acre tract are (i) outside of the Well Buffer and (ii) drilled, completed, and equipped so that, in the aggregate, all wells on the 10-acre tract produce no more than 25,000 gallons of groundwater a day and are for the sole use of one single family house, outbuildings, and livestock located on the tract of land.
- 5. <u>Release</u>. Except for the Water Line Easement and the land within the City's Water Wells, the City releases its surface right over the remainder of the Ezra Land and its right to drill additional water wells on any of the Ezra Land except within the area described as the City Water Wells as depicted on the Survey.
- 6. <u>Ratification</u>. Except as expressly amended in this Agreement, the Deed and all rights and obligations created therein are in all respects ratified and confirmed and remain in full force.
- 7. <u>Character of Agreement</u>. This Agreement is appurtenant to and runs with all or any portion of the Ezra Land, whether or not this Agreement is referenced or described in any conveyance of all or such portion of the Ezra Land. This Agreement is for the benefit of Ezra and its successors and assigns who at any time own the Ezra Land or any portion of the Ezra Land.
- 8. <u>Equitable Rights of Enforcement</u>. This Agreement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this Agreement; provided, however, that the act of obtaining an injunction

or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

- 9. <u>Attorney's Fees.</u> If either Party retains an attorney to enforce this Agreement, the Party prevailing in litigation is entitled to recover reasonable attorney's fees and court and other costs.
- 10. <u>Binding Effect</u>. This Agreement binds and inures to the benefit of the Parties and their respective heirs, successors, and assigns.
- 11. <u>Choice of Law</u>. This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county in which the Ezra Land is located.
- 12. <u>Entire Agreement</u>. This Agreement is the entire agreement of the Parties concerning the Ezra Land. There are no representations, agreements, warranties, or promises, and neither Party is relying on any statements or representations of any agent of the other Party, that are not in this Agreement.
- 13. <u>Recitals</u>. Any recitals in this Agreement are represented by the Parties to be accurate, and constitute a part of the substantive agreement.
 - 14. <u>Captions</u>. The paragraph headings are included only for convenience.
- 15. <u>Gender</u>. Whenever the context requires, the singular includes the plural the singular, and the use of any gender includes all genders.

[SIGNATURES AND ACKNOWLEDGMENTS ON FOLLOWING PAGES.]

	CITY:	
	CITY OF AMARILLO, a Texas municipal corporation	
	By:	
THE STATE OF TEXAS	§	
COUNTY OF POTTER	§ § §	
This instrument was acknow 2016, by of the CITY OF AMARILLO, a Texa	vledged before me on this the day of 	[mte]
(SEAL)		
	Notary Public	

EZRA:

EZRA'S OLD PLACE, LLC, a Texas limited liability company

Ву:_

John S. Dreiss, Manager

THE STATE OF TEXAS

COUNTY OF POTTER COUNTY OF GALVESTON

This instrument was acknowledged before me on this the day of October, 2016, by John S. Dreiss, Manager of EZRA'S OLD PLACE, LLC, a Texas limited liability company, on behalf of said company.

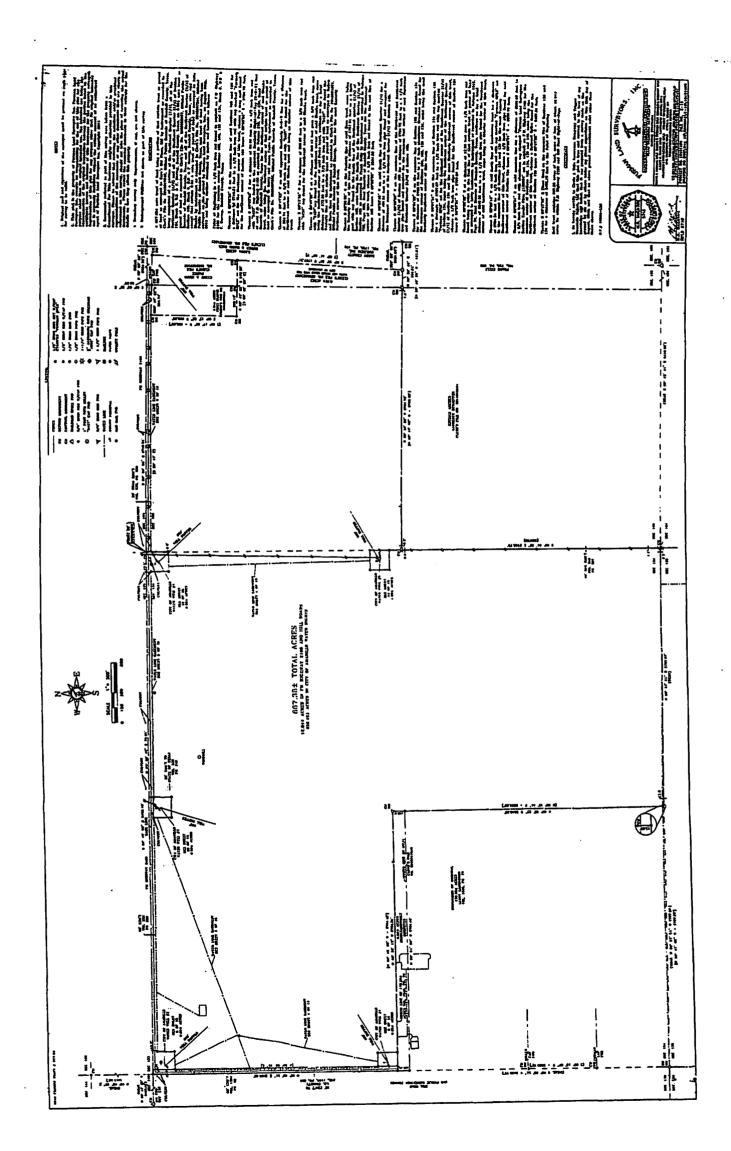
(SEAL)

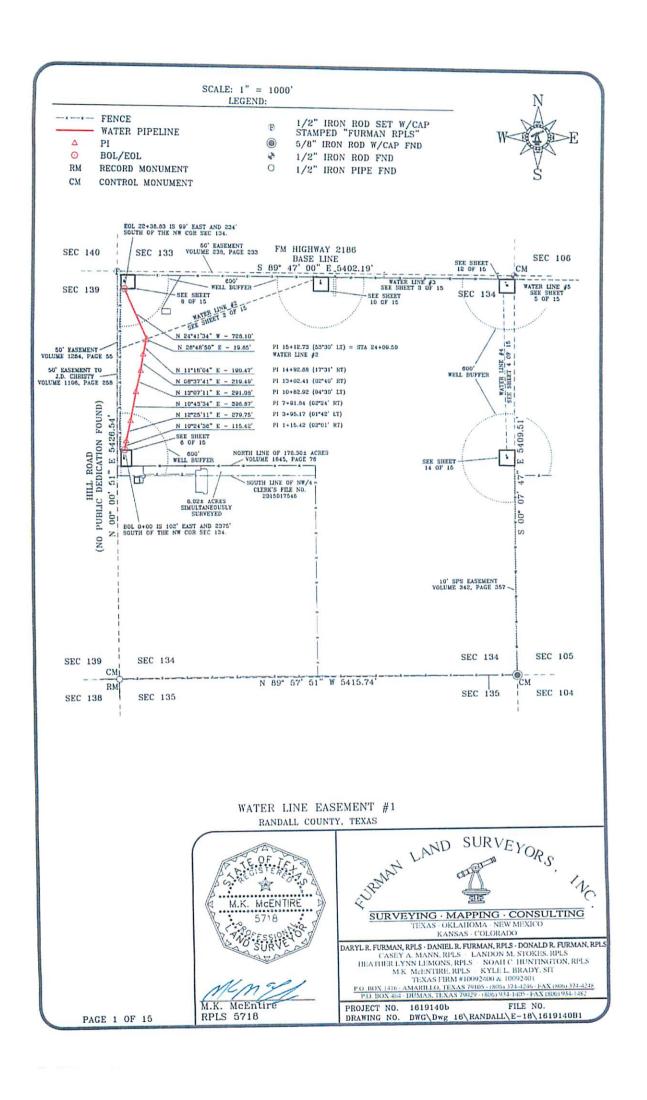
KELLYE STOKES

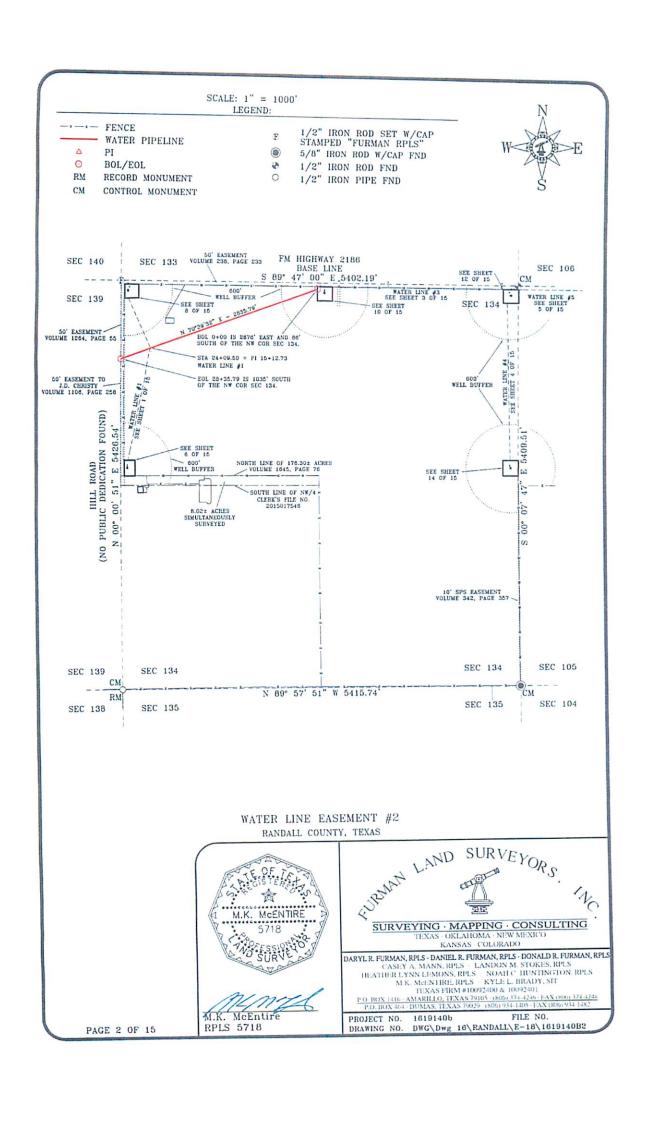
Notary Public, State of Texas

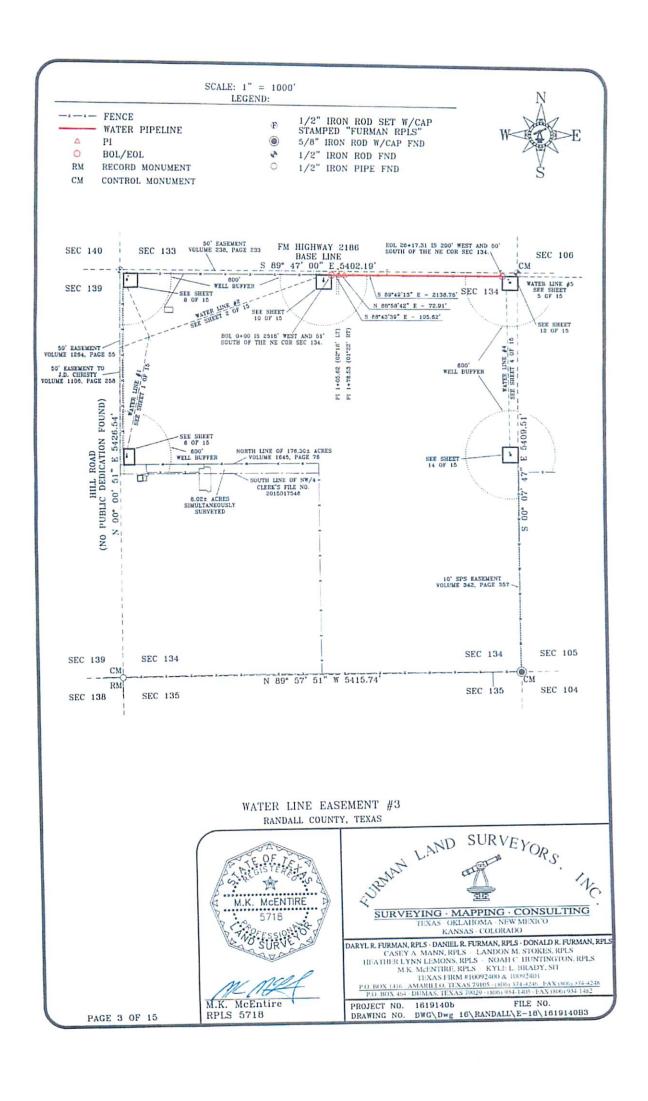
My Commission Expires

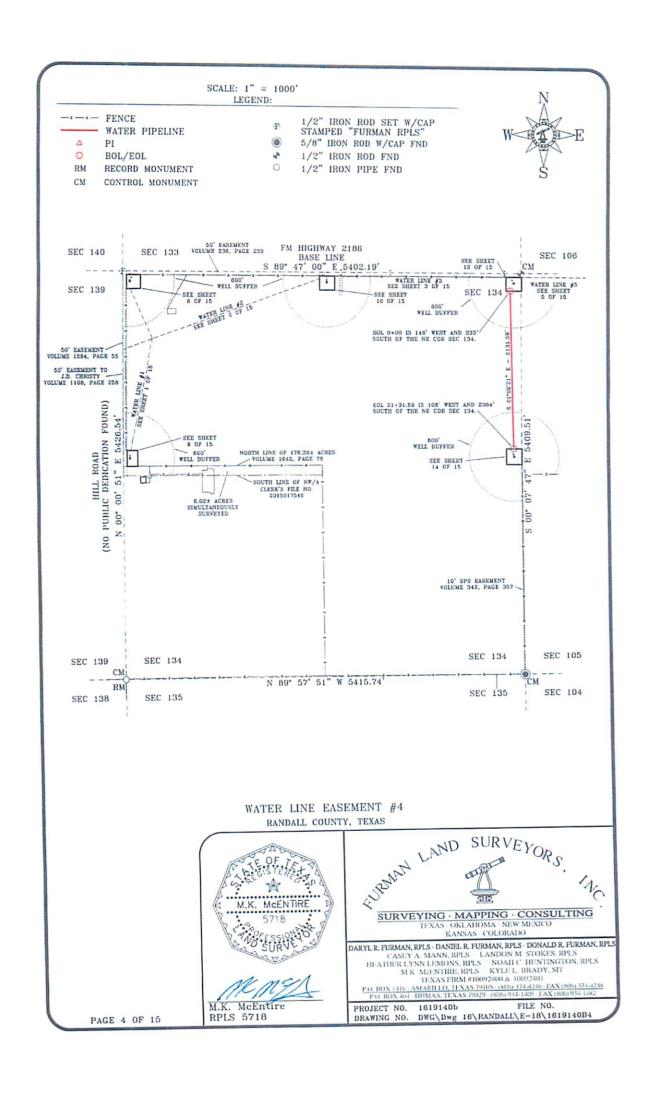
July 28, 2018

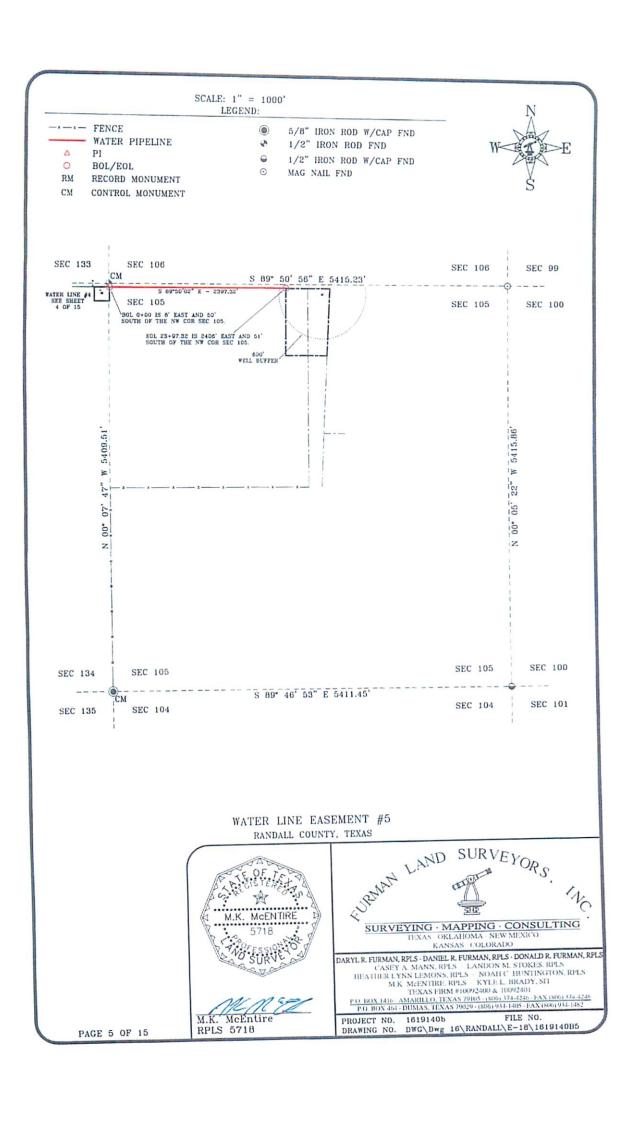


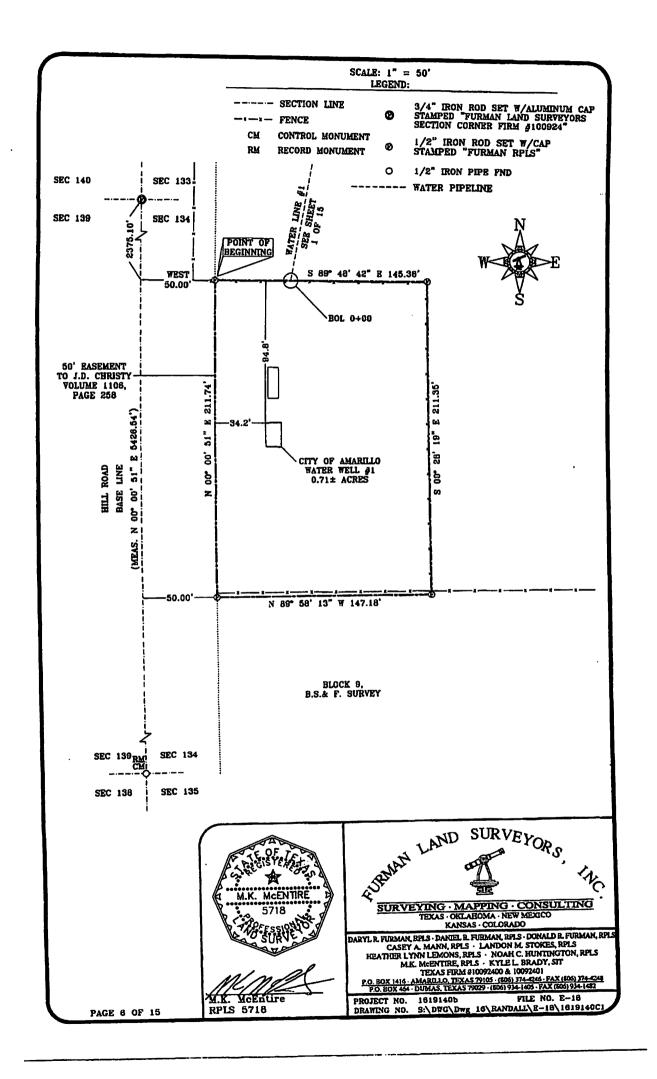












- 1. Original seal and signature of the surveyor must be present on each page for survey to be valid.
- 2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2016.
- 3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

DESCRIPTION WATER WELL EASEMENT 1

A 0.71± acre tract or parcel of land out of the Northwest Quarter (1/4) of Section 134, Block 9, B.S. & F. Survey, Randall County, Texas as conveyed to Ezra's Old Place, LLC by instrument as recorded in Clerk's File No. 2015017546, Official Public Records of Randall County, Texas, said tract of land having been surveyed on the ground by Furman Land Surveyors, Inc., on August 26, 2016 and being further described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap marked "Furman RPLS" set in the East line of a road easement as filed for record in Volume 1106, Page 258 and in Volume 1264, Page 55. Deed Records of Randall County, Texas for the Northwest corner of this tract, whence a 3/4 inch iron rod with aluminum cap stamped "Furman Land Surveyors Section Corner Firm #1000924" set for the common corner of Sections 133, 134, 139 and 140, Block 9, B. S. & F. Survey, Randall County, Texas bears West — 50.00 feet and N 00°00'51" E (Base Line) — 2375.10 feet;

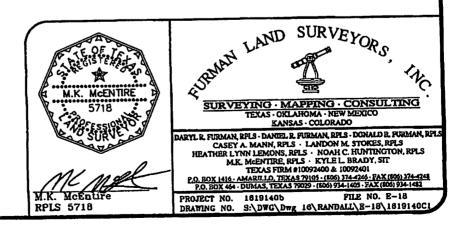
Thence S 89°48'42" E for a distance of 145.38 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Northeast corner of this tract;

Thence S 00°28'19" E for a distance of 211.35 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Southeast corner of this tract;

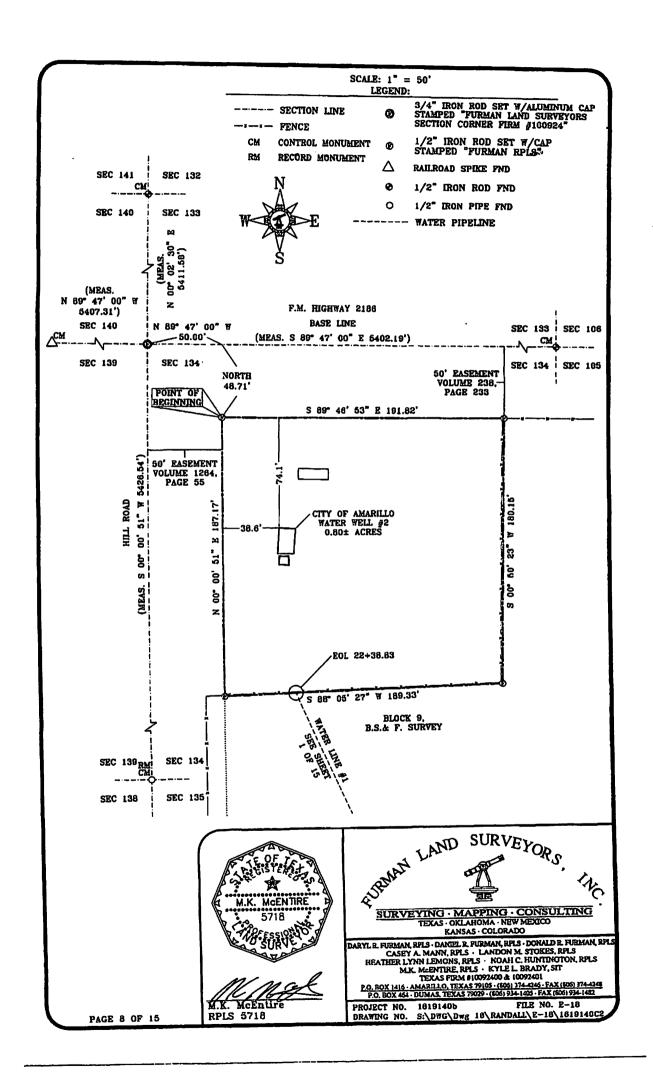
Thence N 89°58'13" W for a distance of 147.18 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set in said East line of road easement for the Southwest corner of this tract;

Thence N 00°00'51" E for a distance of 211.74 feet to the Point of Beginning.

Said tract contains 0.71 acres of land, more or less



PAGE 7 OF 16



- 1. Original seal and signature of the surveyor must be present on each page for survey to be valid.
- 2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2016.
- 3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

DESCRIPTION WATER WELL EASEMENT 2

A 0.80± acre tract or parcel of land out of the Northwest Quarter (1/4) of Section 134, Block 9, B.S. & F. Survey, Randall County, Texas as conveyed to Ezra's Old Place, LLC by instrument as recorded in Clerk's File No. 2015017546, Official Public Records of Randall County, Texas, said tract of land having been surveyed on the ground by Furman Land Surveyors, Inc., on August 26, 2016 and being further described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap marked "Furman RPLS" set in the East line of a road easement as filed for record in Volume 1106, Page 258 and in Volume 1264, Page 55, Deed Records of Randall County, Texas and the Apparent South Right-of-Way line of F.M. Highway 2186 as filed for record in Volume 238, Page 233, Deed Records of Randall County, Texas for the Northwest corner of this tract, whence a 3/4 inch iron rod with aluminum cap stamped "Furman Land Surveyors Section Corner Firm #1000924" set for the common corner of Sections 133, 134, 139 and 140, Block 9, B.S. & F. Survey, Randall County, Texas bears North - 48.71 feet and N 89°47'00"W (Base Line) - 50.00 feet;

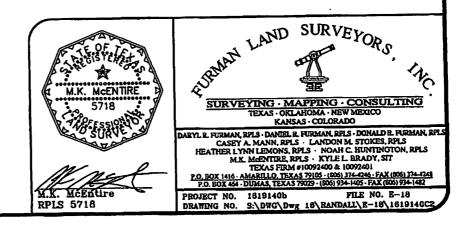
Thence S 89°48'53° E for a distance of 191.82 feet to a 1/2 inch iron rod with cap marked 'Furman RPLS' set for the Northeast corner of this tract;

Thence S 00°50'23° W for a distance of 180.15 feet to a 1/2 inch iron rod with cap marked 'Furman RPLS' set for the Southeast corner of this tract;

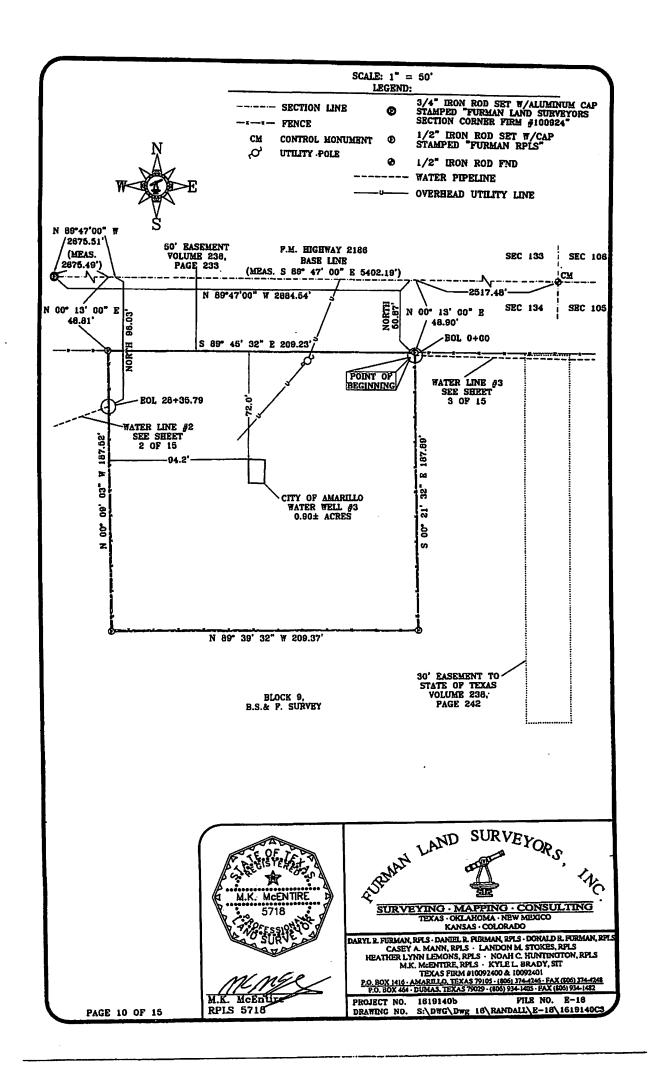
Thence S 88°05'27" W for a distance of 189.33 feet to a 1/2 inch iron rod with cap marked 'Furman RPLS' set in said East line of road easement for the Southwest corner of this tract;

Thence N 00°00'51° E for a distance of 187.17 feet to the Point of Beginning.

Said tract contains 0.80 acres of land, more or less.



PAGE 9 OF 15



- 1. Original seal and signature of the surveyor must be present on each page for survey to be valid.
- 2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2016.
- 3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

DESCRIPTION WATER WELL EASEMENT 3

A 0.90± acre tract or parcel of land out of the North half of Section 134, Block 9, B.S. & F. Survey, Randall County, Texas as conveyed to Ezra's Old Place, LLC by instrument as recorded in Clerk's File No. 2015017546, Official Public Records of Randall County, Texas, said tract of land having been surveyed on the ground by Furman Land Surveyors, Inc., on August 26, 2016 and being further described by metes and bounds as follows:

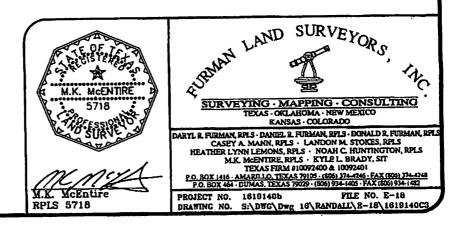
BEGINNING at a 1/2 inch iron rod with cap marked "Furman RPLS" set in the apparent South Right-of-Way (R-0-W) line of F.M. Highway 2186 as filed for record in Volume 238, Page 233, Deed Records of Randall County, Texas for the Northeast corner of this tract, whence a 1/2 inch iron rod found for the common corner of Sections 133, 134, 105 and 106 bears N 00°13'00" E - 48.90 feet and S 89°47'00" E (Base Line) - 2517.48 feet;

Thence S 00°21'32" E for a distance of 187.89 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Southeast corner of this tract;

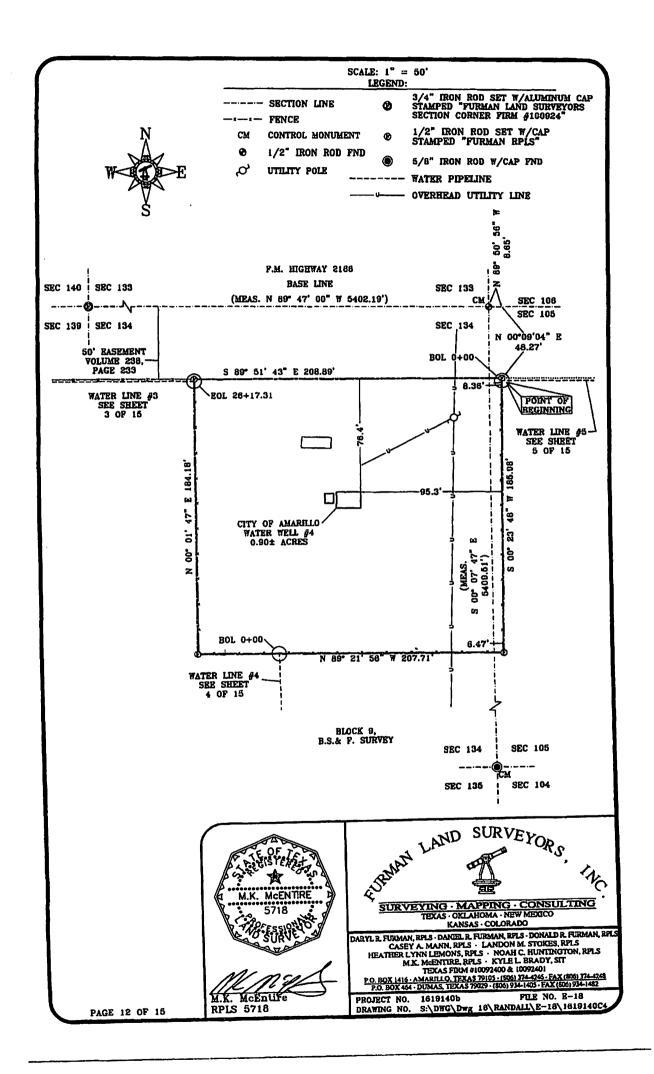
Thence N 89°39'32" W for a distance of 209.37 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Southwest corner of this tract;

Thence N 00°09'03" W for a distance of 187.52 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Northwest corner of this tract, whence a 3/4 inch iron rod with aluminum cap stamped "Furman Land Surveyors Section Corner Firm #1000924" set for the common corner of Sections 133, 134, 139 and 140, Block 9, B. S. & F. Survey, Randall County, Texas bears N 00°13'00" E - 48.81 feet and N 89°47'00" W - 2675.49 feet;

Thence S 89°45'32" E for a distance of 209.23 feet to the Point of Beginning. Said tract contains 0.90 acres of land, more or less.



PAGE 11 OF 15



- 1. Original seal and signature of the surveyor must be present on each page for survey to be valid.
- 2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2016.
- 3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

DESCRIPTION WATER WELL EASEMENT 4

A 0.90± acre tract or parcel of land out of the Northeast Quarter (1/4) of Section 134 and the Northwest Quarter (1/4) of Section 105, Block 9, B.S. & F. Survey, Randall County, Texas as conveyed to Ezra's Old Place, LLC by instrument as recorded in Clerk's File No. 2015017546, Official Public Records of Randall County, Texas, said tract of land having been surveyed on the ground by Furman Land Surveyors, Inc., on August 26, 2016 and being further described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap marked "Furman RPLS" set in the apparent South Right-of-Way (R-0-W) line of F.M. Highway 2186 as filed for record in Volume 238, Page 233, Deed Records of Randall County, Texas for the Northeast corner of this tract, whence a 1/2 inch iron rod found for the Northeast corner of this tract, whence a 1/2 inch fron rod found for the common corner of Sections 133, 134, 105 and 106 bears N 00°09'04" E - 48.27 feet and N 89°50'56" W - 8.65 feet, from whence a 3/4 inch iron rod with aluminum cap stamped "Furman Land Surveyors Section Corner Firm #1000924" set for the common corner of Sections 133, 134, 139 & 140 bears N 89°47'00" W (Base Line) - 5402.19 feet;

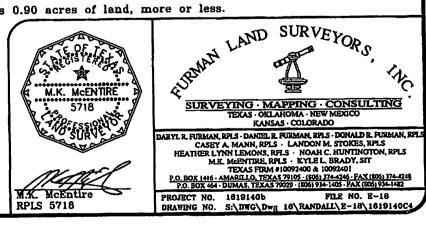
Thence S 00°23'48" W for a distance of 185.98 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Southeast corner of this tract;

Thence N 89°21'56" W for a distance of 207.71 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Southwest corner of this tract;

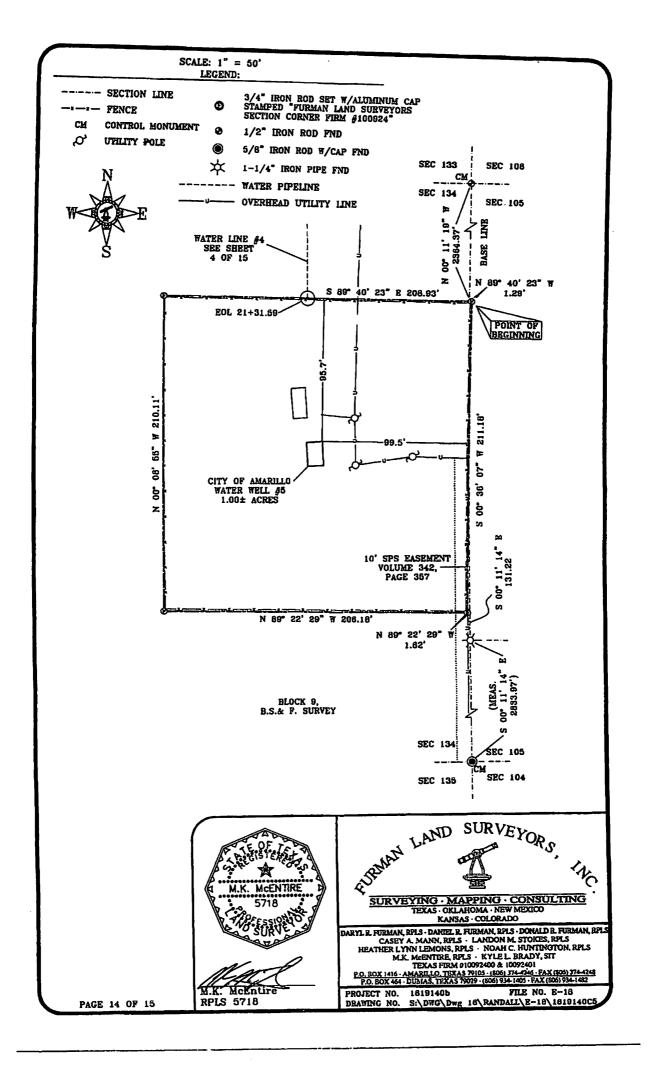
Thence N 00°01'47" E for a distance of 184.18 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set in said apparent South R-0-W line of F.M. Highway 2186 for the Northwest corner of this tract;

Thence S 89°51'43" E for a distance of 208.89 feet to the Point of Beginning.

Said tract contains 0.90 acres of land, more or less.



PAGE 13 OF 15



- 1. Original seal and signature of the surveyor must be present on each page for survey to be valid.
- 2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2016.
- 3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

DESCRIPTION WATER WELL EASEMENT 5

A 1.00± acre tract or parcel of land out of the Northeast Quarter (1/4) of Section 134 and the Northwest Quarter (1/4) of Section 105, Block 9, B.S. & F. Survey, Randall County, Texas as conveyed to Ezra's Old Place, LLC by instrument as recorded in Clerk's File No. 2015017546, Official Public Records of Randall County, Texas, said tract of land having been surveyed on the ground by Furman Land Surveyors, Inc., on August 26, 2016 and being further described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Northeast corner of this tract, whence a 1/2 inch iron rod found for the common corner of Sections 133, 134, 105 and 106 bears N 89°40'23" W -1.29 feet and N 00°11'14" W (Base Line) - 2364.37 feet;

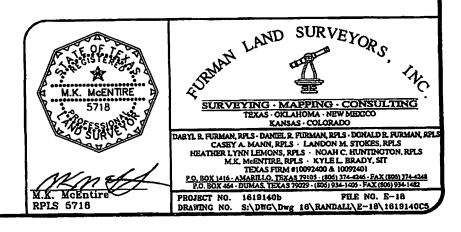
Thence S 00°36'07" W for a distance of 211.18 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Southeast corner of this tract;

Thence N 89°22'29" W for a distance of 206.18 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Southwest corner of this tract;

Thence N 00°08'55" W for a distance of 210.11 feet to a 1/2 inch iron rod with cap marked "Furman RPLS" set for the Northwest corner of this tract;

Thence S 89°40'23" E for a distance of 208.93 feet to the Point of Beginning.

Said tract contains 1.00 acres of land, more or less.



PAGE 15 OF 15



Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 1, 2016	Council Priority	
Department	City Manager		

Agenda Caption

Approval of Payment - Tri State Fairgrounds

Authorization to pay \$50,000 from the Civic Center Activity Fund to fund the sponsorship payment for the American Quarter Horse 2016 Adequan Select Event.

Agenda Item Summary

The Convention and Visitor's Council sponsors the AQHA Adequan Event with a \$50,000 payment to help with the rental of the Amarillo National Center associated with the event.

Requested Action

Council consideration and approval of the \$50,000 sponsorship payment to Tri State Fairgrounds.

Funding Summary

N/A

Community Engagement Summary

Review and recommendation by the Convention and Visitors Council.

Staff Recommendation

Staff recommendation is to approve \$50,000 sponsorship payment to Tri State Fairgrounds.





Tri-State Fair and Rodeo 2016 Involce No. Fair Dates: Sept. 16-24, 2016

INVOICE =

- Cus	stomer		
Name	Amarillo Chamber and Visitor Council	Date	9/5/2016
Address	P.O. Box 9480	Tel.	373-7800
City	Amarillo TX ZIP 79105	Fax	
Attn.	Stephanie	Due	upon receipt
Qty	Description	Unit Price	TOTAL
1	AQHA Bayer Select Show - August 26- Sept. 3, 2016 Amarillo National Center rental	\$50,000.00	\$50,000.00
	Thank you.		
		SubTotal	\$50,000.00
	Comments	pping & Handling	\$0.00
		TOTAL	\$50,000.00

Please Remit To: Amarillo Tri-State Exposition 3301 E. 10th Ave. Amarillo, TX 79104 Tel 806-376-7767 Fax 806-376-6942

Thank You

CUSTOMIZE YOUR INVOICE

Hover Your Pointer
HERE for a Useful Tio!

	i		HERE for a Useful Tip!
ype Company Infon	mation Here		
Company Name	Amarillo Tri-State Exposition	Phone	
Address		Fax	
City	1		
State			
ZIP Code			
pecify Default Invol	ce Information Here		
			Credit Cards Accepted
1st Tax Name	State		Credit Card #1
Rate	5.00%		Credit Card #2
7	Apply tax on local purchases only.		Credit Card #3
2nd Tax Name			
Rate		Shipping Charge	
	Apply tax on local purchases only.	Shipping Charge	
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AMARILLO CVC

AMARILLO CIVIC CENTER ACTIVITY FUND - AUTHORIZATION	
DATE: 9/30/14	
EVENT: AQHA adequan Select Show DATE: Aug -> Sept 3 RD 2016	•
DATE: SUA = Cont 3RD 7011	
CVC BOARD APPROVAL (if applicable):	
VENDOR NAME - PAYABLE TO:	
Amarillo Tri-State Exposition	
VENDOR NO.: 115939 CONTRACT #INVOICE#	
RECEIVED	
CODE #1030.63700	
AMOUNT \$50,000.00	
INSTRUCTIONS: 330/8.104h Aug.	
- Ama St. 19184	
APPROVED:	
C)C YICE-PRESIDENT	
CIVIC CENTER MANAGER 10/6/10	
CIVIC CENTER MANAGER	
ASSISTANT CITY MANAGER	
Line 2 - A	
CITY AUDITOR	



STATE OF TEXAS §

COUNTIES OF POTTER §

AND RANDALL §

CITY OF AMARILLO §

On the 10th day of October 2016, the Amarillo Planning and Zoning Commission met in a work session at 2:45 PM to review agenda items, then convened in regular session at 3:00 PM in the City Council Chamber on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Mike Good, Vice-Chairman	N	104	75
Dean Bedwell	Υ	189	178
Rob Parker	Υ	57	45
Rick Thomason	Υ	27	22
Bowden Jones	Υ	18	13
Dick Ford	Υ	2	2
Terry Harman	Υ	1	1

PLANNING DEPARTMENT STAFF:

AJ Fawver, AICP, CNU-A, Planning Director Cody Balzen, Planner I

Jan Sanders, Recording Secretary

David Soto, Planner I Jeffrey English, Planner I

Acting-Chairman Parker opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. David Soto, Jeffrey English and Cody Balzen read the staff reports and gave the recommendations for each item.

ITEM 1: Approval of the minutes of the September 26, 2016 meeting

A motion to approve the minutes of the September 26, 2016 meeting was made by Commissioner Bedwell, seconded by Commissioner Thomason, and carried unanimously.

ITEM 2: Nomination and election of a Planning and Zoning Commission Chairman and Vice Chairman.

Ms. Fawver explained this item is open for discussion. Dick Ford nominated Rob Parker to serve as the Chairman of the Planning and Zoning Commission. Motion was seconded by Dean Bedwell, and the motion carried unanimously. Dick Ford nominated Mike Good to serve as the Vice-Chairman of the Planning and Zoning Commission. Motion was seconded by Dean Bedwell, and the motion carried unanimously.

ITEM 3:

Z-16-29 Rezoning of Lot 7, Block 34, Eastridge Addition Unit No. 4, Section 104, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 2 to Residential District 2 with a Specific Use Permit for placement of a carport. (Vicinity: NE 16th Ave. & Dahlia St.)

APPLICANT: Annette Morris

Mr. Balzen advised the applicant is proposing the zoning change in order to keep an existing carport. Section 4-10-193 of the City's Zoning Ordinance sets standards for the placement of carports when they are unable to meet required setbacks. Section 4-10-193 also includes fourteen factors for consideration when granting a specific use permit. Staff applied these factors to the application and discovered the carport meets 11 of the 14 factors. Mr. Balzen stated this request does not compromise the 2010 Future Land Use map and all other zoning regulations will follow Residential District 2 zoning regulations. Mr. Balzen commented staff views this zoning request as appropriate due to the lack of disruption to the existing streetscape character, and would recommend approval of the request as submitted.

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

A motion to approve Z-16-29 was made by Commissioner Bedwell, seconded by Commissioner Jones, and carried unanimously.

ITEM 4:

Z-16-30 Rezoning of Lot 22, Block 39, Grandview Addition Unit No. 11, in Section 139, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Residential District 1 with a Specific Use Permit for the placement of a carport. (Vicinity: SE 34th Ave. & Browning St.)

APPLICANT: Ventura Garcia

Mr. English advised the applicant is proposing the placement of a carport within the front yard setback. Section 4-10-193 includes fourteen factors for consideration when granting a specific use permit for a carport. Staff has applied these factors to the request, and found the request is in compliance with all fourteen factors. Mr. English mentioned this request does not compromise the 2010 Future Land Use map and all other zoning regulations will follow Residential District 1 zoning regulations. Mr. English further advised staff believes the request is appropriate and recommends approval as submitted.

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

A motion to approve Z-16-30 was made by Commissioner Ford, seconded by Commissioner Thomason, and carried unanimously.

ITEM 5:

D-16-01 Dedications of two 11.5 ft Public Utility / Drainage Easements, one .042 acre Storm Sewer/ Drainage Easement and a 37ft Street dedication deed in Section 43, Block 9, B.S. & F Survey, Potter County, Texas. (Vicinity: Pointwest Pkwy. & Outlook Dr.)

APPLICANT: Dick Faussett

Mr. Soto stated the four dedications were submitted in regards to the proposed street, Outlook Dr. Outlook Dr., is a street in the preliminary construction phase and located in Point West Business Park. During the review process, the Engineering Department advised the right-of-way did not meet the minimum standard of 50' to 70'. The applicant is proposing a 37' right-of-way with two 11.5' Public Utility / Drainage easements. Mr. Soto advised the easements would allow public access but are not dedicated to the public. The normal process allows approval of dedications by City Council, but since the minimum design standards are not being met, the Subdivision Ordinance allows the Planning and Zoning Commission the ability to recommend approval. Staff has asked the applicant to submit a variance whereby, the applicant advised the request will conform with the existing area in the Point West Pkwy. Mr. Soto commented staff is recommending approval of this variance due to the fact of the consistency of the area, however, moving forward, the requirement for a dedication of such right-of-way will be accomplished via platting.

Chairman Parker asked if anyone wanted to speak in favor of said request. Dwight Brandt, 4537 Canyon Dr., spoke in favor of the request advising he has worked with developer and believes this request is consistent with the current development.

Ms. Fawver advised the proposed will accomplish the same objective through the dedication of easements rather than the dedication of right-of-way through a platting exercise. The proposed is consistent with the previous approvals in the existing area, and therefore staff is recommending approval of this request. However, she reiterated that both Local Government Code and the Subdivision Ordinance require streets to be dedicated via the subdivision plat and this method will be used moving forward.

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

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

ITEMS WITH PLAT WAIVERS SET TO EXPIRE ON 10/10/2016:

Mr. Balzen advised Item 11 needs to be removed from the items with plat waivers set to expire this date. Mr. Balzen explained 30 day waivers were submitted on the following items, which allows the developer and staff additional time for review of each plat. Since there are no other tools to extend this time, staff is recommending denial of the following plats.

ITEM 6:

P-12-45 Redstone Addition Unit No. 1, an addition to the City of Amarillo, being an unplatted tract of land situated in Section 37, Block 9, BS&F Survey, Randall County, Texas. (58.82 acres)(Vicinity: W. Loop 335 & S. Coulter St.)

DEVELOPER: Charlie Hamilton SURVEYOR: David Miller

A motion to deny P-12-45 was made by Commissioner Jones, seconded by Commissioner Thomason, and carried unanimously.

ITEM 7:

P-14-41 Skyline Terrace Unit No. 11 Amended, an addition to the City of Amarillo, being a replat of Lot 20, Block 6, Skyline Terrace Unit No. 11 and a portion of an existing 20' alley as dedicated by Skyline Terrace Unit No. 2, all in Section 135, Block 2, AB&M Survey, Potter County, Texas. (26.27 acres)(Vicinity: NE 24th Ave & Manhattan St.)

A motion to deny P-14-41 was made by Commissioner Jones, seconded by Commissioner Bedwell, and carried unanimously.

ITEM 8:

P-15-43 Highland Park Village Unit No. 3, an addition to the City of Amarillo being a replat of a portion of Lot 1, Block 23, Highland Park Village in Section 39, Block 2, AB&M Survey, Potter County, Texas. (1.38 acres)(Vicinity: J Ave. & Golden Dr.)

DEVELOPER(S): Joe Bob McCartt

SURVEYOR: Robert Keys

A motion to deny P-15-43 was made by Commissioner Bedwell, seconded by Commissioner Thomason, and carried unanimously.

ITEM 9:

P-15-49 City View Estates Unit No. 16, an addition to the City of Amarillo, being an unplatted tract of land out of Section 231, Block 2, AB&M Survey, Randall County, Texas. (31.24 acres)(Vicinity: Georgia St. & Bismarck Ave.)

DEVELOPER(S): Matt Griffith

SURVEYOR: Robert Keys

A motion to deny P-15-49 was made by Commissioner Ford, seconded by Commissioner Jones, and carried unanimously.

ITEM 10:

P-16-37 Maple Fields Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 61, Block 1, TTRR Co, Survey, Randall County, Texas. (93.52 Acres)(Vicinity: Lair Rd. & Helium Rd.)

DEVELOPER(S): Josh Howell SURVEYOR: Daryl Furman

A motion to deny P-16-37 was made by Commissioner Jones, seconded by Commissioner Bedwell, and carried unanimously.

ITEM 11:

P-16-43 Lonesome Dove Unit No. 7, a suburban subdivision to the City of Amarillo, being an unplatted tract of land situated in Section 111, Block 2, AB&M Survey, Randall County, Texas. (44.29 Acres)(Vicinity: Eastern St. & Joshua Deets Trl.)

DEVELOPER(S): Robert Wilkinson SURVEYOR: Daryl Furman

As stated above, this item is removed from the list of Items with Plat Waivers set to expire

ITEM 12:

10/10/16.

P-16-70 Sun-Air Estates Unit No. 8, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 36, Block 9, BS&F Survey.

Randall County, Texas. (3.00 Acres)(Vicinity: Canyon Dr. & Coulter St.)

DEVELOPER(S): Mark Christy SURVEYOR: Daryl Furman

A motion to deny P-16-70 was made by Commissioner Jones, seconded by Commissioner Bedwell, and carried unanimously.

ITEM 13: P-16-78 Coulter Acres Unit No. 17, a suburban subdivision to the City of

Amarillo, being a replat of all of lot 10, Block 2, Coulter Acres, in Section 38, Block 9, BS&F Survey, Randall County, Texas. (4.77 Acres)(Vicinity: SW 81st

Ave. & Cody Dr.)

DEVELOPER(S): Melinda Christy SURVEYOR: Daryl Furman

A motion to deny P-16-76 was made by Commissioner Thomason, seconded by Commissioner Jones, and carried unanimously.

ITEM 14: Public Forum: Time is reserved for any citizen to comment on City zoning or

planning concerns; however, the Commission can take no action on any issue

raised.

No comments were made.

ITEM 15: Director's Report.

Ms. Fawver advised going forward the commissioners will see items on the agenda that require action, and not informational items per se. Ms. Fawver updated the commissioners on Item Z-16-24, a zoning request to change from General Retail to Light Commercial for an outdoor car lot. This item was denied by this board, an appeal was filed and the item has since been denied by City Council. Today's agenda Item 5, the dedications of easements is a Consent Agenda item on the City Council's agenda for October 11, 2016. Ms. Fawver mentioned staff will be monitoring the influx of carport requests to determine whether this is an educational issue to be addressed, isolated to the same area, or possibly the same contractor. As additional information is gathered, a presentation will be forthcoming at a future Planning and Zoning Commission meeting. Additionally the work session is in the process of being refined, with attempts to allow for more dialogue, to focus the presentations by hitting the highlights, taking any advice and feedback from the commissioners, and essentially making this time more productive. Ms. Fawver welcomed new Commissioner Terry Harman to the board.

ITEM 16: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:40 P.M.

AJ Favérér, AICP, CNU-A

Planning & Zoning Commission

BOARDS AND COMMISSIONS - VACANCIES



Amarillo Hospital District (2-year terms)

 10/09/2012
 Smith Ellis
 10/01/2016

 10/09/2012
 Mark Logsdon
 10/01/2016

 11/23/2010
 Chuck Speed
 10/01/2016

Amarillo-Potter Events Venue District (2-year terms)

 10/01/2001
 Tom Bivins
 10/01/2016

 10/01/2004
 Dean Roper
 10/01/2016

Animal Management & Welfare (3-year terms)

01/05/2016 Andrea Slater Gulley 01/06/2019 (resigned)

Community Development Advisory Committee (2-year terms)

 05/12/2015
 Gilbert Guzman
 12/31/2016 (NW)

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

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

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

 10/16/2012
 Lo Van Pham
 12/31/2016 (SW)

Construction Advisory and Appeals Board (3-year terms)

 10/22/2013
 Jeff Bryant
 12/31/2016 (Contractor)

 02/10/2015
 Richard Constancio
 12/31/2016 (Construction)

 11/01/2011
 Frank Wilburn
 12/31/2016 (Plumbing)

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)

05/05/2015 Rahman Rakhshanda 04/21/2016

Library Advisory Board (3-year terms)

09/07/2010 Maury Roman-Jordan 07/19/2016

Quail Creek Public Improvement District Advisory Board (3-year terms)

07/31/2010 Kris Culp 09/01/2016

10/26/2016