

AGENDAS

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, NOVEMBER 22, 2016 AT 3:00 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 and Discussion on Liberty Square Grant Opportunities;
 - (3) Presentation and Update on Community Investments Program;
 - (4) Red Light Camera program update;
 - (5) Discuss search for City Manager; discuss duties and qualifications of Interim City Manager; and
 - (6) 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.

REGULAR MEETING ITEMS

INVOCATION: Davlyn Duesterhaus, Baptist St. Anthony's

PROCLAMATION: "Small Business Saturday"

1. **MINUTES:**
Approval of the City Council minutes of the regular meeting held on November 15, 2016.
2. **ORDINANCE NO. 7631:**
This is the first reading of an ordinance amending Article IV, Chapter 8-3, Section 8-3-82; adding article V, Chapter 8-3, Sections 8-3-116 through 8-3-131 to provide regulation of tire businesses.
3. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7632:**
This is the first reading of an ordinance rezoning of Lot 18, Block 24, Sunrise Park Unit No. 6, in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 2 to Residential District 2 with a Specific Use Permit for the placement of a carport. This rezoning was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission. (Address: 1001 Gordon Street.)
4. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7633:**
This is the first reading of an ordinance vacating of portions of right-of-way to include a 0.25 ft wide strip on the west side of Lots 6 and 7 and a 0.2 ft wide strip with the addition of two 5.2 ft x 8.3 ft sections on the south side of Lot 6, Block 139, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission. (Address: 101 Southeast 11th Avenue.)

5. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7634:**
This is the first reading of an ordinance rezoning of a portion of Lot 2, and all of Lots 3 and 4, Sunrise Park Unit No. 2 and Lot 5A and a portion of Lot 5B, Sunrise Addition Unit No. 4, all in Section 123, Block 2, AB&M Survey, Potter County, Texas to change from Planned Development 330 to amended planned development for additional signage. This rezoning was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission. (Address: 4601 Interstate 40 Access Road.)
6. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7635:**
This is the first reading of an ordinance approving the vacating of an existing 20 ft. alley in Block 137, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission. (Address: Southwest 10th Avenue and South Tyler Street.)
7. **PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 7629 AMENDING THE CITY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM:**
This is a public hearing and the second and final reading of an ordinance that amends the Ordinance defining the City's participation in the Texas Enterprise Zone Program, stating possible incentives, nominating BSA Hospital LLC as a qualified business and an enterprise project and designating a liaison for overseeing Enterprise Projects.
8. **ORDINANCE NO. 7630:**
This is the second and final reading of an ordinance amending Chapter 8-2, Amarillo Municipal Code, for the purpose of enacting a program for the management of Community Cats through a Trap-Neuter-Return program.

The Animal Management & Welfare Board has considered and approved this ordinance on Wednesday, May 4, 2016.
9. **RESOLUTION – SPECIAL CITY BOND ELECTION:**
This resolution canvasses the returns and declares the results of the Bond Election held on November 8, 2016.
10. **PRESENTATION AND CONSIDERATION OF RESOLUTION:**
This resolution considers approving the vacation an existing 20 ft Public Utility Easement (PUE) on the east side of Lot 7, Block 1, Lakeside Park Unit No. 1, in Section 91, Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission. (Address: 7901 East I-40 Frontage Road.)
11. **DISCUSS AND CONSIDER ACCEPTANCE OF NOTICE OF TERMINATION OF CONTRACT FROM INTERIM CITY MANAGER TERRY L. CHILDERS, EFFECTIVE DECEMBER 16, 2016.**
12. **DISCUSS AND CONSIDER APPOINTMENT OF INTERIM CITY MANAGER TO BEGIN SERVICE IMMEDIATELY AND TO SERVE UNTIL APPOINTMENT OF PERMANENT CITY MANAGER.**
13. **CONSENT AGENDA:**
It is recommended that the following items be approved and that the City Manager be authorized to execute all documents necessary for each transaction:
 - A. **Purchase – Hot Mix Asphaltic Concrete:**
Advantage Asphalt Products, Ltd. -- \$810,000.00
This item awards a contract for purchase of Hot Mix Asphaltic Concrete, used on a daily basis (weather permitting) for asphalt repairs to paved streets and alleys.

- B. Purchase – Mechanical Street Sweeper:
Heil of Texas -- \$274,088.00
This item is the scheduled replacement of unit 6984, 2008 Freightliner Sweeper that has reached or exceeded useable life expectancy.
- C. Purchase – Site Amenities for the Colonies Unit 63 Parks and Parkways:
Award to Green Plains Design, LLC -- \$1,947,436.92
This item approves the contract for construction of Princeton Park streetscaping improvements, park and parkway improvements, and capital improvements. The developer, Rockrose Development, LLC will fund the initial construction of the project and will be reimbursed through the Colonies Improvement Account. The project and contract have been recommended for approval by the Colonies PID Advisory Board.
- D. Purchase – Police Camera System:
L3 Mobile Vision, Inc. -- \$52,683.50
This purchase is for 10 camera systems and related equipment.
- E. Award – Network Equipment:
Presidio -- \$78,244.00
This purchase is to replace old network equipment that is “End of Life,” “End of Software Maintenance,” and “End of Vulnerability/Security Support” with next generation equipment that meets our specifications for security and bandwidth requirements.
- F. Award – Street & Drainage Improvements: Western Crossing Drainage, Bell Street at Diamond Horseshoe Lake and Tee Anchor Boulevard Storm Sewers:
Amarillo Utility Contractors, Inc. -- \$343,935.00
This item awards a contract for Street and Drainage Improvements: Western Crossing Drainage, Bell Street at Diamond Horseshoe Lake and Tee Anchor Boulevard Storm Sewers.
- G. Award – Installation Phase of Masterson 509 Pump Station Electrical Switchgear Replacement:
Ray Electric Co. -- \$311,200.00
This item is a award of bid for the installation of the Masterson Pump Station Electrical Switchgear. The equipment that is being installed was purchased with Bid No. 5363 in May 2016. The installation of this Switchgear will be the final phase of this Capital Improvement Project.
- H. Approval – Second Amendment to Lease Agreement between Titan Towers, LP and the City of Amarillo:
The original lease was approved on April 11, 2001 and the first amendment dated July 25, 2011 extended the lease term to April 11, 2031 and increased the monthly rental to \$1000 per month and the rentals shall thereafter increase each Extension Term at the rate of fifteen percent (15%) over the monthly rentals paid during the previous term and for each term thereafter. The second amendment is requesting an extension to April of 2061 with a signing bonus of \$40,000 and a 3% increase annually on the current rental rate.
- I. Approval – Texas A&M Forest Services (TFS) Agreement:
This item approves the Texas A&M Forest Service (TFS), Emergency Facilities & Land Use Agreement, TFS Contract No.: CO-16-247, Rick Husband Amarillo International Airport.
- J. Approval – Aviation Clear Zone Easement:
Aviation Clear Zone Easement being 3,755 feet above mean sea level above the plat of Memory Acres Unit No. 13, an addition to the City of Amarillo, being an unplatted tract of land situated in Section 107, Block, AB&M Survey, Potter County, Texas. (Vicinity of I-40 and Whitaker Road.)

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 24, 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 18th day of November 2016.

Amarillo City Council meetings stream live on Cable Channel 110 and are available online at:
www.amarillo.gov/granicus
Archived meetings are also available.



STATE OF TEXAS
 COUNTIES OF POTTER
 AND RANDALL
 CITY OF AMARILLO

On the 15th day of November 2016, the Amarillo City Council met at 3:30 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

PAUL HARPOLE
 ELISHA DEMERSON
 LISA BLAKE
 RANDY BURKETT
 MARK NAIR

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

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

TERRY CHILDERS
 BOB COWELL
 MICK MCKAMIE
 BLAIR SNOW
 FRANCES HIBBS

INTERIM CITY MANAGER
 DEPUTY CITY MANAGER
 CITY ATTORNEY
 MANAGEMENT ANALYST
 CITY SECRETARY

The invocation was given by Bob Schroeder, Hillside Christian Church. Mayor Harpole led the audience in the Pledge of Allegiance.

A proclamation was presented for "Amarillo Cultural District."

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

ITEM 1: Mayor Harpole presented the minutes for November 8, 2016. Motion was made by Councilmember Nair to approve the minutes, seconded by Councilmember Blake, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole opened a public hearing and first reading of an ordinance amending the Ordinance defining the City's participation in the Texas Enterprise Zone Program, stating possible incentives, nominating BSA Hospital LLC as a qualified business and an enterprise project and designating a liaison for overseeing Enterprise Projects. There were no comments. Mayor Harpole closed the public hearing. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7629

AN ORDINANCE OF THE CITY OF AMARILLO AUTHORIZING THE CITY OF AMARILLO PARTICIPATE IN THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE: STATING POSSIBLE INCENTIVES: NOMINATING BSA HOSPITAL, LLC. TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A QUALIFIED BUSINESS AND AN ENTERPRISE PROJECT UNDER THE ACT; AND DESIGNATING A LIAISON FOR OVERSEEING ENTERPRISE PROJECTS AND COMMUNICATING WITH INTERESTED PARTIES.

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

ITEM 3: Mayor Harpole opened a public hearing to present an ordinance amending Chapter 8-2, Amarillo Municipal Code, for the purpose of enacting a program for the management of Community Cats through a Trap-Neuter-Return program.

Councilmember Nair stated he has been helping the Humane Society with this issue and he previously spoke to the City Attorney about a possible conflict of interest. Mr. McKamie stated the Legal Department has reviewed his assistance and found no legal conflict of interest. To avoid any appearance of impropriety, Mr. Nair stated he would abstain from voting. Mr. Richard Havens, AM&W Director, made a presentation on the Community Cat Program. Melanie Davidson, 3409 South Hayden Street, stated in September 2014, the Amarillo shelter was presented with a 30-page outline of how the animal shelter was doing and what needed improving. These goals were to decrease shelter intake and increase live release rates. Chase Steinmetz, 5713 Spencer Street, stated the TNR method has proven to reduce the amount of cats being born. TNR helps to stabilize the population. Mayor Harpole closed the public hearing. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7630

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS; AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2 FOR THE PURPOSE OF ENACTING A PROGRAM FOR THE MANAGEMENT OF COMMUNITY CATS THROUGH A TRAP-NEUTER-RETURN PROGRAM BY AMENDING ARTICLE I, SECTION 8-2-1 "DEFINITIONS" TO AMEND AND ADD DEFINITIONS; BY ADDING ARTICLE V "COMMUNITY CATS" TO DESCRIBE THE RESPONSIBILITIES OF OWNERS OF DOMESTICATED CATS, THE RESPONSIBILITIES OF THE AMARILLO-PANHANDLE HUMANE SOCIETY AND CARETAKERS, THE REMEDIES WHEN COMMUNITY CATS CAUSE A NUISANCE, PROVIDING FOR THE REMOVAL OF COMMUNITY CATS, AND DESCRIBING ENFORCEMENT MECHANISMS FOR THE PROVISIONS OF ARTICLE V; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

ITEM 4: Mr. Childers stated there was one modification made to the legislative agenda. He expressed support for legislation that would support funding for secondary education in terms of accelerating refugee students into the school system. He stated the City has received written communication from a Representative inquiring about the Council's agenda. The Council will also reach out to the State Senator and the second Representative. Mayor Harpole stated the extra funding was for public schools to support their funding. Mayor Harpole also expressed how the TxDot funding was important for continuation of the Loop. Mr. Childers stated bills are beginning to be filed and as items come up they will demand Council attention. Council will be briefed to allow for support or opposition. Mayor Harpole encouraged Council to attend the Chamber's Austin trip. Motion was made Councilmember Nair that the City adopt the 2017 Legislative Agenda, 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.

ITEM 5: Mr. Childers stated the Mayor and several Councilmembers suggested looking into the Albuquerque program. Kevin Starbuck presented for Council's consideration the Amarillo's Homeless Outreach Providing Encouragement (Hope) Pilot Program Plan. This pilot program for Amarillo would be the HOPE program. It would create an innovative, proactive approach to connect Amarillo's homeless population to our community's support services as part of our on-going commitment to move this population from crisis to stability and beyond. Mr. Starbuck stated the funding to be used would come from the Gulf Coast relief reimbursement. The current Homeless Management System would be used to track statistics on the number of participants and the services they have been connected with and make any needed adjustments.

Councilmember Blake inquired how workers will be protected in the event they get hurt. Mr. Starbuck stated that would be up to the agency they partner with and they will assume the liability. Mr. Starbuck stated the key to its success is getting assistance

from support service programs who are trained and qualified to work through the process. Councilmember Demerson inquired if the City would be looking at opportunities for the public sector so it could be handed-off. Mr. Childers stated this was a pilot program and they would learn some lessons on what works and how to go about taking this type of program and partnering in a different way with a community based organization. Mayor Harpole stated this was a small portion of the homeless problem but they could engage and use the resources available. Mr. Starbuck stated they would begin the program in March because of the upcoming weather. Mr. McKamie stated Council will receive for approval the Memorandum of Understanding (MOU) after application is received.

ITEM 6: Mr. Childers presented a reorganizational chart and resolution to streamline the organizational structure for the City of Amarillo. Mr. Childers stated the current structure has existed since the early 60's and 70's and does not address the current challenges. He suggested simplifying the organization structure to allow to enhance the decision-making, to think and act strategically, promote teamwork, collaboration and establish best practices. Mr. Childers stated the need to establish three offices: Office of Public Community and Community Engagement, Economic Development, and Strategic Initiatives who would all report directly to the City Manager. Strategic Initiatives would address issues that Council has stated they want such as addressing the BluePrint for Amarillo. Create a Community Health Department to combine the health programs to share common visions under a common leader. Create three management portfolios: Community Services, Public Safety and Organizational Services, and Planning and Development Services. Councilmember Nair questioned if these would remove some of the burdens on the Assistant City Managers. Motion was made that the following captioned resolution be passed by Councilmember Nair, seconded by Councilmember Blake:

RESOLUTION NO. 11-15-16-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: TO RECOGNIZE THE CITY GOVERNMENT ORGANIZATIONAL STRUCTURE TO PROVIDE FOR MORE ECONOMICAL AND EFFICIENT GOVERNMENT SERVICES; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR 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 7: Presentation and discussion to consider failed wastewater main claims and litigation arising from the Hillside Estates project, and directing the City Manager and City Attorney to pursue all legal remedies to protect the City's interests related thereto and authorize outside counsel to initiate and prosecute litigation against all responsibility parties. Floyd Hartman spoke on the wastewater main claims. Mr. Childers stated staff recommends authorizing the City Attorney to move forward with the litigation. Motion was made Councilmember Blake that the City Manager and City Attorney move forward with litigation, seconded by Councilmember Demerson.

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

ITEM 8: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Mayor Harpole asked for a brief explanation of Item D. Mr. Childers stated this was previously approved administratively by the City Manager and the community has had input. Councilmember Nair inquired if Item A was a mandated issue. Mr. Childers replied that it was on the design and installation. Motion was made by Councilmember Nair to approve the consent agenda, seconded by Councilmember Blake.

- A. Award – Professional Services Agreement for Engineering Services for Project #430036.1130 Phase I Landfill Gas Collections and Control Systems:
HDR Engineering, Inc. -- \$411,000.00
This agreement for engineering services is for the design of the Phase I Landfill Gas Collection and Control Systems.

B. Award – Direct Read Water Meters:

Award to HD Supply Waterworks	\$335,253.00
Award to Zenner USA	<u>\$ 21,000.00</u>
Total	\$356,253.00

This award is to approve a contract for the purchase of Direct Read Water Meters.

C. Award –Office Furniture Annual Contract:

Award to Hon Office Products in care of OfficeWise in an estimated amount of \$500,000.00
Furniture Contact awarded on TCPN Blanket Purchase Agreement R142208.

This award is to approve a contract for the purchase of Office Furniture.

D. Award – Professional Services Agreement for Engineering Services:

HDR Engineering, Inc. - \$411,000.00

This agreement is for engineering services for the design of the Phase I Landfill Gas Collections and Control Systems.

E. Approval -- Contract for Participation in City of Amarillo Rotation Log for Wrecker Services for Abandoned, Impounded, Junked and Disabled Vehicles:

The Wrecker Services Contract provides for the City of Amarillo Police Department to contact the wrecker service operator to remove and impound abandoned, junked, and disabled vehicles. The purpose of the Agreement is to establish minimum acceptable standards and criteria which wrecker service operators will be required to meet in order to participate in the City's Rotation Log. This agreement was previously reviewed and discussed by Council. At Council's direction, the Contract contains language requiring a heavy-duty certification for operators that conduct heavy duty towing operations.

F. Approval – Supply Agreement for the Purchase of Fire Truck Parts:

Ferrara Fire Apparatus, Inc. – \$70,000.00

This supply agreement will be for the proprietary parts for Ferrara-built fire trucks of all types.

G. Acceptance – FY2017 State Energy Conservation Agreement – Interlocal Cooperation Act, Interlocal Contract #CMD 17-6218JM

This item is acceptance of the FY2017 State Energy Conservation Agreement – Interlocal Cooperation Act, Interlocal Contract #CMD 17-6218JM between the Texas Comptroller of Public Accounts, State Energy Conservation Office and the City of Amarillo in the amount of \$184,459.00.

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 9: Mr. Childers stated as a part of Council priorities they have been addressing bootleg tires in the community. The objective is to clean up bootleg tires in the community. Scott McDonald presented Scrap Tire Regulations & Enforcement Discussion. Mr. McDonald stated the overall goal was community appearance. Councilmember Burkett inquired if there was a restriction on how many tires the landfill can take a year. Mr. McDonald replied the landfill is limited to 500 per year. Mr. Childers stated formal action will be presented to Council to implement these various elements.

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.

Al Patel 112 Amarillo Boulevard West, stated he previously questioned the recycling on Amarillo Boulevard and Grand Street. Mr. Patel also inquired about the possible

Amarillo Boulevard TIRZ. Mayor Harpole replied that staff will respond. Cole Camp, 4402 Charlene Avenue, stated he appreciated all the effort the City went through to educate the public on the propositions and needs. Further, he stated the need to continue the outreach and to find ways to fund the other items. Allen Finegold, 2601 North Grand Street, urged Council to have a public discussion on scrap yards and the possibility that the City pass an ordinance prohibiting the height of scrap. James Schenck, 6216 Gainsborough Street, stated the need to leave the Local Government Corporation Board as is. He inquired about a future agenda item to discuss Propositions 1 and 2 and how those items will proceed. Mr. Schenck further stated the organization chart lacked the citizens. Robert Goodrich, 4111 Stony Point, stated he had a number of questions about Item No. 7 and the Mayor did not invite comments. Mr. McKamie stated there is no public comment on legal matters. There were no further comments.

Mayor Harpole advised that the meeting was adjourned and the Council would go back into Closed Session then adjourn.

ATTEST:

Frances Hibbs, City Secretary

Paul Harpole, Mayor

DRAFT



Amarillo City Council Agenda Transmittal Memo



Meeting Date	11/22/2016	Council Priority	Community Appearance
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Department	City Manager
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Agenda Caption

This is the first reading of an ordinance amending Article IV, Chapter 8-3, section 8-3-82; adding article V, chapter 8-3, section 8-3-116 through 8-3-131 to provide regulation of tire businesses; providing for severability; providing for repealer; providing for continuation of prior law; providing penalty; providing for publication and effective date.

Agenda Item Summary

This ordinance is intended to provide a more clean, safe, and healthy environment by reducing illegal tire dumping practices, reducing the number of breeding grounds for mosquitoes and rodents which carry disease, deterring questionable tire transporters, and requiring more accountability from scrap tire facilities. This improves community appearance.

Requested Action

Approval of Ordinance

Funding Summary

NA

Community Engagement Summary

Individual and group meetings with local tire retailers, transporters, and storage facilities.
 Presentation and discussion during Work Session September 6, 2016
 Presentation and discussion during Work Session November 15, 2016

Staff Recommendation

Approval

11/07/2016 BSM _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, AMENDING ARTICLE IV, CHAPTER 8-3, SECTION 8-3-82; ADDING ARTICLE V, CHAPTER 8-3, SECTIONS 8-3-116 THROUGH 8-3-131 TO PROVIDE REGULATION OF TIRE BUSINESSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the illegal dumping of used an scrap tiers is an issue of major concern to the City of Amarillo and its citizens because the problem impacts every sector of the City; and

WHEREAS, safe and environmentally responsible removal, reuse and disposal of tires, promotes public health and safety; and,

WHEREAS, there is a need to establish visual aesthetic standards for certain businesses that utilize outdoor storage; and

WHEREAS, the abatement of these abandoned and/or unregulated stockpiles of used and scrap tires places a financial burden on the City; and

WHEREAS, to accomplish the aforementioned goals there is a need to regulate and license tire businesses; and

WHEREAS, the City Council finds the provisions of this ordinance are necessary and reasonable to promote and protect the public health, safety, and welfare;

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

SECTION 1. The Amarillo Municipal Code, Article IV, Chapter 8-3, Section 8-3-82, be and is hereby amended to read as follows:

Sec. 8-3-82. - Disposal of tires.

(a) It shall be unlawful for any person to set out for collection or to place within any City owned refuse container a whole tire or split, quartered or shredded tire pieces.

(b) It shall be unlawful for any person to dispose of a whole tire or a portion of a tire except as provided by Article V of Chapter 8-3.

(c) It shall be unlawful to deliver to the City landfill any tire except a whole tire or shredded tire pieces no larger than four (4) inches square. An off-the-road tire intended for use on heavy equipment may not be delivered to the landfill.

SECTION 2. The Amarillo Municipal Code, Article V, Chapter 8-3, Section 8-3-116 be and hereby is added to read as follows:

ARTICLE V. STORAGE, TRANSPORTATION AND DISPOSAL OF TIRES

Sec. 8-3-116. Definitions

(a) “Code Compliance Officer” shall mean the Building Official, Fire Marshall, Health Official or their designees.

(b) “Facility” shall mean all businesses referred to herein as, Mobile Tire Repair Business, Tire Business, and Tire Recycling Facility.

(c) “Generator” means tire dealers, junkyards, fleet operators, and others who generate used or scrap tires.

(d) “Natural earth-tone color” means shades of browns, tans, greys, greens, oranges, whites, and some reds, that are muted and flat in emulation of the natural colors found in the soils, grasses, trees and rocks found in the Panhandle region of Texas.

(e) “Mobile Tire Repair Business” means a business that repairs tires at any temporary location, including but not limited to a roadway, alley, parking lot, or residence. The term does not include a business that only changes out or replaces tires, but does not make any repairs to a tire.

(f) "Mobile Tire Repair Unit" means any vehicle used in a mobile tire repair business.

(g) "Scrap tire" means a whole tire or any portion of a tire that can no longer be used for its original intended purpose;

(h) "Scrap Tire Facility" means any business or establishment where 100 or more scrap tires per year are collected, repaired, processed, recycled, scrapped, sold, bought or stored.

(i) "Scrap tire transportation unit" means any vehicle used to transport scrap tires.

(j) "Tire Business" means any business or establishment where used tires are collected, repaired, processed, recycled, scrapped, sold, bought, or stored, including but not limited to a mobile tire repair business or scrap tire transportation business.

(k) "Tire Recycling Facility" means a state-registered facility that processes, recycles, or conducts energy recovery with scrap tires.

(l) "Used Tire" means a tire, including a recapped or retreaded tire, suitable for continued use for its original intended purpose.

Sec. 8-3-117. Scrap tire identification.

(a) Scrap tires shall be marked with the permit number of the scrap tire facility within twenty-four (24) hours of receipt.

(b) Whole scrap tires shall be marked on the outside of the tire in a manner sufficient to provide notice of ownership. Said marking of the permit number shall be at least one inch in height.

Sec. 8-3-118. Approved storage methods.

All used tires, scrap tires and tire pieces stored within the city must be kept in a manner which prevents their exposure to and collection of the elements of nature. Tires must not be allowed to hold water, dirt, rubbish or other foreign materials. Monitoring

and control measures are to be implemented as necessary to eliminate the presence of mosquito breeding and rodent harborage.

(a) Used tires, scrap tires and tire pieces shall be stored separately. (b) Used tires, scrap tires and tire pieces stored outside shall be:

(1) screened from public view;

(2) properly stored:

(A) on racks or neatly stacked not in excess of 10 feet in height; or

(B) in a roll-off container front-load dumpster, or other metal

storage container, including a trailer not exceeding 45 ft x 8 ft by 13 ft

if covered and if the stacked tires do not exceed height of 13 feet and

the container and contents are shielded from rainwater. No more than 4

containers may be stored at any one scrap tire facility location; and

(3) in compliance with all applicable fire code provisions.

Sec. 8-3-119. Unapproved storage of tires declared a public nuisance.

The storage of any tire upon any premises within the city in such a manner that does not conform to the approved storage methods defined in this Article is hereby declared to be a public nuisance which is subject to abatement at the expense of the owner of such premises as provided by law.

Sec. 8-3-120. Classification, License; License Fee.

(a) Tire businesses shall be classified based on the size of the facility. The fee for issuance or renewal of a license or permit required herein as follows:

<u>CATEGORY</u>	<u>CLASS</u>	<u>FEE</u>
<u>Tire business license</u>	<u>I. Less than 5,000 square feet</u>	<u>\$50.00</u>
	<u>II. 5001 to 21,780 square feet</u>	<u>\$65.00</u>

	III. <u>21,781 to 43,560 square feet</u>	<u>\$80.00</u>
	IV. <u>More than 43,560 square feet</u>	<u>\$100.00</u>
<u>Mobile tire repair unit permit/decal</u>		<u>\$50.00</u>
<u>*each additional Mobile tire repair units</u>		<u>\$25.00</u>
<u>Scrap tire transportation unit permit/decal</u>		<u>\$50.00</u>
<u>*each additional scrap tire transportation units</u>		<u>\$10.00</u>
<u>Technology fee</u>		<u>\$10.00</u>

The fee for issuing a duplicate license or permit required under this article for one that is lost, stolen, or mutilated is \$50.

(b) The license or permit shall be renewable annually. A licensee or permittee shall apply for renewal at least thirty (30) days before expiration of the license or permit. Failure to apply for renewal prior to the expiration will result in a \$25.00 late fee if application received within the first 30 days, after which a \$50.00 late fee will be assessed in addition to the ordinary license or permit fee.

(c) A mobile tire repair unit permit or scrap tire transportation unit permit granted under this article expires upon expiration, revocation, suspension or non-renewal of the tire business license.

Sec. 8-3-121. Application for License/Permit.

(a) All applications for and renewals of licenses to operate a facility must be made in writing to the Building Official on a form prescribed by the Building Official and shall, among other things contain:

(1) The name and residence address of the applicant (this information shall be listed for each member of a partnership or limited liability company and for each officer of a corporation);

(2) The name, business address, physical address, telephone number and nature of the proposed operation, existing operation or annexed operation;

(3) The present zoning and legal description of the premises for which application is being applied;

(4) The tax identification number or tax payer identification number for the operation and each owner and operator listed in the license application;

(5) For tire businesses with mobile tire repair units or scrap tire transportation units, the number and description of vehicles the applicant proposes to use as mobile tire repair units or scrap tire transportation units, including the year, make, model, vehicle identification number, and state license registration number for each vehicle, and proof that each vehicle is in compliance with state requirements for vehicle registration, vehicle inspection and vehicle financial responsibility;

(6) A copy of the National Pollution Discharge Elimination System Discharge Permit or notice of coverage for that location, as applicable;

(7) A copy of the Storm Water Pollution Prevention Plan for that location, as applicable;

(8) A copy of the state registration for a tire recycling facility, as applicable;

(9) A copy of all other records and permits required by all state and federal agencies that regulate tire businesses including but not limited to the Texas Commission on Environmental Quality (TCEQ) and the Environmental Protection Agency (EPA);

(b) Production of any of the records or permits listed in subsection (a) shall not be required upon presentation of certification from the appropriate agencies or entities that such records or permits are not required for that location;

(c) The Building Official may require code enforcement officers to physically ascertain that documents required by this article are kept on file at the facility as an alternative to the inclusion of such documents with an application. In such cases, the application must not be

approved until the officers have ascertained the documents' existence. Enforcement of federal or state requirements shall remain the responsibility of the appropriate agencies.

(d) The applications must contain the following statement: "THE LICENSE APPLIED FOR SHALL BE SUBJECT TO ALL PROVISIONS OF THE CODES AND ORDINANCES OF THE CITY RELATING TO TIRE BUSINESSES AS WELL AS ALL STATE AND FEDERAL REGULATIONS RELATING TO SUCH OPERATIONS."

(e) All applications must be signed and sworn to by the party applying for the license before a notary public or other official authorized to administer oaths.

(f) A separate license is required for each separate Facility. A separate mobile tire repair unit or scrap tire decal is required for each separate vehicle operated as a mobile tire repair unit.

(g) A single establishment operating more than one type of business for which a license or permit is required shall make application for and obtain the appropriate license for each type of business or yard operated at the establishment.

(h) Licenses and permits are not transferable between persons, yard, businesses, or vehicles.

(i) Each application shall be accompanied by a non-refundable \$50 application fee.

Sec. 8-3-122. Issuance or Denial of Licenses or Permit Renewals.

Annual licenses and permits shall be issued by the Building Official upon receipt of the prescribed fee and the completed application, including all required supporting documentation, provided that:

(a) The applicant, including partners, members of the limited liability company or officers of the corporation, as applicable, have not been convicted within the previous five (5) years of two (2) or more violations of this article; and

(b) After inspection, the premises are in compliance with this article and other applicable City ordinances and codes. In the event a license is denied, the applicant may request reinspection for an additional \$50 re-inspection fee.

(c) A license or permit issued under this section must be displayed in a manner and location approved by the Building Official. A license or permit must be presented upon request to the proper fire, health, police, code enforcement or building authority.

(d) If the Building Official denies an application for a license or permit required under this article, the Building Official's determination shall be appealable to the City Council.

Sec. 8-3 123. Revocation of a License or Permit.

The Building Official may revoke a tire business license, a mobile tire repair permit or scrap tire transportation unit permit if the licensee or permittee:

(1) refuses to allow any agent of the City entry into and inspection of the tire business license or a mobile tire repair unit during business hours;

(2) is convicted or assessed an administrative or civil penalty twice within a 24-month period of a violation of any city ordinance or state or federal law regulating solid waste, litter, dumping, pollution, standing water, insect, rodent or vermin infestation, or other similar health, sanitation or environmental concerns, or;

(3) violates any provision of this article.

(4) is otherwise not eligible for a license or permit because the Facility is not in compliance with the requirements of this article.

Sec. 8-3-124. Appeal to City Council.

(a) Any appeal of the denial of an application, renewal or revocation by the Building Official shall be filed in writing with the City Secretary within ten (10) business days of receipt of the decision or action specifying the exact grounds and reasons for the appeal. The appeal

shall be heard by the City Council within thirty (30) days of receipt of the properly filed appeal. The thirty (30) day hearing requirement may be waived by the Appellant.

(b) Upon appeal of the Building Officials denial of an application, renewal or revocation, the decision of the City Council with regard to the license or permit shall be made only after a public hearing before the council on the question at which interested parties shall have the opportunity to be heard. The Building Official shall mail notices to the owners of all property located within two hundred (200) feet of the area of the existing or proposed site of the tire business, or expansion. The notice shall state:

(i) The nature of the approval sought;

(ii) The location of the requested expansion or business;

(iii) The date, time, and location of the hearing; and

(iv) That the applicant and interested parties will have the opportunity to be heard regarding the requested expansion or establishment of the tire business.

(d) The City Council may uphold, reverse, or modify the Building Official's decision or action. The determination of the City Council shall be final.

Sec. 8-3-125. Compliance for Existing and Newly Annexed Tire Businesses.

(a) Facilities in operation within the City limits on the effective date of this ordinance shall have a reasonable time to comply with the all the requirements of this article. Such reasonable time shall not exceed the following:

1. Class I, II or III facilities – 12 months
2. Class IV facilities – 24 months

(b) Facilities which are annexed into the City shall have a period not to exceed twelve (12) months from the effective date of the annexation to comply with all the requirements of this article. Annexed Facilities shall also demonstrate compliance with existing federal, state and

local laws and regulations applicable to fencing requirements for such Facilities at the date of annexation. Subsequent to annexation, the Building Official shall promptly notify affected Facilities in newly annexed areas of the obligations under this article.

Sec. 8-3-126. Scrap Tire Facility or Tire Recycling Facility Fencing.

(a) All Scrap Tire Storage or Tire Recycling Facilities shall be enclosed on all sides (including front and rear) with a substantial and anchored wall or screen fence constructed as an adequate barrier to inhibit the migration of vermin, trash, junk, debris, or other material from the yard or business to an adjacent property. The wall or screen fence shall be constructed with appropriate drains so as not to inhibit necessary water drainage.

(b) The wall or screen fence shall be at least six feet in height and constructed such that the interior of the Facility is not visible from the exterior.

EXCEPTION: The wall or screen fence for facilities that operate machinery or equipment or as the result of any industrial process spews, shoots, or in any manner allows junk, trash, debris or shards of metal or other material to become a projectile shall be of sufficient height to prevent the projectile from leaving the premises of the Facility.

(c) Those sections of a Facility that are contiguous with another business shall be exempt from subsection (b), if those sections otherwise have an adequate barrier as required by subsection (a), to inhibit the migration of vermin, trash, junk, debris or metal shards or other material between the junkyards, automotive wrecking and salvage yards, recycling businesses or tire businesses.

(d) All walls and screen fencing shall be maintained in a neat, solid, substantial, and safe condition. No wall or screen fence shall be kept in a listing, damaged or decaying condition. All walls and screen fencing shall be a Natural Earth Tone color and may not have any sign appear on its surface other than a sign indicating the business name that complies with Chapter

4-2 of this Code and a sign as provided in this article for premises license or permit number identification.

(e) Gates for access to the Facility at each street or alley line shall not have combined openings exceeding thirty (30) percent of the alley or street frontage. Gates for access shall not swing outward and shall be kept closed when the Facility is not open for business.

Sec. 8-3-127. Manner of Storage.

(a) Tires, scrap tires, recycling material, and all other types of materials, equipment or machinery on the premises of a Facility shall be arranged so that a reasonable inspection of, or access to, all parts of the premises can be had at any time by the proper fire, health, police, code enforcement, and building authorities at any reasonable time. Metal racks shall be arranged to provide for ease of inspection, control of vermin and to facilitate water drainage, containment and waste control. Neither tires, scrap tires nor other salvage articles shall be stored or stacked higher than the height of the Facility's wall or screen fence.

(b) No tires, scrap tires, or recycling material shall be placed in any manner outside the surrounding screen fence or wall of the Facility.

(c) Premises shall be kept clean of any weeds and brush in compliance with Section 4-3-2.

(d) All Scrap Tire Storage Facilities shall have a fire lane. No tires, or scrap tires shall be placed within ten (10) feet of the surrounding wall or screen fence. The Code compliance Officer shall oversee fire protection access specifications and compliance for each Facility and may alter the required number of feet in accordance with the location, use, size, and other characteristics of an individual yard or business.

Sec. 8-3-128. Tire generators; disposal of tires; records.

(a) It shall be unlawful for any tire generator to cause or allow any tire to be transported upon any public street other than by a permittee. Each tire generator shall maintain daily records of the numbers of tires generated at each premises under his control and his disposition. A receipt showing the number of tires, the names of the tire permittee for each consignment of tires. Each receipt shall be issued at least in duplicate and signed by both parties with one copy thereof to be retained by the tire generator and one copy to be retained by the permittee.

Sec. 8-3-129. Provisions Applicable Scrap Tire Transportation Units.

(a) It is a defense to prosecution under this article that:

(1) not more than six (6) scrap tires were being transported at the same time in the same vehicle; or

(2) the scrap tires were being transported from a point outside the Amarillo city limits to another point outside the Amarillo city limits, and the vehicle did not stop within the Amarillo city limits for the purpose of loading or unloading any scrap tires.

(3) the scrap tires are five percent or less tires by volume and is part of a general cargo of "municipal solid waste" as that term is defined by Chapter 361 of the Texas Health and Safety Code.

(b) A person commits an offense if he disposes of a scrap tire at any location within the City.

(c) It is a defense to prosecution under subsection (b) that the scrap tire was disposed of:

(1) at a city landfill in compliance with city regulations governing the landfill; or

(2) at a tire recycling facility or tire disposal facility that is registered or permitted by the state as required under Section 361.112 of the Texas Health and Safety Code, as amended.

provided that the tires were delivered to the facility by a registered tire transporter and the manifest for the tires was signed by the transporter and the facility accepting the tires.

Sec. 8-3-130. Tire Business License or Permit Number Posted.

All tire businesses shall place and maintain a sign on the premises that may be read from the street right-of-way listing the license or permit numbers. The City will provide such sign at a cost of \$20.00. This sign shall be in addition to all other signage regulated by Chapter 4-2 of this Code.

Sec. 8-3-131. Penal Provision.

A violation of any of the provisions of this article constitutes a misdemeanor that shall be punishable, upon conviction, by a fine of not less than \$250.00 nor more than \$2,000.00, and each day that any violation continues shall constitute a separate offense; that an offense provided in this article which also constitutes an offense under state law shall be punishable as provided in the applicable state law.

Sec. 8-3-132 – 8-3-140. - Reserved

SECTION 3. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 4. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 5. Continuation. That nothing in this ordinance or any code hereby adopted shall be construed to affect any suit or proceeding ending in any court or an administrative proceeding, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance.

SECTION 6. Penalty. A violation of this ordinance is an offense punishable in accordance with Section 1-1-5 of this code of ordinances.

SECTION 7. Publishing and Effective Date. This ordinance shall be published and become effective according to law.

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

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM

William M. McKamie, City Attorney



Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Community Appearance
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Department	Planning Department
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Agenda Caption

Address: 1001 Gordon St.

Consideration and possible action on an ordinance approved the rezoning of Lot 18, Block 24, Sunrise Park Unit No. 6, in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 2 to Residential District 2 with a Specific Use Permit for the placement of a carport.

Agenda Item Summary

The applicant is requesting a change in zoning from R-2 to R-2 with an SUP in order to construct a carport placed within the front yard setback at 1001 Gordon Street. The applicant wants to build a 26' x 25' metal carport in the front yard of his home.

When analyzing an SUP request, staff observes the surrounding area to see what impacts the proposed carport could have on the overall character of the neighborhood. Staff considers the proposed carport's setbacks, existing trees and fences within the front-yard area, and other existing elements that may disrupt the streetscape character.

In surveying the surrounding area, staff located one other carport positioned within the front yard setbacks along Gordon Street. This carport was right next door to the applicant's property at 1003 Gordon Street, and was approved in August 2007.

As illustrated by the applicant's front yard and others within the same block, there are several existing mature trees and other landscaping already within the front yards along this street. There was one house with a fence within the front yard of this street that was chain link style and meets the required maximum height of 4 feet. This shows that there is no consistent pattern of unobstructed front yards within the neighborhood, and the placement of a carport should not create an unsightly obstruction that is inconsistent with other front yards.

This zoning request does not compromise the adopted 2010 Comprehensive Future Land Use and Character Map, which indicates general residential land use for this area, and all other zoning regulations will follow the Residential District 2 (R-2) zoning regulations that already apply to this property. Therefore, staff views this zoning request as appropriate due to the lack of disruption to the existing streetscape character.

Requested Action

Planning Staff and Planning & Zoning Commissioners have reviewed the associated rezoning and exhibit and recommends the City Council approve the item as submitted.

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 21 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no calls regarding this request.

The item was recommended for approval by 6:0 vote of the Planning and Zoning Commission at its November 14, 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. 7633

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SE 10th AVE & GORDON ST, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

Rezoning of Lot 18, Block 24, Sunrise Park Unit No. 6, in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 2 to Residential District 2 with a Specific Use Permit for the placement of a carport.

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

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

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

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

Paul Harpole, Mayor

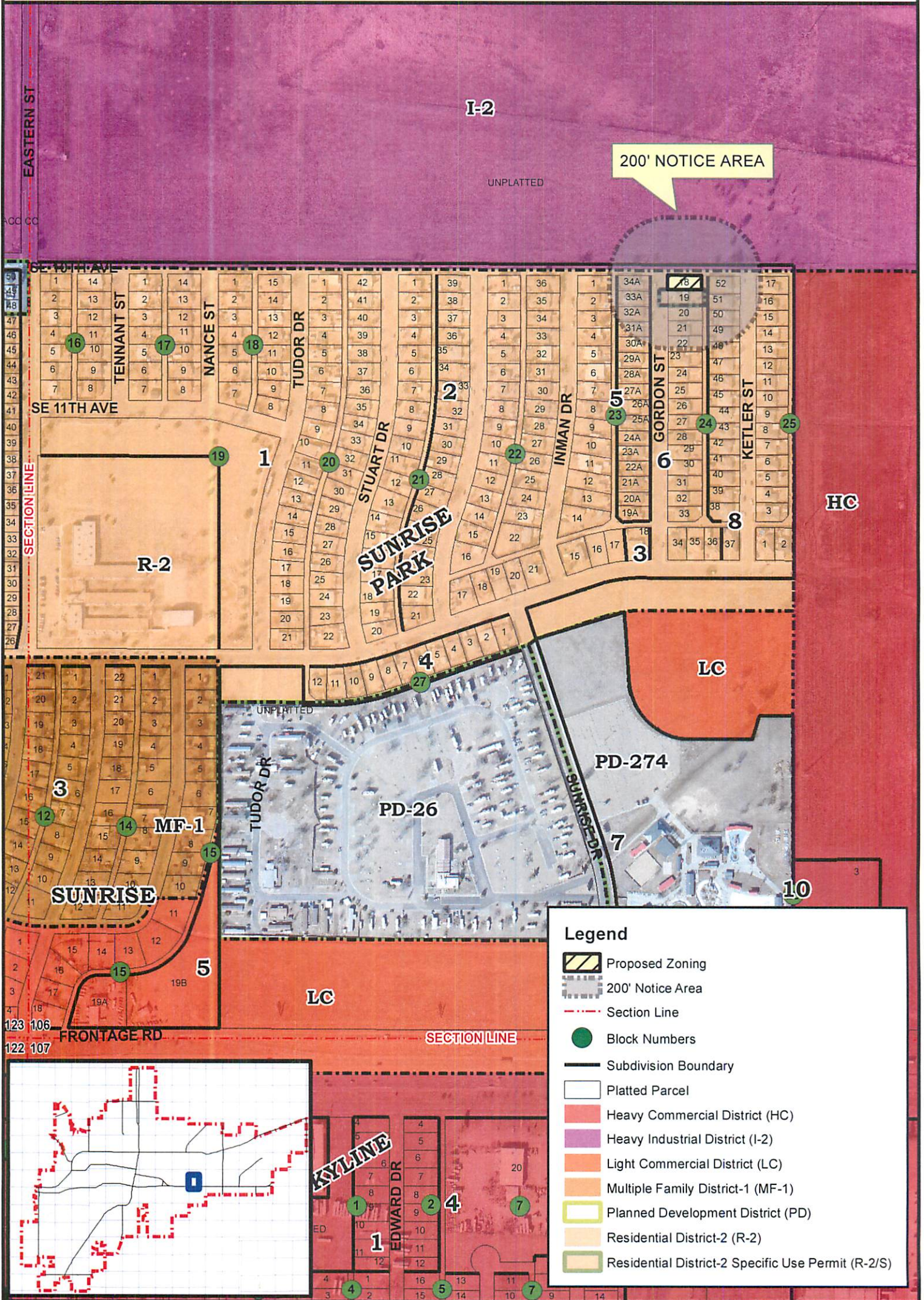
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

REZONING FROM R-2 TO R-2 W/ SUP



CITY OF AMARILLO PLANNING DEPARTMENT

Z-16-32 Rezoning of Lot 18, Block 24, Sunrise Park Unit No. 6, in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 2 to Residential District 2 with a Specific Use Permit for the placement of a carport.

Scale: 1" = 400'
Date: 10-21-16
Case No: Z-16-32



Applicant: Arturo Nava Jr.
Vicinity: SE 10th Ave & Gordon St

AP: R-12



Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Infrastructure
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Department	Planning
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Agenda Caption

Address: 101 Southeast 11th Avenue

Consideration and possible action on a ordinance approving the vacation of portions of right-of-way to include a 0.25 ft wide strip on the west side of Lots 6 & 7 and a 0.2 ft wide strip with the addition of two 5.2 ft x 8.3 ft sections on the south side of Lot 6, Block 139, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission.

Agenda Item Summary

This vacation request is being made to fix a building encroachment into right-of-way. Because this is a vacation of right-of-way (ROW), mobility of pedestrians and vehicles needs to be addressed to ensure no issues arise from this encroachment. Planning staff performed a site visit, at which staff noticed no major issues of mobility into, out of, or around the building.

The establishment of buildings near or directly on property lines that front on ROW is a common practice in downtown areas such as this, and this practice is also encouraged in the adopted Downtown Amarillo Urban Design Standards (DAUDS) overlay area, for which this location fall into.

“All new developments, regardless of use, shall locate buildings at or near the property line. Buildings shall face the street or other public spaces with a setback of no more than 5 feet from the property line.” [DAUDS 2014; pg 14]

When analyzing the property, staff has found no detrimental impacts that will occur with the vacating of this ROW.

Requested Action

Planning staff and Planning & Zoning Commissioners have reviewed the associated resolution and exhibit and recommend the City Council approve the item as submitted.

Amarillo City Council Agenda Transmittal Memo



Funding Summary

Chapter 272 of the Texas Local Government Code allows the conveyance of right-of-way for fair market value when the right-of-way is being vacated. At the City Commission level, it requires either an ordinance or resolution for passage. The resolution is used in the vacation of right-of-way, which the developer is required to pay the fair market value. All fees and costs associated with the vacation of any right-of-way must be paid to the city prior to consideration by the City Commission. The area proposed for vacation is being requested to be conveyed for \$150. Payment was made on 11/4/2016.

Community Engagement Summary

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

The item was considered by the Planning and Zoning Commission in a public hearing on November 14th at which there were no public comments.

Staff Recommendation

Staff recommends the approval of this Ordinance as presented.

ORDINANCE NO. 7634

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR RIGHT-OF-WAY IN THE VICINITY OF SOUTHEAST 11TH AVENUE AND SOUTH POLK STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

WHEREAS, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following-described RIGHT-OF-WAY; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that same is no longer needed for public purposes; now, therefore,

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

SECTION 1: That the herein-described RIGHT-OF-WAY segment be vacated and abandoned for public purposes:

V-16-04 Vacation of portions of right-of-way to include a 0.25 ft wide strip on the west side of Lots 6 & 7 and a 0.2 ft wide strip with the addition of two 5.2 ft x 8.3 ft sections on the south side of Lot 6, Block 139, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: SE 11th Ave. & S Polk St.) and being further described below:

FIELD NOTES A 128.5 square foot tract of land being part of the existing right of way of SE 11th Street and S. Polk Street adjoining Lots 6 and 7, Block 139, Plemons Addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, of record in Volume 59, Page 198, of the Deed Records of Potter County, Texas, and being further described by metes and bounds as follows:

BEGINNING at the Northwest corner of a tract being the all of Lot 6 and the South 10 feet of Lot 7, Block 139, as shown by Deed of record in Volume 3467, Page 140, Official Public Records of Potter County, Texas;

THENCE South 09 degrees 30 minutes West, along the East line of S. Polk Street, at a distance of 10.00 feet pass the Northwest corner of Lot 6 and continue for a total distance of 70.00 feet to the Southwest corner of Lot 6;

THENCE South 80 degrees 28 minutes 40 seconds East, along the North line of SE 11th Street and the South line of Lot 6, a distance of 140.00 feet to the Southeast corner of Lot 6;

THENCE South 09 degrees 30 minutes West, a distance of 0.2 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 55.00 feet;

THENCE South 09 degrees 30 minutes West, a distance of 5.00 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 8.30 feet;

THENCE North 09 degrees 30 minutes West, a distance of 5.00 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 13.65 feet;

THENCE South 09 degrees 30 minutes West, a distance of 5.00 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 8.30 feet;

THENCE North 09 degrees 30 minutes West, a distance of 5.00 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 55.00 feet;

THENCE North 09 degrees 30 minutes West, a distance of 70.20 feet;

THENCE South 80 degrees 28 minutes 40 seconds East, a distance of 0.25 feet to the PLACE OF BEGINNING. Said tract contains a computed area of 128.5 square feet of land.

SECTION 2: City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) as allowed or required by law.

SECTION 3: All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

SECTION 4: 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.

SECTION 5: This Ordinance shall become and be effective on and after its adoption.

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

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF POTTER §

This instrument was acknowledged before me on the ____ day of March, 2016 by Paul Harpole, Mayor, of the City of Amarillo, a Texas municipal corporation, on behalf of said corporation.

Notary Public in and for the
State of Texas

VACATION OF A PORTION OF A SIDEWALK



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Z-16-04 Vacation of a portion of the sidewalk on the south and west side of lots 6 & 7, Block 139, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas.

Applicant: Larry Jack Taylor

Vicinity: SE 11th Ave. & S Polk St.

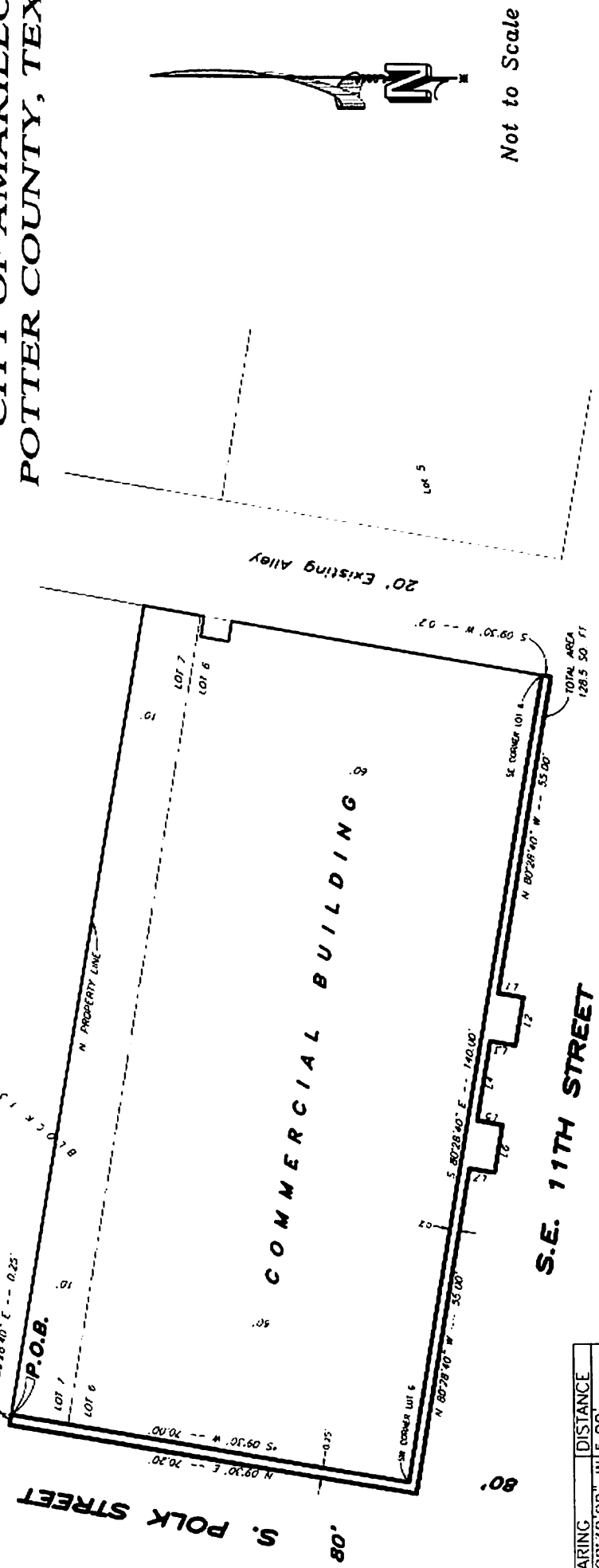
Scale: 1" = 150'
Date: 10-24-16
Case No: Z-16-04



AP: N-12

EXHIBIT "B"

**BLOCK 139,
PLEMONS ADDITION
CITY OF AMARILLO
POTTER COUNTY, TEXAS**



Not to Scale

LINE	BEARING	DISTANCE
L1	S 09°30'00" W	5.00'
L2	N 80°28'40" W	8.30'
L3	N 09°30'00" E	5.00'
L4	N 80°28'40" W	13.65'
L5	S 09°30'00" W	5.00'
L6	N 80°28'40" W	8.30'
L7	N 09°30'00" E	5.00'

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LEGEND

● = 3/8" Iron Rod set with HBD cap

Hagar, Brown & Dorsey, LLC.
L A N D S U R V E Y O R S

P.O. Box 1248
Harcford, Texas 79045
(806) 384-6084
(806) 384-6088 FAX
Texas Firm No. 10087381

Sheet 2 of 2
Drawn By J. Smith
Invoice No. *****

4713 S. Western St.
Amarillo, Texas 79109
(806) 352-6040
(806) 352-1008 FAX
Texas Firm No. 10087380

Plat Date: 10/19/2015

Plat No: A9711a.dwg

EXHIBIT "A"

A 128.5 square foot tract of land being part of the existing right of way of SE 11th Street and S. Polk Street adjoining Lots 6 and 7, Block 139, Plemons Addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, of record in Volume 59, Page 198, of the Deed Records of Potter County, Texas, and being further described by metes and bounds as follows:

BEGINNING at the Northwest corner of a tract being the all of Lot 6 and the South 10 feet of Lot 7, Block 139, as shown by Deed of record in Volume 3467, Page 140, Official Public Records of Potter County, Texas;

THENCE South 09 degrees 30 minutes West, along the East line of S. Polk Street, at a distance of 10.00 feet pass the Northwest corner of Lot 6 and continue for a total distance of 70.00 feet to the Southwest corner of Lot 6;

THENCE South 80 degrees 28 minutes 40 seconds East, along the North line of SE 11th Street and the South line of Lot 6, a distance of 140.00 feet to the Southeast corner of Lot 6;

THENCE South 09 degrees 30 minutes West, a distance of 0.2 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 55.00 feet;

THENCE South 09 degrees 30 minutes West, a distance of 5.00 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 8.30 feet;

THENCE North 09 degrees 30 minutes West, a distance of 5.00 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 13.65 feet;

THENCE South 09 degrees 30 minutes West, a distance of 5.00 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 8.30 feet;

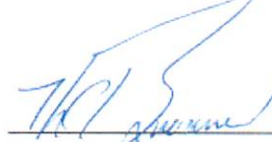
THENCE North 09 degrees 30 minutes West, a distance of 5.00 feet;

THENCE North 80 degrees 28 minutes 40 seconds West, a distance of 55.00 feet;

THENCE North 09 degrees 30 minutes West, a distance of 70.20 feet;

THENCE South 80 degrees 28 minutes 40 seconds East, a distance of 0.25 feet to the PLACE OF BEGINNING.

Said tract contains a computed area of 128.5 square feet of land.


K.C. Brown 10-19-16
Registered Professional Land Surveyor
No. 4664 State of Texas
HAGAR, BROWN & DORSEY, LLC
LAND SURVEYORS
4713 S. Western Street
Amarillo, Texas 79109
Phone: (806) 352-1007





Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Community Appearance
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Department	Planning Department
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Agenda Caption

Address: 4601 Interstate 40 Access Rd

Rezoning of a portion of Lot 2, and all of Lots 3 & 4, Sunrise Park Unit No. 2 and Lot 5a and a portion of Lot 5B, Sunrise Addition Unit No. 4, all in Section 123, Block 2, AB&M Survey, Potter County, Texas to change from Planned Development 330 to amended planned development for additional signage.

Agenda Item Summary

The applicant is requesting to amend the PD in order for signage to be allowed in addition to what the current PD ordinance allows, legitimizing what was placed on site and allowing that signage to be utilized in the future.

Planned Development (PD) 330 was approved in May 2006, in order to develop the land with a four story hotel. This site is located adjacent to residentially-developed property and because certain uses allowed in a Heavy Commercial zoning district (the next zoning designation that allows for a four-story hotel) are not compatible with the residences to the north, a PD was pursued

The following information describes the proposed development standards as shown on the submitted site plan and building elevations:

1. Construction of a 9,333 square foot, 105 room, four-story hotel;
2. 104 parking stalls;
3. 2,275 square feet of landscaped area and two trees (mainly along the frontage road);
4. one pylon sign with an overall maximum height of 50 feet and maximum sign area of 178 square feet. One wall sign to be located on the south end of the hotel with a maximum sign area of 105 square feet.
5. Provide an additional 13 trees on the site.
6. Provide additional landscaped areas along the east, north, and west property lines (including the area between the back-of curb to property line).
7. Provide a six foot solid wood fence along the north property line or adequate live screening to accomplish intent of a screening fence.

Amarillo City Council

Agenda Transmittal Memo



The applicant submitted a sign permit for the new owners of the hotel, who desired changing out the existing three wall signs located on the west, south and east end of the hotel, as the business name had changed. Upon reviewing the request, staff discovered this amount of signage was not allowed per the development standards associated with PD 330, despite a permit having been issued in 2010. As a result, this proposed amendment to the PD legalizes the amount of signage and captures for posterity its allowance on the site.

When conducting a site visit in the processing of this request, it was discovered that landscaping required in number 7 referenced above was not in compliance with the screening. This was stated and approved with the original PD. Planning Department is working with the owner to make sure adequate protection is provided from the northern residences.

This site is bounded by a residentially-zoned district to the north. When such a situation exists, what must be taken into account is the protection of the residences to the north. The additional landscaping, screening, and strict control of signage further protects the residences and helps mitigate any impact created by the proposed use. The proposed signage will not be visible from the residences to the north. Furthermore, the amendment will not increase the number of the existing signs in place. The proposed amended signage standards are as follows:

	Existing	Proposed
East end	One nonconforming sign, 124sqft	One wall sign, 145 sqft
South end	One wall sign, 124 sqft	One wall sign, 145sqft
West end	One nonconforming sign, 124 sqft	One wall sign, 100sqft

Requested Action

Planning staff and Planning & Zoning Commissioners have reviewed the associated rezoning and exhibit and recommend the City Council approve the item as submitted.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 15 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no calls regarding this request.

Amarillo City Council Agenda Transmittal Memo



The item was recommended for approval by 6:0 vote of the Planning and Zoning Commission at its November 14, 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. 7635

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 17TH AVENUE AND CARTER STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

Rezoning of a portion of Lot 2, and all of Lots 3 & 4, Sunrise Park Unit No. 2 and Lot 5A and a portion of Lot 5B, Sunrise Addition Unit No. 4, all in Section 123, Block 2, AB&M Survey, Potter County, Texas to change from Planned Development 330 to amended Planned Development District 386 for additional signage.(Vicinity: S.E. 17TH Ave. & Carter St.)

A 1.71-acre tract of land being the west 38 feet of Lot No. 2 and all of Lot No. 3 and Lot No. 4 in Block 8, Sunrise Addition Unit No. 2, an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, of record in Volume 500, Page 155, Deed Records Potter County, Texas and Lot No. 5-A and the west 38 feet of Lot 5-B in Block No. 8, Sunrise Addition Unit No. 4, a resubdivision of Lot No. 5, Block 8, Sunrise Addition Unit No. 2, an addition to the City of Amarillo, Potter County, Texas, as shown by the recorded map or plat thereof, of record in Volume 1200, Page 55, Deed Records Potter County, Texas, and more particularly described as follows:

BEGINNING at a Golladay Cap found at the intersection of the north right-of-way line of the west bound frontage road of Interstate Highway No. 40 and the east right-of-way line of Carter Street being the southwest corner of said Lot 5-A, Block 8, Sunrise Addition Unit No. 4 for the southwest corner of this tract.

THENCE N. 00°06'51" E., along said east right-of-way line of Carter Street. at 221.80 feet pass the northwest corner of said Lot 5-A, Block 8. at 251.96 feet pass the southwest corner of said Lot 4, Block 8, Sunrise Addition Unit No. 2, a total distance of 362.92 feet to a Yi" iron rod found at the northwest corner of said Lot 4, Block 8 on the south right-of-way line of S.E. Seventeenth Avenue on a curve for the northwest corner of this tract.

THENCE in a northeasterly direction along said south right-of-way line along the north line of said Lots 2, 3 and 4, Block 8 and along said curve to the left with a radius equal to 787.50 feet. a long chord bearing of N.

76°00'09" E. and a long chord distance of 200.04 feet, a curve distance of 200.58 feet to a 1/2" iron rod with a cap inscribed "RPLS 4263" set for the northeast corner of this tract.

THENCE S. 00°06'51" W., at 117.42 feet pass the south line of said Lot 2, Block 8, at 149.02 feet pass the north line of said Lot 5-B, Block 8, a total distance of 411.97 feet to a 1/2" iron rod set with a cap inscribed "RPLS 4263" set on said north right-of-way line of said west bound frontage road of said Interstate Highway No. 40 on the south line of said Lot 5-B, Block 8 for the southeast corner of this tract.

THENCE N. 89°48'18" W., at 38.00 feet pass the common corner of said Lots 5-A and 5-B, a total distance of 194.00 feet to the place of BEGINNING and containing 1.71 acres of land.

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

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

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

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

Paul Harpole, Mayor

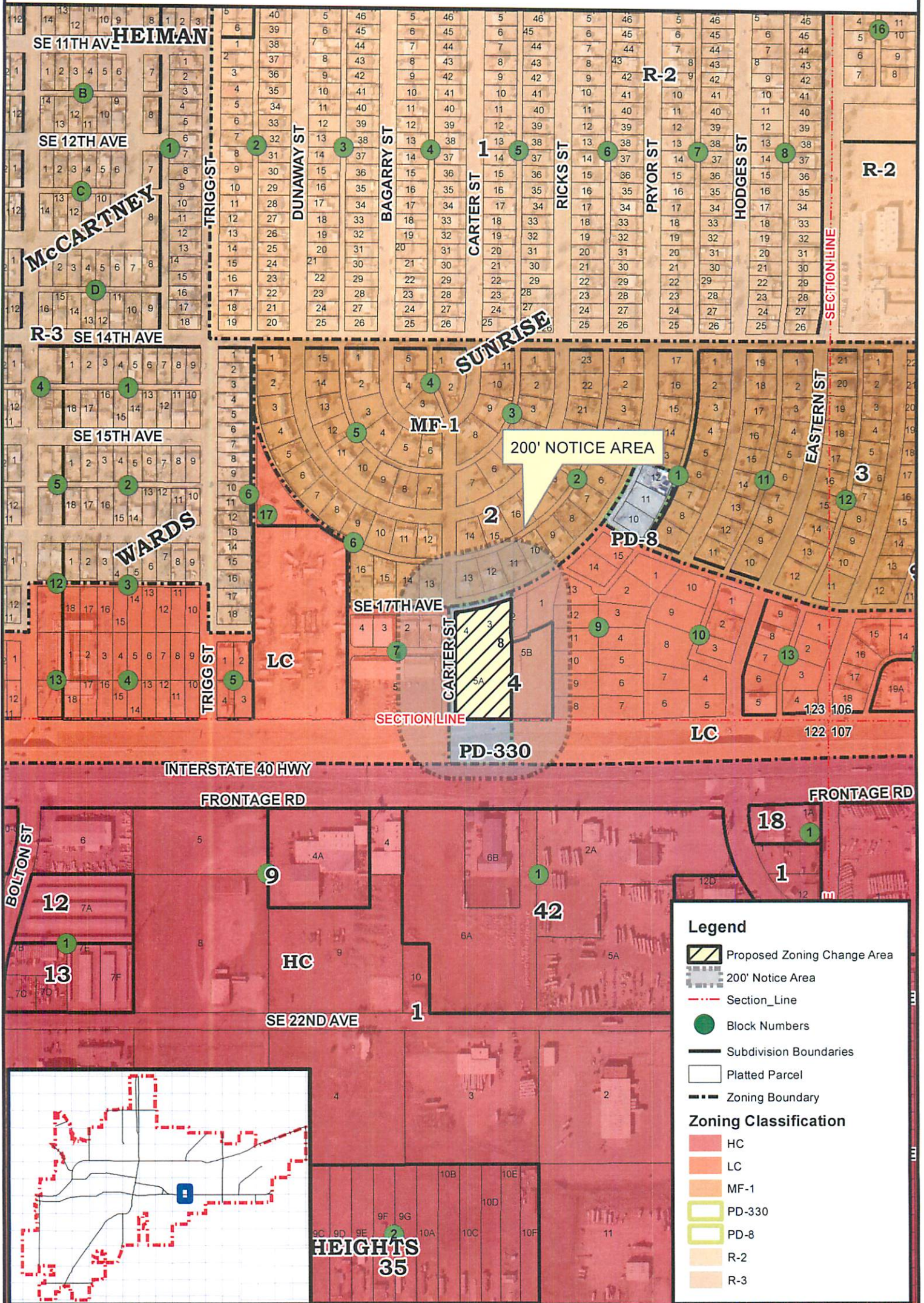
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

REZONING FROM PD-330 TO PD



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1" = 400'
Date: 10-24-16
Case No: Z-16-33



Z-16-33 Rezoning of a portion of Lot 2, and all of Lots 3 & 4, Sunrise Park Unit No. 2 and Lot 5a and a portion of Lot 5B, Sunrise Addition Unit No. 4, all in Section 123, Block 2, AB&M Survey, Potter County, Texas to change from Planned Development 330 to amended planned development for additional signage.

Applicant; Five VP Texas

Vicinity: I-40 West & Carter St.

AP: Q-12



Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Infrastructure
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Department	Planning
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Agenda Caption

Consideration and possible action on a ordinance approving the vacating of an existing 20 ft alley in Block 137, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission.

Agenda Item Summary

Firestone residential lofts is a project intended to pursue the unique renovation of a historic building. The applicant, Gary Jennings, is in the process of redeveloping a former gas station into residential units. Mr. Jennings would like to create a green space for the units on the west side of the building. However, there is currently not enough room to do so. Mr. Jennings would have room if he were able to utilize some of the area that is currently in the alley right-of-way. Furthermore, the desire of the property owner is to increase safety as several of the housing units are immediately adjacent to, and not set back from, the existing alley. Their windows will look out onto this alley.

This request has been reviewed by the typical City departments and local utility companies with the following comments offered. The Utilities department commented that, with existing water and sewer mains within areas of the right-of-way to be abandoned, retention of a Public Utility Easement (PUE) is necessary. The Engineering department stated that the street segment serves as a conduit for drainage and unless existing drainage is re-routed, retention of a drainage easement is also necessary.

It is worth mentioning that the Traffic Engineering department was among the entities to review the proposal. The Traffic Engineer did not express any issues with the alley abandonment.

As with any request to vacate public right-of-way, the applicant either is required to pay the fair market value to acquire the area, dedicate an area of equal or greater value, pay only the higher cost of the fair market value or the relocation cost, or complete a combination of these requirements. Because retention of a Public Utility and Drainage Easement over the entire area that is of equal value, a fair market payment will not be necessary.

Requested Action

Planning staff and Planning & Zoning Commissioners have reviewed the associated resolution and exhibit and recommend the City Council approve the item as submitted.

Amarillo City Council Agenda Transmittal Memo



Funding Summary

As with any request to vacate public right-of-way, the applicant either is required to pay the fair market value to acquire the area, dedicate an area of equal or greater value, pay only the higher cost of the fair market value or the relocation cost, or complete a combination of these requirements. Because retention of a Public Utility and Drainage Easement over the entire area that is of equal value, a fair market payment will not be necessary.

Community Engagement Summary

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

The item was considered by the Planning and Zoning Commission in a public hearing on November 14th at which there were no public comments.

Staff Recommendation

Staff recommends the approval of this Ordinance.

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR AN ALLEY IN THE VICINITY OF SOUTHWEST 10TH AVENUE AND SOUTH TYLER STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

WHEREAS, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following-described ALLEY; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that same is no longer needed for public purposes; now, therefore,

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

SECTION 1: That the herein-described ALLEY to be vacated and abandoned for public purposes:

V-16-02 Vacation of an existing 20 ft alley in Block 137, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: SW 10th Ave. & S Tyler St.) and being further described below:

A 20 foot wide alley lying between Lots 1 thru 5 and Lots 6 thru 10, Block 137 of Plemons Addition, Potter County, Texas.

SAVE AND EXCEPT: A Public Utility and Drainage Easement is hereby retained over the entire area of abandonment.

SECTION 2: City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) as allowed or required by law.

SECTION 3: All ordinances and resolutions or parts thereof that conflict with this ordinance are hereby repealed, to the extent of such conflict.

SECTION 4: 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.

SECTION 5: This Ordinance shall become and be effective on and after its adoption.

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

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF POTTER §

This instrument was acknowledged before me on the ____ day of December, 2016 by Paul Harpole, Mayor, of the City of Amarillo, a Texas municipal corporation, on behalf of said corporation.

Notary Public in and for the
State of Texas

VACATION OF 20' ALLEY



**CITY OF AMARILLO
PLANNING DEPARTMENT**

V-16-02 Vacation of an existing 20 ft alley in Block 137, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas.

Applicant: Gregg Bliss

Vicinity: SW 10th St & S Tyler St

Scale: 1" = 400'
Date: 10-24-16
Case No: V-16-02



AP: N-12

Amarillo City Council Agenda Transmittal Memo



7

Meeting Date	November 22, 2016	Council Priority	Best Practices
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Department	City Manager's Office
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Agenda Caption

Public Hearing and Reading of Ordinance _____: A Public Hearing and Reading of an Ordinance defining the City's participation in the Texas Enterprise Zone Program, stating possible incentives, nominating BSA Hospital LLC as a qualified business and an enterprise project and designating a liaison for overseeing Enterprise Projects.

Agenda Item Summary

This item considers an Ordinance detailing the City's participation in the Texas Enterprise Zone Program. Specifically, the ordinance provides language consistent with the program at the State level and identifies several additional local economic incentives the City may be willing to consider for businesses located within an Enterprise Zone. The proposed changes do not obligate the City to support any specific proposed nominations nor do they commit the City to award of any economic incentives.

The requested action follows a Council workshop held November 8th.

Requested Action

Conduct the Public Hearing and Approve the Ordinance detailing the City's participation in the Texas Enterprise Program

Funding Summary

N/A

Community Engagement Summary

The proposal was the subject of a Council workshop conducted at their meeting on November 8th and will be the subject of a public hearing and two readings.

City Manager Recommendation

Recommend approval of the proposed Ordinance

ORDINANCE NO. 7629

AN ORDINANCE OF THE CITY OF AMARILLO AUTHORIZING THE CITY OF AMARILLO TO PARTICIPATE IN THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE; STATING POSSIBLE INCENTIVES; NOMINATING BSA HOSPITAL, LLC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS A QUALIFIED BUSINESS AND AN ENTERPRISE PROJECT UNDER THE ACT; AND DESIGNATING A LIAISON FOR OVERSEEING ENTERPRISE PROJECTS AND COMMUNICATING WITH INTERESTED PARTIES.

WHEREAS, the City of Amarillo, Texas ("the City") desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the City and to provide employment to residents of those areas:

WHEREAS, the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, as amended, (the "Act") authorizes the designation of enterprise projects within an enterprise zone or, if the requirements of Section 2303.402 (a) (2) of the Act are met, within an area that does not qualify as an enterprise zone;

WHEREAS, under the 2003 amendments to the Act, the Act is now administered by the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Texas Economic Development Bank (Bank"), and provides for refund of state sales and use tax for capital investment with job creation and/or employment retention efforts and programs of qualifying businesses, per Section 2303.504 of the Act:

WHEREAS, with proper notice to the public, a public hearing to consider this ordinance was held on Tuesday, November 15, 2016, during a meeting of the City Council, the Council Chambers, at City Hall, in Amarillo, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that passage of this Ordinance would best serve public health, necessity, and convenience and the general welfare of the City and its citizens.

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

SECTION 1. As required by Section 2303.4051 (b) of the Act, the City's local incentives possible in each area within an enterprise zone and in each area not in an enterprise zone are identified and summarized briefly in the attached Exhibit A; and at least one of the local incentives is unique to the enterprise zone area. The City is in full compliance with the Act.

SECTION 2. The City finds that BSA Hopsital, LLC. ("BSA") is located in a state qualified Enterprise Zone (distressed county). The City further finds that BSA meets the criteria for designation as an enterprise project under the Act on the following grounds:

(a) BSA is a "qualified business" under Section 2303.402 of the Act because it is engaged in the active conduct of a trade or business at a qualified business site and at least thirty-five (35%) percent of its new employees in the Enterprise Zone will be residents of an enterprise zone in this state or economically disadvantaged individuals:

(b) The BSA project is qualified under Section 2303.404 of the Act because (1) it involves an expansion, renovation, or new construction (2) it will be completed within a predetermined period not to exceed five years: and (3) BSA maintains separate books and records for the Amarillo operations;

(c) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the jurisdiction of the City;

(d) The designation of BSA as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area in which the enterprise project will be located; and

(e) BSA qualifies for job retention benefits under Section 2303.406(a)(4)(D) because BSA has clearly demonstrated that the business is able to employ individuals in accordance with Section 2303.402.

SECTION 3. BSA qualifies as an Enterprise Project as defined in Section 2303.407(b)(4) of the Act because BSA will be making a capital investment in a project in excess of five million dollars (\$5,000,000). The City finds that it is in the best interest of the City to nominate BSA as an Enterprise Project under the Act, so that BSA may receive refund of state sales and use tax, per Section 2303.504 of the Act.

SECTION 4. Accordingly, the City hereby nominates BSA as an Enterprise Project under the Act. The City designates the City Manager or his designee as liaison to oversee enterprise projects nominated by the City and to perform the other duties described in Section 2303.204 of the Act. Further, the City Manager or his designee is authorized and directed to file an application requesting designation of BSA as an Enterprise Project with the Bank, and to execute all documents and agreements necessary to process the application, including that required by Section 2303.4052 of the Act.

SECTION 5. The City finds that BSA meets the criteria for tax relief and other incentives adopted by the City and that BSA will be located wholly within the qualified business site and will retain and create jobs and increase economic activity and stability. As required by Section 2303.4051(c)(2) of the Act, the City's local incentives, including tax incentives that at the election of the City Commission, may be made available to BSA, the nominated project, are identified and summarized briefly in the attached Exhibit.

SECTION 6. Upon approval of the Bank, the Enterprise Project will be named BSA Hospital, LLC ("Project").

SECTION 7. The Enterprise Project designation must be for a predetermined designation period approved by the Bank, with a beginning date and ending date for the Project: and the designation period for the Project may not exceed five (5) years from the date on which the designation is made, as required by Section 2303.404 of the Act. BSA and the City request that the Bank approve December 1, 2016, as the beginning date and December 1, 2021, as the ending date of the Project.

SECTION 8. The enterprise zone areas within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 15th day of November, 2016: and PASSED on Second and Final Reading the 22nd day of November 2016.

Paul Harpole, Mayor

ATTEST:

APPROVED AS TO FORM:

EXHIBIT A
Incentives that may be offered by the City of Amarillo

	Name of Incentive	Description of Incentive	Availability
1	Local sales and use tax refund	The City may refund the amount of tax paid under the Municipal Sales and Use Tax (Texas Tax Code, Chapter 321) by the business and remitted to the Comptroller of Public Accounts up to the maximum extent authorized by Sections 2303.505 and 2303.506 of the Act, and for a period determined by the City, but which shall not exceed (5) years.	Enterprise Zone Projects / Enterprise Zone areas on a Case-by-Case Basis
2	Tax abatement	The City may abate taxes on the increase in value of real property improvements and tangible personal property that locate in a designated enterprise zone.	City-wide
3	Low-interest loans	The City may offer low-interest loans to develop or revitalize the zone.	City-wide
4	Impact/Inspection fee exemptions or waivers	The City may waive or refund any and all applicable fees due or paid.	City-wide
5	Capital infrastructure improvements in water and sewer facilities	The City may provide infrastructure improvements for industries.	City-wide
6	Streamlined permitting	The City may allow permit applications and supporting materials to be tendered to one department for distribution to the appropriate city departments.	City-wide
7	Special Public Transportation Routes or Reduced Fares	The City may provide transportation programs that benefit the zone.	City-wide
8	Improved fire and police protection	Safety and protection of city residents.	City-wide
9	Community crime prevention programs	Neighborhood Watch Program	City-wide
10	Road repair	The City is responsible for maintaining and repairing all public streets and alleys inside city limits.	City-wide
11	Low-interest loans for housing rehabilitation or new construction	Encourage home ownership for city residents.	City-wide
12	Provision of publicly owned land for development purposes	Strategic sustenance and growth for the city.	City-wide
13	Job training and employment services	Offered in conjunction with Amarillo College.	City-wide
14	Retraining program	Offered in conjunction with Amarillo College.	City-wide
15	Literacy and employment skills program	Offered in conjunction with Amarillo College and public school districts.	City-wide
16	Vocational education	Offered in conjunction with Amarillo College and public school districts.	City-wide

17	Cash Grants	Offered by Amarillo Economic Development Corporation.nle	City-wide
18	Chapter 380 Property Tax Rebate	The City may provide all or a portion of annual property tax collections toward the reimbursement for infrastructure or other development obstacle.	City-wide
19	Freeport Exemption	The City offers a Freeport Exemption.	City-wide
20	Tax Increment Financing	The City may use Tax Increment Financing to finance public infrastructure improvements.	City-wide
21	Economic Development Sales Tax (4A) Contribution	The City has adopted an economic development sales tax which it may use to provide incentives or reimbursement for infrastructure or other development obstacle.	City-wide
22	Other Tax Deferrals, Tax Refunds or Tax Incentives	The City may provide tax incentives.	City-wide
23	Zoning Changes / Variances	The City may amend the zoning ordinances of the municipality to promote economic development.	City-wide
24	Building Code Exemptions	The City may provide regulatory relief to businesses, including exemptions from unnecessary building code requirements, impact fees, or inspection fees.	City-wide
25	Creation or Improvement of Parks	Maintain healthy lifestyle for City residents.	City-wide
26	Transfer Abandoned Housing to Individuals or Community Groups	The City may offer as an incentive a waiver against property abandonment cost or a consideration of land exchanges.	City-wide
27	Use of Surplus School Buildings for Incubators	Where applicable, the City may provide for the use of these facilities.	City-wide
28	One-Stop Permitting, Problem Resolution Center or Ombudsmen	The City may provide regulatory relief to businesses, including one-stop permitting.	City-wide
29	Promotion and Marketing Services	Offered by Amarillo Economic Development Corporation.	City-wide
30	Customized Job Training	Offered in conjunction with Amarillo College and public school districts.	City-wide

EXHIBIT B
Incentives that could be considered and offered by the City of Amarillo to
Nominated Texas Enterprise Zone Projects

	Name of Incentive	Description of Incentive	Availability
1	Exhibit A	On a case-by-case basis.	Enterprise Zone / Where Applicable / City-wide



8

Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Community Appearance
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Department	Animal Management & Welfare
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Agenda Caption

ORDINANCE NO. 7630:

This is the second and final reading of an ordinance amending Chapter 8-2, Amarillo Municipal Code, for the purpose of enacting a program for the management of Community Cats through a Trap-Neuter-Return program.

Agenda Item Summary

The proposed ordinance changes would set forth guidelines for the managing of a Trap-Neuter-Return program within the City of Amarillo. These changes would establish working definitions, responsibilities of the Animal Management & Welfare Department and the Amarillo-Panhandle Humane Society, along with means to abate nuisances and a means for enforcement if necessary.

Requested Action
To take action on the Second and Final Reading.

Funding Summary
N/A

Amarillo City Council Agenda Transmittal Memo



Community Engagement Summary

The ordinance changes would be a Level 4 Impact and have been presented to all appropriate boards and parties.

- Community Engagement:
 - Animal Management & Welfare Advisory Board – May 4, 2016 – Support
 - Amarillo-Panhandle Humane Society – June 20, 2016 – Support
 - Bi-County-City Health Board – July 18, 2016 - Support
 - Sent letter to all Veterinarian Clinics in the City Limits of Amarillo –August 2, 2016 – No Comments have been received from the mailing.
 - Community Meeting –
 - August 9, 2016 – East Branch Library, 2232 E. 27th Ave.
 - August 10, 2016 - Northwest Branch Library, 6100 W. 9th.
 - August 16, 2016 - Southwest Branch Library, 6801 W. 45th Ave.
 - August 17, 2016 - Downtown Library, 413 E. 4th Ave.
 - Community Survey – 796 Responses
 - Also refer to Community Engagement Summary Binder provided on October 18, 2016.

Staff Recommendation

Staff's recommendation is to take the proposed ordinance changes to a Second and Final Reading.

ORDINANCE NO. 7630

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2 FOR THE PURPOSE OF ENACTING A PROGRAM FOR THE MANAGEMENT OF COMMUNITY CATS THROUGH A TRAP-NEUTER-RETURN PROGRAM BY AMENDING ARTICLE I, SECTION 8-2-1 "DEFINITIONS" TO AMEND AND ADD DEFINITIONS; BY ADDING ARTICLE V "COMMUNITY CATS" TO DESCRIBE THE RESPONSIBILITIES OF OWNERS OF DOMESTICATED CATS, THE RESPONSIBILITIES OF THE AMARILLO-PANHANDLE HUMANE SOCIETY AND CARETAKERS, THE REMEDIES WHEN COMMUNITY CATS CAUSE A NUISANCE, PROVIDING FOR THE REMOVAL OF COMMUNITY CATS, AND DESCRIBING ENFORCEMENT MECHANISMS FOR THE PROVISIONS OF ARTICLE V; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, "Community Cats" currently exist in large numbers and roam free throughout the City of Amarillo with no effective means of controlling their population; and

WHEREAS, the City currently addresses nuisances caused by feral cats through trapping and humane euthanasia; and

WHEREAS, approximately _____ feral cats are humanely euthanized annually at the City's shelter; and

WHEREAS, the City endorses the potential for trap-neuter-return (TNR) policies as mechanism to stabilize and/or reduce existing feral cat populations and addresses potential disease concerns by establishing rules and regulations for feral cat sponsors like the Amarillo Panhandle Humane Society and caretakers to ensure feral cats are spayed/neutered and provided rabies vaccination; and

WHEREAS, an effective TNR program requires a clear delineation of the responsibilities of Community Cat Caretakers and the Amarillo Panhandle Humane Society as distinct from the responsibilities of the owners of domesticated cats; and

WHEREAS, the public health and welfare requires methods to ensure that feral cats are immunized against disease and safely neutered under the care of a veterinarian; and

WHEREAS, that it is in the public interest to protect the environmentally sensitive areas from damage due to feral cat colonies; and

WHEREAS, it is in the legitimate interest of the City of Amarillo to protect the health, safety, protection, and welfare of feral cats and residents by setting reasonable standards for the management of feral cats;

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

SECTION 1. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-1 be and hereby is AMENDED to now read as follows:

Sec. 8-2-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal: Any live, nonhuman, vertebrate creature, be it domestic, wild, Livestock, reptile, or other.

At Large: Any Animal not restrained, including without limitation Domestic, Wild, and Livestock Animals as defined herein and Estrays as defined in state law.

Adoption Program: Transferring permanent custody of animal(s) to a private individual, 501(c)(3) non-profit animal rescue organization, or placing in temporary foster home pending transfer of permanent custody.

Animal Management & Welfare officer: (a) An employee of the City of Amarillo Animal Management & Welfare Department authorized to enforce all ordinances and state laws pertaining to the ownership, care, and management of Animals by exercising lawful authority to issue citations, notices of violation, and seizing Animals, and obtaining warrants or court orders pertaining to Animals; (b) any Texas peace officer acting to enforce this chapter or state laws pertaining to Animals.

Barnyard Fowl: Means and includes chickens, ducks, geese, peacocks, guineas, and turkeys.

Community Cat Colony: Means a group of Community Cats that live together in one territory and are managed by the Amarillo-Panhandle Humane Society.

Community Cat: Means, a feral cat or undomesticated cat that is not socialized for interaction with humans.

Community Cat Caretaker: Means any person other than an owner who provides, food, water, or shelter to, or otherwise cares for, a Community Cat.

Dangerous Animal: Any Animal shall be deemed dangerous upon the occurrence of any of the following events:

- (1) An unprovoked attack on a person, Domestic Animal or Livestock, causing serious bodily injury, by an Animal outside a secure enclosure in which the attacking Animal is kept;
- (2) An unprovoked act of aggression by an Animal outside a secure enclosure which causes a person to reasonably believe the Animal will attack and cause serious bodily injury to a human or to a Domestic Animal or Livestock;
- (3) Certification by a Doctor of Veterinary Medicine that an Animal poses a danger to human life, Animal life, or property based on a reasonable medical probability after observation.

Department: Means the department of Animal Management and Welfare for the City of Amarillo.

Domestic Animal: Those Animals which are naturally tame and gentle or which, by long association with man, have become thoroughly domesticated and are now reduced to such a state of subjection to his will that they no longer possess the disposition or inclination to escape. This definition specifically includes household pets, such as dogs and domesticated cats and pigeon, rabbit, other bird or fowl not regulated or defined elsewhere, and miniature Animals. Domestic Animals do not include Community Cats as defined herein.

Eartipped: means straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.

kennel: Any place where five (5) or more Animals, not wild, livestock, or stray, over the age of four (4) months, are raised, trained, boarded, harbored or kept. A farm, ranch, horse lot private or commercial, private stable, veterinary clinic, Animal hospital and an Animal pound as defined in the Zoning Ordinance are specifically excluded from this definition.

Livestock: Any species or family of bovine, ox, cattle, swine, pig, horse, equine, tapir, elephant, deer, or antelope; other grass or plant-eating single or cloven-hooved mammals, (whether indigenous to this state or not): any species or family of emu, ostrich or any other Animal (not listed in this ordinance as Domestic, Wild, or Barnyard Fowl) which may be raised for human consumption in the United States of America; and, any Animal designated or defined by state law as an Estray when straying or at large.

Microchip: A passive electronic device that is injected into an Animal by means of a hypodermic-type device. Each microchip must contain a unique and original number that is readable by an electronic scanning device for purposes of Animal identification. The microchip shall be supplied with a tag that must be attached to the Animal's collar to notify others of the presence of the microchip.

(a.) A Microchip implanted in a Community Cat that is part of a Trap, Neuter, and Return (TNR) Program will be registered to the Territory where the Community Cat lives; an owner's name will not be required for registration. Under this subsection, the purpose for micro-chipping is to track any and all medical procedures and vaccinations, and provide a location to return the Community Cat to in the event return is needed. A Community Cat that is part of a TNR Program is exempt from the requirement above requiring a Microchip tag be attached to the Animal's collar.

Miniature Animals: Those Animals, not wild or livestock, which when fully grown do not exceed eighteen (18) inches in height at shoulder level and weigh no more than ninety (90) pounds are considered to be miniature.

Neutered: Means any Animal, male or female rendered incapable of breeding or being bred.

Owner: (1) A person who owns, keeps, harbors, controls (physically or by verbal or hand commands), feeds, shelters or aids any Animal; or (2) A person who is the Owner's agent left in charge of an Animal; or (3) A person who states that he or she will be responsible for an Animal. If the Owner of an Animal is under the age of seventeen (17) years, then the head of the household of such person under age seventeen (17) is deemed to be an Owner and responsible for the Animal. There is a rebuttable presumption that any person who owns, keeps, harbors, controls, feeds, shelters or aids any Animal for three (3) consecutive days or more is an Owner for purposes of this Article.

(a.) Exception: A person is not an Owner of a Community Cat if that person is engaged in activities specifically related to an approved Trap, Neuter, and Return (TNR) Program.

Restrain: Any Animal shall be deemed to be restrained when it is:

- (1) Confined on the Premises of the Owner within a fenced enclosure, capable of confining the Animal;
- (2) Fastened, tethered, or picketed by a lead, rope, cable, strap, or other non-chain material so as to keep the Animal on the Premises of the owner and at least three (3) feet from the edge of any public street, alley, or sidewalk, as measured from the interior edge of the street, alley, or sidewalk, as applicable, being opposite from the curbside of the sidewalk, to the end of the lead, rope, or tether;
- (3) Under the control of a person by a leash;
- (4) Within a vehicle being driven or parked; or
- (5) On the premises of the Owner or keeper and is obedient to and under control of oral command.

Serious bodily injury: Means an injury characterized by severe bite wounds or severe ripping and tearing of muscle that would cause a reasonably prudent person or Animal Owner to seek treatment from a medical professional or veterinarian and would require hospitalization or clinic treatment without regard to whether the person actually sought medical treatment or veterinarian services.

Society: Means the Amarillo-Panhandle Humane Society

Sterilized: See, *Neutered.*

Territory: Means a zip code within the City of Amarillo.

Trap, Neuter, and Return (TNR) Program: Means a program approved by the Director or designee of the Amarillo-Panhandle Humane Society which Community Cats are captured, evaluated, vaccinated for Rabies, neutered, micro-chipped, ear tipped, and returned to the trap location in order to encourage the stabilization of the free-roaming cat population in the city.

Wild Animal: Those Animals of a wild nature or disposition so as to require to be reclaimed and made tame by art, industry or education, or else must be kept in confinement to be brought within the immediate control of the Owner. Without limiting the general definition just stated, this term specifically includes venomous reptiles, a wolf hybrid, or any non-Domestic Animal whose normal body weight at maturity is typically fifteen (15) pounds or more.

SECTION 2. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-5 be and hereby is amended to now read as follows:

Sec. 8-2-5. - Nuisance Animals.

- (a) It shall be unlawful for any person to own or maintain an Animal in such a manner as to constitute a public nuisance. The following acts shall constitute a public nuisance:
- (1) Failure to restrain an Animal, ~~except and unless the Animal is under control and obedience to oral command while in the course of:~~ A. duties or training as a working or service Animal; training for obedience trials; field trials, agility, dog shows, tracking work, or search and rescue work or training; or, B. performing in an organized exhibition or training event that is held in a public venue or business; or, C. in a designated "leash-free" area of a park;
 - (2) ~~Damage to property caused by an Animal against the wishes of the owner of the property.~~
 - (3) Maintaining a Domestic Animal or Livestock in an unsanitary environment which shall include but not be limited to the failure to remove urine and feces daily from the confinement area to minimize the breeding of flies and rodents (Ord. No. 5929, § 2, 10-15-91);
 - (4) Permitting an Animal to bark, whine, howl, crow, cackle or make any other noise which causes annoyance or interference with the reasonable use and enjoyment of a Premises;
 - (5) Herding of Animals along or upon any Public Right-of-way, except by any officer, agent or employee of the federal, state or local government or agency thereof, if such herding is done in the performance of his official duties;
 - (6) The maintenance of a Kennel in violation of Chapter 4-10.
 - (7) Maintaining a Dangerous Animal within the city limits in violation of the requirements stated in Section 8-2-10(a).
- (b) It shall be a nuisance and unlawful for any person to keep swine within the limits of the City, except for the keeping of swine under direct supervision by and upon the premises of public and private schools, fairs, or livestock shows and with the exception of Miniature pigs, in which case no more than two (2) Miniature pigs (no litters) may be kept as pets in any one (1) household. Miniature pigs shall be spayed or neutered on or before the age of three (3)

months. No adult male Miniature pig may be kept under this provision unless his tusks have been surgically removed.

- (c) All Domestic Animals authorized to be kept shall be confined to the Premises of the Owner or custodian of such Domestic Animal, and it shall be unlawful for any person to allow such Domestic Animal to run or fly at large, or go upon the Premises of another person, or to allow any shelter or cage for any Animal to be located in violation of applicable Building Setback Lines, as set forth in the Zoning Ordinance. No Domestic Animal, other than a dog or cat, shall be kept within a Front Yard in a one-family or two-family Dwelling District as these terms are defined in the Zoning Ordinance.
- (d) It shall be a nuisance and unlawful for the Owner or custodian of any Animal which has been killed or died, and which is not intended as food for human consumption, to permit or suffer any such dead Animal to remain upon any Premises.
- (e) It shall be a nuisance and unlawful to keep any Livestock within the City limits unless such Animal is kept in a horse lot (private or commercial), or other use as authorized in the Zoning Ordinance. For purposes of this subsection, the term "livestock" shall include horses, donkeys, mules, goats, sheep and other Animals of the ox kind or bovine species.
- (f) It shall be unlawful to keep Barnyard Fowl within the City limits, except: at a location zoned for Industrial, Agricultural, or Heavy Commercial use; or, up to four (4) Barnyard Fowl per quarter-acre may be kept at a location otherwise zoned provided that the location is not less than one-quarter acre in size.

Sec. 8-2-9. - Vaccination tag.

Upon complying with the vaccination provisions of this chapter, there shall be issued to the Owner a numbered metallic tag stamped with the number and expiration year. Dogs and cats shall at all times wear the rabies vaccination tag issued to that Animal. The Owner or person in possession of a Miniature pig may not keep such Animal within the City of Amarillo without being able to provide proof of vaccination required by this chapter. A Community Cat that is part of a TNR Program is exempt from the requirement above requiring a rabies vaccination tag to be attached to the Animal's collar.

Sec. 8-2-15. - Temporary custodian; transfer of ownership.

- (a) Temporary custodian. The City of Amarillo is hereby deemed to be the temporary custodian of every animal immediately upon such animal coming into the possession, care, custody, or control of the Animal Management & Welfare Department, for purposes of providing the animal medical treatment (therapeutic or prophylactic), immunizations, feeding, and general care of such animal as the City deems necessary or prudent in its sole discretion.
- (b) Transfer of ownership. After the expiration of three (3) days of an animal being in the possession, care, custody, or control of an animal without being reclaimed or redeemed by the owner thereof, such animal is deemed to become and be the personal property of the City of Amarillo, upon satisfying any notice or other prerequisites prescribed by this chapter or other applicable law.
- (c) Community Cats will be exempt from the three (3) day impoundment requirement, and custody may be immediately transferred from the Department to the Society for placement in a Community Cat Colony.

SECTION 3. The Amarillo Municipal Code, Chapter 8-2, Article IV, is amended to read as follows:

Sec. 8-2-71. - Administration; report by veterinarian.

[NO TEXT CHANGE]

Section 8-2-72. - Report of bite cases.

[NO TEXT CHANGE]

Section 8-2-73. - Quarantine regulations; pathological examination.

[NO TEXT CHANGE]

Section 8-2-74. - City-wide quarantine.

[NO TEXT CHANGE]

Section 8-2-75. – Nonauthorized killing of suspected animals; surrender to City.

[NO TEXT CHANGE]

Sec. 8-2-76 – 8-2-79. - Reserved.

SECTION 4. The Amarillo Municipal Code, Chapter 8-2, adding Article V to now read as follows:

ARTICLE V. – COMMUNITY CATS

Sec. 8-2-80. – Responsibilities of owners of domesticated cats.

(a) Owners of domesticated cats shall provide appropriate and adequate food, water and shelter for their cats.

(b) The owner of a domesticated cat shall exercise reasonable care to guard against the cat creating a nuisance.

(c) An owner shall not abandon a domesticated cat.

Sec. 8-2-81. – Community Cat Colonies.

(a) Community Cat Colonies may be permitted subject to this Chapter and only Community Cat Colony Caretakers may maintain and care for Community Cats by providing food, water, shelter and other forms of sustenance if necessary. In addition Community Cat Colonies must be registered with a Department and the Community Cat Colony Caretaker must take all appropriate and available steps to meet the terms and conditions of this Article. Nothing in this Article grants or implies a right to trespass, use, or access private property without the consent of the property owner. Because Community Cats are unowned, nothing in this Article conveys or implies any ownership interest in a Community Cat to any individual or entity or the City.

(b) It shall be the duty of the Amarillo-Panhandle Humane Society to:

1. Review and, in its discretion, approve of Community Cat Colony Caretakers.

2. Help to resolve any complaints over the conduct of a Community Cat Colony Caretaker or of cats within a colony.

3. Maintain records provided by Community Cat Colony Caretakers on the size and location of the colonies as well as the vaccination, and neutered records of cats in the Society's colonies.

4. Provide, at a minimum, written educational training for all Caretakers addressing uniform standards and procedures for colony maintenance.

5. Provide the Department with access to records for review and/or confirmation of the following:

(i) number and location of colonies in the City;

(ii) total number of cats in each of its colonies;

(iii) number of cats from its colonies vaccinated, and spayed and neutered pursuant to the TNR program and number of cats and kittens from its colonies placed in permanent homes.

6. Prevent Community Cat Colonies from being maintained on any environmentally sensitive areas or lands managed for wildlife or other natural resources, such as but not limited to, nature preserves and other environmentally sensitive habitats.

7. Provide any forms or other documentation necessary to allow Community Cat Colony Caretakers to receive any public or private subsidies, medical care or other forms of assistance for their Community Cat Colonies which may be available to them;

8. Provide to the Department access to records pertaining to the location, by address, of Community Cat Colonies where Community Cat Colony Caretakers have regularly failed to comply with this Ordinance or where the Amarillo Humane Society has been unable to resolve a nuisance behavior situation.

(c) Community Cat Colony Caretaker Responsibilities. In order to be an approved managed Community Cat Colony Caretaker, said Caretakers shall be responsible for the following:

1. Registering the colony with the Society.

2. Should a Community Cat come back into custody then the Community Cat's rabies vaccination status shall be checked and brought up-to-date if necessary.

3. Take appropriate and reasonable steps to have the colony population neutered by a licensed veterinarian.

4. Eartipping the ear of a colony cat that has been vaccinated and neutered so that colony cats can be readily identified.

5. Providing the Society descriptions of each cat in the colony and copies of documents demonstrating that the cats have been vaccinated, and neutered.

6. Providing food, water and, if feasible, shelter for colony cats, if necessary

7. Obtaining proper medical attention for any colony cat that has a debilitating injury or illness.

8. Observing the colony cats at least twice per week and keeping a record of any illness or unusual behavior noticed in any colony cat.

9. Obtaining approval of the owner of any property, or any authorized representative of the owner, to which the Community Cat Colony Caretaker requires access to provide colony care.

10. Taking all reasonable steps to (1) remove kittens from the colony after they have been weaned, (2) place the kittens in homes or foster homes for the purpose of subsequent permanent placement, and (3) capture and spay the mother cat.

11. Taking appropriate measures to comply with the nuisance section of the Chapter and assisting with elimination of nuisances when declared by the Department.

(d) Withdrawal of Community Cat Colony Caretaker. In the event that a Community Cat Colony Caretaker is unable or unwilling to continue in that role, he or she shall notify the Society. In the event the Society is unable or unwilling to continue to perform its role, it shall so advise the Department.

(e) Removal of Community Cat Colony cats.

1. The Department may develop policies and procedures for trapping and disposition of Community Cats for the purpose of eliminating a potential public health or public safety threat, a nuisance, or for the welfare of the animal.

2. The Department, when in possession of a cat whose ear has been tipped indicating that it belongs to a Community Cat Colony, shall take reasonable steps to notify the Society of the description and sex of the cat, and if available, the address or location where the cat was trapped. The Society shall take all appropriate and available steps to identify the Community Cat Colony Caretaker of this cat

3. If the Community Cat Colony Caretaker is not able to immediately take custody of the cat, the Officer shall transport the cat to the City's animal shelter. The Community Cat Colony Caretaker shall be responsible for retrieving the cat

from the shelter within three (3) business days or advising the shelter if he or she does not intend to retrieve the cat.

Sec. 8-2-82. - Nuisance.

(a) A Community Cat causing a nuisance for the first time may be impounded and returned to the Society or Caretaker to implement TNR program requirements.

(b) A Community Cat causing a nuisance may be impounded and handled consistent with the protocol for a domestic cat which is creating a nuisance or returned to the Society or Caretaker for identification of alternative solutions. The Community Cat shall not be returned to the location from which it was four times removed as a nuisance.

(c) A property owner may take measures to abate a nuisance caused by a Community Cat on the owner's private property in a manner that does not harm the Community Cat or animal.

Sec. 8-2-83. - Enforcement.

(a) The Department, in order to enforce the terms of this ordinance, shall have the right to manage the City's Community Cat program, which shall be exercised at its reasonable discretion including but not limited to:

1. The right to revoke the registration or approval for any entity or individual to serve as a sponsor or Caretaker.
2. The right to remove or to direct the Society to remove a Community Cat that is creating a nuisance if the Society has failed to adequately resolve a nuisance within 30 days after being given written notice thereof. Failure of the Society to remove the cat shall constitute grounds for the Department to remove the cat.

(b) The City shall investigate any nuisance complaint allegedly caused by a Community Cat.

1. In the event that a Community Cat or Community Cat Colony has created a nuisance, the Society shall be notified in writing of the nuisance.
2. The Society shall have the right to review the matter with the Director or designee of the Department. If the Society is not able to satisfy the Director or designee that a nuisance is not occurring, the Society shall have 30 days to comply with the Director's or designee's direction with respect to correcting the nuisance. If the Society fails to correct the nuisance, the Department shall have the right to remove the cat.

(c) If a Society fails to perform its responsibilities as defined in this Ordinance, the Department may notify the Society that it must comply with the requirements of this Ordinance within 30 days. If the Society fails to do so, the Department may discontinue the TNR Program with the City Manager's approval or may reassign the Community Cat Colonies from this Society to another sponsor or approved entity with the City Manager's approval.

(d) If a Community Cat Colony Caretaker regularly fails to comply with this Ordinance, the Society may notify the Community Cat Colony Caretaker that he or she has 30 days to make all reasonable efforts to fulfill the responsibilities specified in this Ordinance. If the Community Cat Colony Caretaker fails to comply within that time period, the Society may identify and obtain replacement Community Cat Colony Caretakers for the Community Cat Colonies of the non-compliant Community Cat Colony Caretaker. If no other Community Cat Colony Caretaker can be found within 30 days, the Society shall notify the Department, and the Department may humanely remove all, or parts of, the Community Cat Colonies.

SECTION 14. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 15. Continuation. That nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance and such prior law is continued in effect for purposes of such pending matter.

SECTION 16. Penalty. A violation of this ordinance is an offense punishable in accordance with Section 1-1-5 of this code of ordinances.

SECTION 17. Publishing and Effective Date. This ordinance shall be published and become effective according to law.

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

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



11/22/2016 _____

RESOLUTION NO. 11-22-16-1

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION REGARDING A BOND ELECTION HELD IN THE CITY OF AMARILLO ON THE 8TH DAY OF NOVEMBER, 2016.

WHEREAS, on this the 22nd day of November, 2016, came on to be considered by the City Council the canvass of the returns of the Special Municipal Election regarding a bond election held in the City of Amarillo on the 8th day of November, 2016; and

WHEREAS, the City Council has canvassed the returns of said election and it appears from said returns, duly and legally made, that there were 63,178 valid and legal ballots cast in said election; and that

PROPOSITION NUMBER 1

“SHALL the City Council of the City of Amarillo, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$89,495,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, improving and maintaining streets, thoroughfares, alleyways and sidewalks within the City including related storm drainage improvements, traffic signalization and signage, street lighting, traffic management equipment, creek erosion, bridge and culvert improvements and utility relocations and the acquisition of land therefor, such bonds to mature serially or otherwise over a period not to exceed twenty-five (25) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

FOR Proposition 1 31,891

AGAINST Proposition 1 25,304

PROPOSITION NUMBER 2

“SHALL the City Council of the City of Amarillo, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$20,080,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, improving, renovating, expanding and equipping public safety facilities; such bonds to mature serially or otherwise over a period not to exceed twenty-five (25) years from their date, to be issued and sold in one or more series

at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

FOR Proposition 2	31,003
AGAINST Proposition 2	25,912

PROPOSITION NUMBER 3

“SHALL the City Council of the City of Amarillo, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$42,550,000 for permanent public improvements and public purposes, to wit: constructing, improving, expanding, renovating and equipping municipal buildings including a senior citizen center and the acquisition of land therefor; such bonds to mature serially or otherwise over a period not to exceed twenty-five (25) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

FOR Proposition 3	26,602
AGAINST Proposition 3	30,453

PROPOSITION NUMBER 4

“SHALL the City Council of the City of Amarillo, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$22,250,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, improving, expanding, renovating and equipping neighborhood park and recreation facilities of the City and the acquisition of land therefor; such bonds to mature serially or otherwise over a period not to exceed twenty-five (25) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

FOR Proposition 4	28,648
AGAINST Proposition 4	29,082

PROPOSITION NUMBER 5

“SHALL the City Council of the City of Amarillo, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$83,430,000 for permanent public improvements and public purposes, to wit: constructing, improving, expanding, renovating and equipping civic center facilities and the acquisition of land therefor; such bonds to mature serially or otherwise over a period not to exceed twenty-five (25) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

FOR Proposition 5	24,505
AGAINST Proposition 5	33,118

PROPOSITION NUMBER 6

“SHALL the City Council of the City of Amarillo, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$16,295,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, improving, expanding, renovating and equipping facilities for the fleet services department, including the acquisition of vehicles therefor; such bonds to mature serially or otherwise over a period not to exceed twenty-five (25) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

FOR Proposition 6	25,064
AGAINST Proposition 6	32,395

PROPOSITION NUMBER 7

“SHALL the City Council of the City of Amarillo, Texas, be authorized to issue general obligation bonds of the City in the principal amount of \$65,550,000 for permanent public improvements and public purposes, to wit: acquiring, constructing, improving, expanding, renovating and equipping municipal athletic facilities, including soccer, softball and baseball fields, gymnasium, basketball and aquatics facilities and the acquisition of land therefor; such bonds to mature serially or otherwise over a period not to exceed twenty-five (25) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council at the time of issuance or sale

of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

FOR Proposition 7	26,652
AGAINST Proposition 7	31,340

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

SECTION 1. That said election was duly called; that notice of said election was given and held in accordance with law; and that said election and the returns thereof have been duly canvassed by the City Council.

SECTION 2. That at said election FOR Proposition Number 1 received a majority of the votes cast.

SECTION 3. That at said election FOR Proposition Number 2 received a majority of the votes cast.

SECTION 4. That at said election AGAINST Proposition Number 3 received a majority of the votes cast.

SECTION 5. That at said election AGAINST Proposition Number 4 received a majority of the votes cast.

SECTION 6. That at said election AGAINST Proposition Number 5 received a majority of the votes cast.

SECTION 7. That at said election AGAINST Proposition Number 6 received a majority of the votes cast.

SECTION 8. That at said election AGAINST Proposition Number 7 received a majority of the votes cast.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas on this 22nd 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 22, 2016	Council Priority	Infrastructure
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Department	Planning
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Agenda Caption

Address: 7901 East I-40 Frontage Road

Consideration and possible action on a resolution approving the vacation of an existing 20 ft Public Utility Easement (PUE) on the east side of Lot 7, Block 1, Lakeside Park Unit No. 1, in Section 91, Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission.

Agenda Item Summary

Staff researched this easement (dedicated by plat on December 22, 1972) to find out what utilities, if any, existed in this easement. It was determined there were no water or sewer lines located in this easement. Focus then shifted to private utilities that could possibly be located in the easement. AT&T, Suddenlink, Atmos Energy, and West Texas Gas either had no comment, or confirmed they had no facilities within the easement. Xcel Energy, however, stated they had a power line in the easement that served this particular property but were willing to remove it if the owner so chooses. Discussions with OJD Engineering revealed that the property owner and Xcel Energy were going to have the power line removed and redone for the redevelopment of the property. A private utility easement will be established with Xcel Energy when the property is replatted in the future.

As with any request to vacate public easements or rights-of-ways, the applicant is either required to pay the fair market value to acquire the area, dedicate an area of equal or greater value, pay only the higher cost of the fair market value or the relocation cost, or complete a combination of these requirements.

Requested Action

Planning staff and Planning & Zoning Commissioners have reviewed the associated resolution and exhibit and recommend the City Council approve the item as submitted.

Funding Summary

Chapter 272 of the Texas Local Government Code allows the conveyance of an easement for fair market value when the easement is being vacated. At the City Commission level, it requires either an ordinance or resolution for passage. The resolution is used in the vacation of an easement, which the developer is required to pay the fair market value. All fees and costs associated with the vacation of any easement must be paid to the city prior to consideration by the City Commission. The area proposed for vacation is being requested to be conveyed for \$1,500. Payment was made on 11/15/2016.

Amarillo City Council Agenda Transmittal Memo



Community Engagement Summary

No notices were required.

The item was considered by the Planning and Zoning Commission in a public hearing on November 14th at which there were no public comments.

Staff Recommendation

Staff recommends the approval of this Resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO,
TEXAS VACATING A PUBLIC UTILITY EASEMENT

WHEREAS, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following-described PUBLIC UTILITY EASEMENT; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that same is no longer needed for public purposes;

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

SECTION 1. That the herein-described PUBLIC UTILITY EASEMENT segment be vacated and abandoned for public purposes:

Vacation of an existing 20 ft Utility Easement on the east side of Lot 7, Block 1, Lakeside Park Unit No. 1, in Section 91, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: I-40 E Frontage Rd. & S Lakeside Dr.)

SECTION 2. City Manager is authorized to execute an instrument of conveyance to the property owner as allowed or required by law.

SECTION 3. All ordinances and resolutions or parts thereof that conflict with this resolution are hereby repealed, to the extent of such conflict.

SECTION 4. In the event this resolution or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the resolution, and such remaining portions shall continue to be in full force and effect.

SECTION 5. That this Resolution contained herein shall be effective immediately upon passage and approval.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 22nd day of November, 2016.

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF POTTER §

This instrument was acknowledged before me on the ____ day of November, 2016 by Paul Harpole, Mayor, of the City of Amarillo, a Texas municipal corporation, on behalf of said corporation.

Notary Public in and for the
State of Texas

VACATION OF 20' EASEMENT



**CITY OF AMARILLO
PLANNING DEPARTMENT**

V-16-03 Vacation of an existing 20 ft Public Utility Easement on the east side of Lot 7, Block 1, Lakeside Park Unit No. 1, in Section 91, Block 2, AB&M Survey, Potter County, Texas.

Applicant: Behrooz Sadigh-Pour

Vicinity: I-40 E & S Lakeside Dr

Scale: 1" = 250'
Date: 10-21-16
Case No: V-16-03



AP: S-13



A

Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Long Term Plan for Infrastructure
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Department	Street / 1420
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Agenda Caption

Purchase – Hot Mix Asphaltic Concrete: Advantage Asphalt Products, Ltd. - \$810,000.00. This item awards a contract for purchase of Hot Mix Asphaltic Concrete, used on a daily basis (weather permitting) for asphalt repairs to paved streets and alleys.

Agenda Item Summary

Hot Mix Asphaltic Concrete is used in repair of paved streets and alleys throughout the City.

Requested Action

Award this proposal to best evaluated respondent Advantage Asphalt Products, Ltd., at a base price of \$54.00 per ton. The purchase agreement ties the price of hot mix asphaltic concrete to the “per ton” cost of liquid asphalt, which is used in the production of hot mix asphaltic concrete. At a base cost of \$300.00 per ton for liquid asphalt, Advantage Asphalt Products, Ltd. will increase/decrease the base price for hot mix asphaltic concrete by \$0.50 per ton for every \$10.00 per ton increase/decrease in liquid asphalt. This amount is a **decrease** of 22.295% below last year’s base price of \$69.50 per ton.

Funding Summary

Funding in the amount of \$900,000.00 for the purchase of Hot Mix Asphaltic Concrete is available in the approved 2016/2017 Street Department budget. The \$810,000 cost is 10% less than budgeted. No State or Federal funds will be used for the purchase of these materials.

Community Engagement Summary

Hot Mix Asphaltic Concrete is the primary material used by the Street Department in the repair of paved streets and alleys throughout the City. Hot Mix Asphaltic Concrete is used to repair paved streets and alleys, increasing the longevity of the asphalt pavement, as well as, improving the overall appearance of the City’s streets and alleys.

Staff Recommendation

Street Department recommends acceptance of this proposal.

Proposal P02-17 Hot Mix Asphaltic Concrete		Chris Mitchell Street	Van Hagan Public Works	Kyle Schniederjan	Total Points Possible = 300			
Tabulation Compilation with Breakdown by Evaluator								
Company	Total Points Possible:	100.00	100.00	100.00	Total	Average	Rank	Comments
J Lee Milligan	82.50	82.00	82.00	85.00	249.50	27.50%	2	
LA Fuller & Sons	70.00	52.00	70.00	70.00	192.00	23.33%	4	
Advantage Asphalt Products	90.00	96.00	90.00	90.00	276.00	30.00%	1	
R K Hall	80.00	75.00	80.00	80.00	235.00	26.67%	3	

B



Amarillo City Council Agenda Transmittal Memo



Meeting Date	Nov 22, 2016	Council Priority	Infrastructure Initiative
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Department	Fleet Services
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Agenda Caption

Purchase – Mechanical Street Sweeper

Heil Of Texas	\$274,088.00
Total Award \$274,088.00	

This item is the scheduled replacement of unit 6984, 2008 Freightliner Sweeper that has reached or exceeded useable life expectancy.

Agenda Item Summary

Replacement approved in the 2016-2017 budgets. This award will be used by the Street Department for daily operations. This bid represents a 1% increase from the last purchase. Funding for this award is available in the approved FY 2016-2017 Fleet Services Rolling Stock Budget.

Scheduled replacement of unit 6984, 2008 Freightliner Sweeper. Purchased thru HGAC contract #SW-04-16. Contract purchase allows for discounted pricing, quicker delivery schedule, consistency with in fleet for maintenance, operator training, and lower down time due to established best practices including factory training on specialized equipment.

Requested Action

Approval

Funding Summary

Fleet Auto Rolling Stock , account 61120.84100 request total award \$274,088.00.
beginning funding \$4,680,100.00 remaining account balance \$3,880,065.00

Community Engagement Summary

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

City Manager Recommendation

City staff recommends approval.

Bid No. 5622 MECHANICAL STREET SWEEPER
Opened 4:00 p.m. November 11, 2016

To be awarded as one lot HEIL OF TEXAS

Line 1 Sweepers, mechanical, dual gutter
broom, diesel, scheduled replacment
6984, 2008 freightliner sweeper
mechanical street sweeper, per
specifications

1 ea		
Unit Price	\$294,115.000	
Extended Price		294,115.00

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

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

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

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

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

1 ea		
Unit Price	(\$24,527.000)	
Extended Price		(24,527.00)

Bid Total		274,088.00
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Award by Vendor		274,088.00
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C



Amarillo City Council Agenda Transmittal Memo



Meeting Date	11/22/16	Council Priority	Community Appearance
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Department	Planning
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Agenda Caption

Purchase – Site Amenities for the Colonies Unit 63 Parks and Parkways:
Award to Green Plains Design, LLC -- \$1,947,436.92

This item approves the contract for construction of Princeton Park streetscaping improvements, park and parkway improvements, and capital improvements.

Agenda Item Summary

At their August 9th meeting, the Colonies Public Improvement District (PID) Advisory Board approved three bid projects to be advertised. The scope of the project includes construction of the last segment of New England parkway, a circle park, Princeton Park, and other improvements (brick work, sidewalks, decorative lighting, and landscaping). A pre-bid meeting was held September 27th, and bids were received on October 13th.

The Advisory Board met on October 27th to discuss the awarding of the bid. The project proposal issued for bid included 2 add alternates, both of which the board agreed they wanted to include in the execution of the project. Of the three bids received, one did not include a bid for both add alternates and was therefore disqualified. Green Plains Design, LLC submitted the low bid including both add alternates. As such, the board made a recommendation to award this project to Green Plains Design, LLC.

The developer, Rockrose Development, LLC will fund the initial construction of the project and will be reimbursed through the Colonies Improvement Account. The project and contract have been recommended for approval by the Colonies PID Advisory Board.

Requested Action

Approval of the recommendation to award the bid to Green Plains Design, LLC for \$1,947,436.92, as recommended by the Advisory Board.

Funding Summary

Funding for this project will come from the Colonies PID.

Amarillo City Council Agenda Transmittal Memo



Community Engagement Summary

Public meeting was posted and held according to Open Meetings Act requirements on October 27th.

Staff Recommendation

Staff recommends the Council approve the recommendation put forward by the Colonies PID Advisory Board.

Amarillo City Council Agenda Transmittal Memo



Funding Summary

Funding for this project will come from the Colonies PID.

Community Engagement Summary

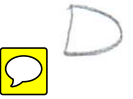
Public meeting was posted and held according to Open Meetings Act requirements on October 27th.

Staff Recommendation

Staff recommends the Council approve the recommendation put forward by the Colonies PID Advisory Board.

Bid No. 5575 Colonies Unit No. 63 Parks and Parkways
 Opened 4:00 p.m., October 13, 2016

To be awarded as one lot	Green Plains Designs	Tri-State General Contracting Group	PLAINS BUILDERS CO LLC
Line 1 Base bid for Colonies Unit 63 Park and Parkways, per specifications			
1 ea			
Unit Price	\$1,420,422.82	\$1,494,063.000	\$1,432,000.000
Extended Price	1,420,422.82	1,494,063.00	1,432,000.00
Line 2 Base Bid for Princeton Park Streetscape, per specifications			
1 ea			
Unit Price	\$306,175.70	\$230,041.000	\$200,000.000
Extended Price	306,175.70	230,041.00	200,000.00
Line 3 Base Bid for the Colonies Capital Renovations, per specifications			
1 ea			
Unit Price	\$108,458.40	\$221,640.000	\$163,000.000
Extended Price	108,458.40	221,640.00	163,000.00
Alternate 1 Replace Pavilion kit roofing with a standing seam copper roof - installed			
1 ea			
Unit Price	\$9,500.00	\$11,165.000	\$0.000
Extended Price	9,500.00	11,165.00	-
DID NOT PROVIDE ALT #1 BID.			
Alternate #2 Replace irrigation controllers with new Base Line controller system -			
1 ea			
Unit Price	\$102,880.00	\$118,400.000	\$112,000.000
Extended Price	102,880.00	118,400.00	112,000.00
Bid Total	1,947,436.92	2,075,309.00	1,907,000.00
Award to Vendor	1,947,436.92		PID BOARD WANTED TO AWARD THE BASE BID AND ALL OF THE ALTERNATES.



Amarillo City Council Agenda Transmittal Memo



Meeting Date	11/22/2016	Council Priority	N/A
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Department	Police
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Agenda Caption

Purchase: Police Camera System, \$52,683.50: 10 L3 Mobile Vision Flashback 3 camera systems, 8GBSSD, OZ Camera, VLX, STD Monitor, Black thru hole wifi, wifi GPS Antenna, Trunk mounted/Non-OHC and 10 Collision Sensor, Triggers Flashback DVR into record mode in the event of a collision.

Agenda Item Summary

This purchase is to replace ten camera systems that are reaching their end of service life; outdated and no longer supported for repair. Four of the systems are going to replace old camera systems in the vehicles assigned to our Liaison Officers assigned to AISD.

Requested Action

Request the Council's approval for the purchase of the camera systems to meet our operational needs.

Funding Summary

No State or Federal funds will be used for this purchase.

Community Engagement Summary

N/A

Staff Recommendation

City Staff recommends approval.

Bid No. 5617 L3 FLASHBACK 3 IN-CAR SYSTEMS
Opened 4:00 p.m. November 9, 2016

To be awarded as one lot L3 MOBILE VISION

Line 1 Video Camera-Recorders,
Accessories and parts, FB3KSA08ZSN1K4,
per specifications

10 ea		
Unit Price	\$5,030.250	
Extended Price		50,302.50

Line 2 Video Camera-Recorders,
Accessories and parts, MVD-CRASH-
BAT2, per specifications

10 ea		
Unit Price	\$188.100	
Extended Price		1,881.00

Line 3 Shipping and handling, per
specifications

1 ea		
Unit Price	\$500.000	
Extended Price		500.00

Bid Total		52,683.50
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Award by Vendor		52,683.50
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E

Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	N/A
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Department	Information Technology
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Agenda Caption

Award – Presidio: \$78,244.00

WIC Infrastructure

Agenda Item Summary

This purchase is to replace old network equipment that is “End of Life”, “End of Software Maintenance”, & “End of Vulnerability/Security Support” with next generation equipment that meets our specifications for security and bandwidth requirements.

Requested Action

Approval of award to Presidio of \$78,244.00 on Texas DIR Contract # DIR-TSO 2542.

Funding Summary

Funding is available in Information Technology job 620061.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

Bid No. 5623 WIC INFRASTRUCTURE
Opened 4:00 p.m. Novemebr 11, 2016

To be awarded as one lot PRESIDIO

Line 1 Hubs,switches, and converters
computer, Cisco catalyst 3850 48 port ,
per specifications

1 ea		
Unit Price	\$8,854.000	
Extended Price		8,854.00

Line 2 Hubs,switches, and converters
computer, SNTC-8X5XNBD , per
specifications

1 ea		
Unit Price	\$1,182.480	
Extended Price		1,182.48

Line 3 Hubs,switches, and converters
computer,1100W AC config 1 Secondary
power supply , per specifications

1 ea		
Unit Price	\$722.000	
Extended Price		722.00

Line 4 Hubs,switches, and converters
computer, Cisco catalyst 3850 8 x 10GE
network module , per specifications

1 ea		
Unit Price	\$2,280.000	
Extended Price		2,280.00

To be awarded as one lot

PRESIDIO

Line 5 Lans, wireless, inside cisco catalyst
3850 24 port UPOE LAN base, per
specifications

2 ea

Unit Price \$2,470.000

Extended Price 4,940.00

Line 6 Hubs, switches, and converters
computer SNTC-8X5XNBD cisco catalyst
3850, per specifications

2 ea

Unit Price \$330.250

Extended Price 660.50

Line 7 Power supplies, microcomputer
power supplies, microcomputer 1100W
AC config 1 secondary power supply, per
specifications

2 ea

Unit Price \$722.000

Extended Price 1,444.00

Line 8 Hubs, switches, and converters
computer cisco catalyst 3850 2 x 10ge
network module, per specifications

2 ea

Unit Price \$950.000

Extended Price 1,900.00

To be awarded as one lot

PRESIDIO

Line 9 Hubs, switches, and converters
computer cisco catalyst 3850 24 port
UPOE LAN base, per specifications

1 ea

Unit Price \$2,470.000

Extended Price 2,470.00

Line 10 Hubs, switches, and converters
computer,SNTC-8X5XNBD cisco catalyst
3850, per specifications

1 ea

Unit Price \$330.250

Extended Price 330.25

Line 11 Power supplies, microcomputer
power supplies, microcomputer 1100w
ac config 1 secondary power supply, per
specifications

1 ea

Unit Price \$722.000

Extended Price 722.00

Line 12 Hubs, switches, and converters
computer cisco catalyst 3850 2 x 10ge,
per specifications

1 ea

Unit Price \$950.000

Extended Price 950.00

To be awarded as one lot

PRESIDIO

Line 13 Hubs, switches, and converters
computer cisco catalyst 3850 48 port,
per specifications

1 ea

Unit Price \$4,750.000

Extended Price 4,750.00

Line 14 Hubs, switches, and converters
computer, SNTC-8X5XNBD cisco catalyst
3850 48 port, per specifications

1 ea

Unit Price \$634.730

Extended Price 634.73

Line 15 power supplies, microcomputer
power supplies, microcomputer 1100W
AC config 1 secondary power supply, per
specifications

1 ea

Unit Price \$722.000

Extended Price 722.00

Line 16 hubs, switches, and converters
computer, cisco catalyst 3850 4 x 10ge,
per specifications

1 ea

Unit Price \$1,520.000

Extended Price 1,520.00

To be awarded as one lot

PRESIDIO

Line 17 hubs, switches, and converters
computer, cisco catalyst 3850 48 port,
per specifications

1 ea

Unit Price \$8,360.000

Extended Price 8,360.00

Line 18 hubs, switches, and converters
computer, SNTC-8X5XNBD cisco catalyst
3850, per specifications

1 ea

Unit Price \$1,116.420

Extended Price 1,116.42

Line 19 power supplies, microcomputer
power supplies, microcomputer 1100w
AC config 1 secondary power supply, per
specifications

1 ea

Unit Price \$722.000

Extended Price 722.00

Line 20 hubs, switches, and converters
computer, cisco catalyst 3850 4 x 10ge
network module, per specifications

1 ea

Unit Price \$1,520.000

Extended Price 1,520.00

To be awarded as one lot

PRESIDIO

Line 21 hubs, switches, and converters
computer, cisco catalyst 3850 48 port
UPOE IP services, per specifications

1 ea

Unit Price \$8,360.000

Extended Price 8,360.00

Line 22 hubs, switches, and converters
computer, SNTC-8X5XNBD cisco catalyst
3850, per specifications

1 ea

Unit Price \$1,116.420

Extended Price 1,116.42

Line 23 power supplies, microcomputer
power supplies, microcomputer 1100w
ac cinfo 1 secondary power supply, per
specifications

1 ea

Unit Price \$722.000

Extended Price 722.00

Line 24 hubs, switches, and converters
computer, cisco catalyst 3850 4 x 10ge
network module, per specifications

1 ea

Unit Price \$1,520.000

Extended Price 1,520.00

To be awarded as one lot

PRESIDIO

Line 25 lans, wireless, inside 802.11ac W2
10 AP w/ca; 4x4: 3SS; int ant; mgig-b
domain, per specifications

1 ea

Unit Price \$6,270.000

Extended Price 6,270.00

Line 26 lans, wireless, inside 802.11ac W2
10 AP w/ca; 4x4: 3SS; int ant; mgig-b
domain, per specifications

2 ea

Unit Price \$627.000

Extended Price 1,254.00

Line 27 lans, wireless, inside 10gbase-lr
sfp module, enterprise-class, per
specifications

4 ea

Unit Price \$722.000

Extended Price 2,888.00

Line 28 lans, wireless, inside 10gbase-sr
sfp module, per specifications

8 ea

Unit Price \$378.100

Extended Price 3,024.80

Line 29 lans, wireless, inside 10gbase-sr
sfp module, per specifications

4 ea

Unit Price \$378.100

Extended Price 1,512.40

To be awarded as one lot		PRESIDIO	
Line 30 lans, wireless, inside 10gbase-sr sfp module, enterprise-class, per specifications			
4 ea			
Unit Price		\$722.000	
Extended Price			2,888.00
Line 31 lans, wireless, inside 10gbase-lr sfp module, enterprise-class, per specifications			
4 ea			
Unit Price		\$722.000	
Extended Price			2,888.00
Bid Total			78,244.00
Award by Vendor			78,244.00



F

Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Infrastructure Initiative
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Department	Capital Projects & Development Engineering
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Agenda Caption

Award – Street & Drainage Improvements: Western Crossing Drainage, Bell Street at Diamond Horseshoe Lake & Tee Anchor Boulevard Storm Sewers:
Amarillo Utility Contractors, Inc. -\$343,935.00

Award of Contract for Street & Drainage Improvements: Western Crossing Drainage, Bell Street at Diamond Horseshoe Lake & Tee Anchor Boulevard Storm Sewers:

Agenda Item Summary

This item is to approve the contract for **Street and Drainage Improvements: Western Crossing Drainage – Installing inlet at the North end of the alley and connecting to storm sewer main in Western Street. Repairs to pavement including addition of concrete pad beneath dumpster. Bell Street at Diamond Horseshoe Lake – Removing the existing inlet and replacing the top of existing junction box and installing new inlet and RCP south of the junction box to new manhole. Tee Anchor Boulevard - Repairing assorted storm sewer lines in Tee Anchor Boulevard between SE 10th Avenue and SE 12th Avenue.**

Requested Action

Consider approval and award to Amarillo Utility Contractors, Inc. -\$343,935.00

Funding Summary

Funding for this project is available in the project Budget Number 560084.17400.1040.

Community Engagement Summary

This project will have modest impact to the neighborhood. City staff will continually update the public with press releases and public announcements through social media before and during the project. The Project Manager will send notifications to the property owners.

Staff Recommendation

City Staff is recommending approval and award of the contract.

Bid No. 5580 Street & Drainage Improvements: Western Crossing, Bell Street at Diamond Horseshoe Lake & Tee Anchor Blvd Storm Sewer:
 Opened 4:00 p.m., October 27, 2016

To be awarded as one lot Amarillo Utility Contractors Holmes Construction Co LP

Line 1 Preparing the Right of Way or Project Site:
 Removal and disposal of concrete structure as shown
 on plans, (COA 3.03) complete, per specifications

1 ea

Unit Price	\$4,000.00		\$5,000.00
Extended Price		4,000.00	5,000.00

Line 2 Preparing the Right of Way or Project site:
 Removal and disposal of concrete curb and gutter with
 saw cuts where necessary, (COA 3.03) complete, per
 specifications

210 lf

Unit Price	\$25.00		\$45.00
Extended Price		5,250.00	9,450.00

Line 3 Preparing the Right of Way or Project Site:
 concrete slab removal including walks, drives, valleys,
 etc and saw cuts where necessary, (COA 3.03
 complete, per specifications

30 sy

Unit Price	\$80.00		\$95.00
Extended Price		2,400.00	2,850.00

To be awarded as one lot

Amarillo Utility Contractors Holmes Construction Co LP

Line 4 Preparing the Right of Way or Project Site:
Removal, disposal and preparation of HMAC, flexible
base and subgrade, including saw cuts where
necessary, (COA 3.03, 4.02) complete, per
specifications

230 sy

Unit Price

\$15.000

\$90.00

Extended Price

3,450.00

20,700.00

Line 5 Embankment, hauled and compacted, to lines
and grades shown on plans, (COA 4.02) complete, per
specifications

55 cy

Unit Price

\$100.000

\$420.00

Extended Price

5,500.00

23,100.00

Line 6 Scarify, reshape, compact and refinish existing
subgrade material, (6") (COA 4.02) complete, per
specifications

230 sq yd

Unit Price

\$50.000

\$52.00

Extended Price

11,500.00

11,960.00

Line 7 FL BS (CMP in PLC) (TY A)(GR 2) (12") complete,
per specifications

80 sy

Unit Price

\$70.000

\$62.00

Extended Price

5,600.00

4,960.00

Line 8 FL BS (CMP in PLC) (TY A) (GR 2") (8"), complete,

10 sy

Unit Price

\$65.000

\$48.00

Extended Price

650.00

480.00

To be awarded as one lot

Amarillo Utility Contractors Holmes Construction Co LP

Line 9 FL BS (CMP in PLC) (TY A)(GR 2) (10"), complete,
per specifications

155 sy

Unit Price

\$68.000

\$57.00

Extended Price

10,540.00

8,835.00

Line 10 FL BS (CMP in PLC)(TY A)(GR 2)(12"), complete ,
per specifications

170 sq yd

Unit Price

\$70.000

\$62.00

Extended Price

11,900.00

10,540.00

Line 11 Six inch (6") 3000 psi concrete curb and gutter,
minimum 3000 psi at 28 days, as detailed on plans,
(COA 4.09) complete, per specifications

375 lf

Unit Price

\$30.000

\$45.00

Extended Price

11,250.00

16,875.00

Line 12 Four inch (4") thick concrete flatwork
(sidewalks) reinforced with 6x6 - w1.4xw1.4 welded
wire mesh on a one inch (1") sand cushion including all
necessary earthwork and subgrade preparation, (COA
4.10) installed complete, per specifications

315 sq ft

Unit Price

\$7.000

\$22.00

Extended Price

2,205.00

6,930.00

Line 13 Eight inch (8") thick concrete flatwork including
all necessary earthwork and subgrade preparation,
(COA 4.11, 4.13) installed complete, per specifications

695 sq ft

Unit Price

\$13.000

\$19.00

Extended Price

9,035.00

13,205.00

To be awarded as one lot

Amarillo Utility Contractors Holmes Construction Co LP

Line 14 Prep, furnish and install concrete structure as detailed in plans, including key joint, water-tight sealing, reinforcement and testing, (COA 4.11) complete, per specifications

95 sf

Unit Price

\$20.000

\$155.00

Extended Price

1,900.00

14,725.00

Line 15 Furnish, haul, place, and compact two inch (2") hot-mix asphaltic concrete, type D, (COA 4.17) complete, per specifications

205 sq yd

Unit Price

\$50.000

\$58.00

Extended Price

10,250.00

11,890.00

Line 16 Furnish, haul, place and compact four inch (4") hot-mix asphaltic concrete, type D, (COA 4.17) complete, per specifications

155 sq yd

Unit Price

\$100.000

\$102.00

Extended Price

15,500.00

15,810.00

Line 17 Furnish, haul, place, and compact six inch (6") hot-mix asphaltic concrete, type D, (COA 4.17) complete, per specifications

15 sq yd

Unit Price

\$150.000

\$510.00

Extended Price

2,250.00

7,650.00

To be awarded as one lot

Amarillo Utility Contractors Holmes Construction Co LP

Line 18 Remove and replace existing asphaltic concrete pavement, base course and subgrade adjacent to concrete flatwork and curb and gutter as noted on plans as necessary, including saw cuts, installed per COA Paving Tie (Typ) detail (COA 4.02, 4.05 and 4.13) complete per specifications

95 sq yd

Unit Price

\$170.000

\$146.00

Extended Price

16,150.00

13,870.00

Line 19 Trenching, supplying, laying, joining and backfilling twenty-four inch (24") reinforced concrete pipe, Class III< (COA 5.01) installed complete, per specifications

290 lf

Unit Price

\$260.000

\$222.00

Extended Price

75,400.00

64,380.00

Line 20 Trenching, supplying, laying, joining and backfilling thirty inch (30") reinforced concrete pipe, Class III, (COA 5.01) installed complete, per specifications

100 lf

Unit Price

\$360.000

\$276.00

Extended Price

36,000.00

27,600.00

Line 21 Reinforced concrete storm sewer inlet box, Type B-5, furnished, (COA 5.05) installed complete, per specifications

1 ea

Unit Price

\$5,500.000

\$6,490.00

Extended Price

5,500.00

6,490.00

To be awarded as one lot Amarillo Utility Contractors Holmes Construction Co LP

Line 27 Vegetative Watering, (COA 10.04) complete, per specifications

1	lump sum			
	Unit Price	\$1,500.000		\$2,500.00
	Extended Price		1,500.00	2,500.00

Line 28 Hydromulch, (COA 10.04) complete, per specifications

65	sq yd			
	Unit Price	\$15.000		\$53.00
	Extended Price		975.00	3,445.00

Line 29 Furnish and install 20" DR-17 PE4710 IPS pipe in bore complete, per specifications

90	lin ft			
	Unit Price	\$140.000		\$345.00
	Extended Price		12,600.00	31,050.00

Line 30 Trenching, supplying, laying, joining and backfilling of 20" DR-17 PE4710 IPS pipe and fittings, complete, per specifications

130	lin ft			
	Unit Price	\$270.000		\$162.00
	Extended Price		35,100.00	21,060.00

Bid Total		343,935.00		476,770.00
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Award to Vendor		343,935.00		
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Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Infrastructure
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Department	Water Utilities
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Agenda Caption

Award Bid No. 5586 – Installation Phase of Masterson 509 Pump Station Switch Gear Replacement
 Scope: Replace Electrical Switchgear at Masterson(Carson County) Pump Station
 Ray Electric Co. -- \$311,200.00
 Total Contract Amount: \$311,200

Agenda Item Summary

This item is award of bid for the installation of the Masterson Pump Station Electrical Switchgear. The equipment that is being installed was purchased with Bid No. 5363 in May 2016. The installation of this Switch Gear will be the final phase of this Capital Improvement Project.

Requested Action

Award bid for total contract in the amount of \$311,200 to Ray Electric Co.

Funding Summary

Water/Sewer CIP 2016/2017 budget: Project No. 521914

Community Engagement Summary

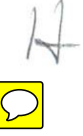
N/A

Staff Recommendation

Staff recommends the award of bid no. 5586 in full to Ray Electric Co.

Bid No. 5586 Installation Phase of Masterson 509 Pump Station Switch Gear Replacement
 Opened 4:00 p.m., October 27, 2016

To be awarded as one lot	Ray Electric Automation LLC	Larry & Matt Inc dba B & G Electric	Duke Electric Company Inc	D E Rice Construction Company Inc	B & D Industries Inc
Line 1 Installation cost of pre-purchased City of Amarillo - owned equipment and cost of and installation of additional bidder - furnished equipment, as noted and described on the Associated Drawings and Specifications. Furnish all necessary superintendence, labor, materials, tools, equipment, machinery and apparatus, and whatever else may be necessary to complete all work, per specifications					
1 ea					
Unit Price	\$311,200.000	\$382,571.00	\$432,728.000	\$466,838.00	\$494,468.86
Extended Price	311,200.00	382,571.00	432,728.00	466,838.00	494,468.86
Bid Total	311,200.00	382,571.00	432,728.00	466,838.00	494,468.86
Award to Vendor	311,200.00				



Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22 th , 2016	Council Priority	
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Department	Capital Projects and Development Engineering
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Agenda Caption

Approval of the Second Amendment to Lease Agreement between Titan Towers, LP and the City of Amarillo.

Agenda Item Summary

Approval of the Second Amendment to Lease Agreement –The original lease was approved on April 11, 2001 and the first amendment dated July 25th, 2011 extended the lease term to April 11th, 2031 and increased the monthly rental to \$1000 per month and the rentals shall thereafter increase each Extension Term at the rate of fifteen percent (15%) over the monthly rentals paid during the previous term and for each term thereafter. The second amendment is requesting an extension to April of 2061 with a signing bonus of \$40,000 and a 3% increase annually on the current rental rate.

Requested Action

Consider and approval of the Second Amendment to Lease Agreement

Funding Summary

No state or federal funds are involved.

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval.

THE SECOND AMENDMENT TO LEASE AGREEMENT

This Second Amendment to Lease Agreement (this "**Amendment**") is made effective as of the latter signature date hereof (the "**Effective Date**") by and between **City of Amarillo, Texas**, a municipal corporation ("**Landlord**") and **GTP Acquisition Partners II, LLC**, a Delaware limited liability company ("**Tenant**") (Landlord and Tenant being collectively referred to herein as the "**Parties**").

RECITALS

WHEREAS, Landlord owns the real property described on **Exhibit A** attached hereto and by this reference made a part hereof (the "**Parent Parcel**"); and

WHEREAS, Landlord (or its predecessor-in-interest) and Tenant (or its predecessor-in-interest) entered into that certain Lease Agreement Between the City of Amarillo, Texas and Titan Towers, L.P. dated April 11, 2001 (as the same may have been amended, collectively, the "**Lease**"), pursuant to which the Tenant leases a portion of the Parent Parcel and is the beneficiary of certain easements for access and public utilities and, if applicable, easements for guy wires and guy anchors (such leasehold and easement rights and interests, collectively, the "**Leased Premises**"), which Leased Premises are also described on **Exhibit A**; and

WHEREAS, Landlord and Tenant desire to amend the terms of the Lease to extend the term thereof and to otherwise modify the Lease as expressly provided herein.

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants set forth herein and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **One-Time Payment.** Tenant shall pay to Landlord a one-time payment in the amount of Forty Thousand and No/100 Dollars (\$40,000.00), payable within thirty (30) days of the Effective Date and subject to the following conditions precedent: (a) Tenant's receipt of this Amendment executed by Landlord, on or before December 1, 2016; (b) Tenant's confirmation that Landlord's statements as further set forth in this Amendment are true, accurate, and complete, including verification of Landlord's ownership; (c) Tenant's receipt of any documents and other items reasonably requested by Tenant in order to effectuate the transaction and payment contemplated herein; and (d) receipt by Tenant of an original Memorandum (as defined herein) executed by Landlord.
2. **Lease Term Extended.** Notwithstanding anything to the contrary contained in this Amendment or in the Lease, the Parties agree that the Lease originally commenced on April 11, 2001. Tenant shall have the option to extend the Lease for each of six (6) additional five (5) year renewal terms (each a "**New Renewal Term**" and, collectively, the "**New Renewal Terms**"). The first New Renewal Term shall commence simultaneously with the expiration of the Lease, taking into account all existing renewal term(s) (each an "**Existing Renewal Term**" and, collectively, the "**Existing Renewal Terms**") available under the Lease. Notwithstanding anything to the contrary contained in the Lease, (a) all Existing Renewal Terms and New Renewal Terms shall automatically renew unless Tenant notifies Landlord that Tenant elects not to renew the Lease not less than sixty (60) days prior to the expiration of the then current term and (b) Landlord shall be able to terminate this Lease only in the event of a material default by Tenant, which default is not cured within sixty (60) days of Tenant's receipt of written notice thereof, provided, however, in the event that Tenant has diligently commenced to cure a material default within sixty (60) days of Tenant's actual receipt of notice thereof and reasonably requires additional time beyond the 60-day cure period described herein to effect such cure, Tenant shall have such additional time as is necessary (beyond the 60-day cure period) to effect the cure. References in this Amendment to "**Renewal Term**" shall refer, collectively, to the Existing Renewal Term(s) and the New Renewal Term(s). The Landlord hereby agrees to execute and return to Tenant an original Memorandum of Lease in the form and of the substance attached hereto as **Exhibit B** and by this reference made a part hereof

(the "**Memorandum**") executed by Landlord, together with any applicable forms needed to record the Memorandum, which forms shall be supplied by Tenant to Landlord.

3. **Rent and Escalation.** As of the Effective date the rent payable from Tenant to Landlord under the Lease is One Thousand and No/100 Dollars (\$1,000.00) per month (the "**Rent**"). Commencing on April 11, 2017 and on each successive annual anniversary thereof, Rent due under the Lease shall increase by an amount equal to three percent (3%) of the then current rent. Notwithstanding anything to the contrary contained in the Lease, all Rent and any other payments expressly required to be paid by Tenant to Landlord under the Lease and this Amendment shall be paid to **CITY OF AMARILLO**. The escalations in this paragraph shall be the only escalations to the Rent and any/all escalations in the Lease are hereby null and void and of no further force and effect.
4. **Landlord and Tenant Acknowledgments.** Except as modified herein, the Lease and all provisions contained therein remain in full force and effect and are hereby ratified and affirmed. The parties hereby agree that no defaults exist under the Lease. To the extent Tenant needed consent and/or approval from Landlord for any of Tenant's activities at and uses of the site prior to the Effective Date, Landlord's execution of this Amendment is and shall be considered consent to and approval of all such activities and uses. Landlord hereby acknowledges and agrees that Tenant shall not need consent or approval from, or to provide notice to, Landlord for any future activities at or uses of the Leased Premises, including, without limitation, subleasing and licensing to additional customers, installing, modifying, repairing, or replacing improvements within the Leased Premises, and/or assigning all or any portion of Tenant's interest in this Lease, as modified by this Amendment. Tenant shall have access to the Leased Premises as provided in Section 2.1 of the original lease dated on April 11, 2001, together with utilities services to the Leased Premises from a public right of way. Upon request by Tenant and at Tenant's sole cost and expense, Landlord hereby agrees to execute and return to Tenant, within a commercially reasonable time, building permits, zoning applications and other forms and documents, including a memorandum of lease, as required for the use of the Leased Premises by Tenant and/or Tenant's customers, licensees, and sublessees. The terms, provisions, and conditions of this Section shall survive the execution and delivery of this Amendment.
5. **Landlord Statements.** Landlord hereby represents and warrants to Tenant that: (i) to the extent applicable, Landlord is duly organized, validly existing, and in good standing in the jurisdiction in which Landlord was organized, formed, or incorporated, as applicable, and is otherwise in good standing and authorized to transact business in each other jurisdiction in which such qualifications are required; (ii) Landlord has the full power and authority to enter into and perform its obligations under this Amendment, and, to the extent applicable, the person(s) executing this Amendment on behalf of Landlord, have the authority to enter into and deliver this Amendment on behalf of Landlord; (iii) Landlord is the sole owner of the Leased Premises and all other portions of the Parent Parcel; and (iv) there are no agreements, liens, encumbrances, claims, claims of lien, proceedings, or other matters (whether filed or recorded in the applicable public records or not) related to, encumbering, asserted against, threatened against, and/or pending with respect to the Leased Premises or any other portion of the Parent Parcel which do or could (now or any time in the future) adversely impact, limit, and/or impair Tenant's rights under the Lease, as amended and modified by this Amendment. The representations and warranties of Landlord made in this Section shall survive the execution and delivery of this Amendment.
6. **Leased Premises Description.** Tenant shall have the right, exercisable by Tenant at any time during the original or renewal terms of the Lease, to cause an as-built survey of the Leased Premises to be prepared and, thereafter, to replace, in whole or in part, the description(s) of the Leased Premises set forth on **Exhibit A** with a legal description or legal descriptions based upon such as-built survey. Upon Tenant's request, Landlord shall execute and deliver any documents reasonably necessary to effectuate such

replacement, including, without limitation, amendments to this Memorandum and to the Lease.

7. **Confidentiality.** Notwithstanding anything to the contrary contained in the Lease or in this Amendment, Landlord agrees and acknowledges that all the terms of this Amendment and the Lease and any information furnished to Landlord by Tenant in connection therewith shall be and remain confidential. Except with Landlord's family, attorney, accountant, broker, lender, a prospective fee simple purchaser of the Parent Parcel, or if otherwise required by law, Landlord shall not disclose any such terms or information without the prior written consent of Tenant. The terms and provisions of this Section shall survive the execution and delivery of this Amendment.
8. **Notices.** All notices must be in writing and shall be valid upon receipt when delivered by hand, by nationally recognized courier service, or by First Class United States Mail, certified, return receipt requested to the addresses set forth herein; To Landlord at: 808 So. Buchanan St., Amarillo, TX 79105; To Tenant at: Attn: Land Management 10 Presidential Way, Woburn, MA 01801, with copy to: Attn Legal Dept. 116 Huntington Avenue, Boston, MA 02116. Any of the Parties, by thirty (30) days prior written notice to the others in the manner provided herein, may designate one or more different notice addresses from those set forth above. Refusal to accept delivery of any notice or the inability to deliver any notice because of a changed address for which no notice was given as required herein, shall be deemed to be receipt of any such notice.
9. **Counterparts.** This Amendment may be executed in several counterparts, each of which when so executed and delivered, shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument, even though all Parties are not signatories to the original or the same counterpart. Furthermore, the Parties may execute and deliver this Amendment by electronic means such as .pdf or similar format. Each of the Parties agrees that the delivery of the Amendment by electronic means will have the same force and effect as delivery of original signatures and that each of the Parties may use such electronic signatures as evidence of the execution and delivery of the Amendment by all Parties to the same extent as an original signature.
10. **Governing Law.** Notwithstanding anything to the contrary contained in the Lease and in this Amendment, the Lease and this Amendment shall be governed by and construed in all respects in accordance with the laws of the State or Commonwealth in which the Leased Premises is situated, without regard to the conflicts of laws provisions of such State or Commonwealth.
11. **Waiver.** Notwithstanding anything to the contrary contained herein, in no event shall Landlord or Tenant be liable to the other for, and Landlord and Tenant hereby waive, to the fullest extent permitted under applicable law, the right to recover incidental, consequential (including, without limitation, lost profits, loss of use or loss of business opportunity), punitive, exemplary and similar damages.
12. **Tenant's Securitization Rights; Estoppel.** Landlord hereby consents to the granting by Tenant of one or more leasehold mortgages, collateral assignments, liens, and/or other security interests (collectively, a "***Security Interest***") in Tenant's interest in this Lease, as amended, and all of Tenant's property and fixtures attached to and lying within the Leased Premises and further consents to the exercise by Tenant's mortgagee ("***Tenant's Mortgagee***") of its rights to exercise its remedies, including without limitation foreclosure, with respect to any such Security Interest. Landlord shall recognize the holder of any such Security Interest of which Landlord is given prior written notice (any such holder, a "***Holder***") as "Tenant" hereunder in the event a Holder succeeds to the interest of Tenant hereunder by the exercise of such remedies. Landlord further agrees to execute a written estoppel certificate within thirty (30) days of written request of the same by Tenant or Holder.

13. **Taxes.** During the term of the Lease, Landlord shall pay when due all real property, personal property, and other taxes, fees and assessments attributable to the Parent Parcel, including the Leased Premises. Tenant hereby agrees to reimburse Landlord for any personal property taxes in addition to any increase in real property taxes levied against the Parent Parcel, to the extent both are directly attributable to Tenant's improvements on the Leased Premises (but not, however, taxes or other assessments attributable to periods prior to the Effective Date), provided, however, that Landlord must furnish written documentation (the substance and form of which shall be reasonably satisfactory to Tenant) of such personal property taxes or real property tax increase to Tenant along with proof of payment of same by Landlord. Anything to the contrary notwithstanding, Tenant shall not be obligated to reimburse Landlord for any applicable taxes unless Landlord requests such reimbursement within one (1) year after the date such taxes became due. Landlord shall submit requests for reimbursement in writing to: *American Tower Corporation, Attn: Landlord Relations, 10 Presidential Way, Woburn, MA 01801* unless otherwise directed by Tenant from time to time. Subject to the requirements set forth in this Section, Tenant shall make such reimbursement payment within forty-five (45) days of receipt of a written reimbursement request from Landlord. Tenant shall pay applicable personal property taxes directly to the local taxing authority to the extent such taxes are billed and sent directly by the taxing authority to Tenant. If Landlord fails to pay when due any taxes affecting the Parent Parcel as required herein, Tenant shall have the right, but not the obligation, to pay such taxes on Landlord's behalf and: (i) deduct the full amount of any such taxes paid by Tenant on Landlord's behalf from any future payments required to be made by Tenant to Landlord hereunder; (ii) demand reimbursement from Landlord, which reimbursement payment Landlord shall make within thirty (30) days of such demand by Tenant; and/or (iii) collect from Landlord any such tax payments made by Tenant on Landlord's behalf by any lawful means.

[SIGNATURES FOLLOW ON NEXT PAGE]

Site No: 374463
Site Name: Amarillo #3 TX

LANDLORD:

City of Amarillo, Texas
a municipal corporation

Signature: _____

Print Name: Bob Cowell

Title: Deputy City Manager

Date: _____

[SIGNATURES CONTINUE ON NEXT PAGE]

Site No: 374463
Site Name: Amarillo #3 TX

TENANT:

GTP Acquisition Partners II, LLC
a Delaware limited liability company

Signature: _____

Print Name: _____

Title: _____

Date: _____

Site No: 374463
Site Name: Amarillo #3 TX

EXHIBIT A

This Exhibit A may be replaced at Tenant's option as described below

PARENT PARCEL

Tenant shall have the right to replace this description with a description obtained from Landlord's deed (or deeds) that include the land area encompassed by the Lease and Tenant's improvements thereon

The Parent Parcel consists of the entire legal taxable lot owned by Landlord as described in a deed (or deeds) to Landlord of which the Leased Premises is a part thereof with such Parent Parcel being described below.

Being situated in the County of Potter, State of Texas, and being known as
Potter County APN: R-200-1350-5000-0.

Site No: 374463
Site Name: Amarillo #3 TX

EXHIBIT A (continued)

LEASED PREMISES

Tenant shall have the right to replace this description with a description obtained from the Lease or from a description obtained from an as-built survey conducted by Tenant.

The Leased Premises consists of that portion of the Parent Parcel as defined in the Lease which shall include access and utilities easements and, if applicable, easements for guy wires and anchors existing at the time of this Amendment (such guy wire and anchor easements shall be 10 feet on either side of existing guy wires and running 20 feet beyond each guy anchor and may be used by Tenant to access, repair, upgrade, maintain and replace such guy wires, anchors and fencing by Tenant). The square footage of the Leased Premises shall be the greater of: (i) the land area conveyed to Tenant in the Lease; (ii) Tenant's existing improvements on the Parent Parcel; or (iii) the legal description or depiction below (if any).

BEGINNING at a point from whence the Southwest Corner of said section bears S. 00° 12' 55" E., 2047.81 feet, and thence S. 89° 56' 20" W., 248.89 feet;

THENCE N. 00° 12' 55" W., 50 feet;

THENCE N. 89° 56' 20" E., 5.068 feet;

THENCE N. 29° 44' 08" W., 379.332 feet;

THENCE N. 60° 15' 52" E., 10 feet;

THENCE S. 29° 44' 08" E., 385.03 feet;

THENCE N. 89° 56' 20" E., 33.422 feet;

THENCE S. 00° 55' 12" E., 19.97 feet;

THENCE N. 89° 45' 46" E., 381.044 feet;

THENCE S. 00° 14' 14" E., 10 feet;

THENCE S. 89° 45' 46" W., 381.294 feet;

THENCE S. 00° 12' 55" E., 20.032 feet;

THENCE S. 89° 56' 20" W., 33.888 feet;

THENCE S. 30° 03' 24" W., 383.367 feet;

THENCE N. 69° 56' 36" W., 10 feet;

THENCE N. 30° 03' 24" E., 379.391 feet;

THENCE S. 89° 56' 20" W., 4.727 feet to the **POINT OF BEGINNING** and containing .3189 acres of land, more or less.

Site No: 374463
Site Name: Amarillo #3 TX

EXHIBIT A (continued)

ACCESS AND UTILITIES

The access and utility easements include all easements of record as well that portion of the Parent Parcel currently utilized by Tenant for ingress, egress and utility purposes from the Leased Premises to and from a public right of way including but not limited to:

BEGINNING at a point from whence the Southwest Corner of said section bears S. 00° 12' 55" E., 1935.51 feet and thence S. 89° 56' 20" W., 30 feet;

THENCE N. 00° 12' 55" W., 40 feet;

THENCE N. 89° 56' 20" E., 228.70 feet;

THENCE N. 00° 12' 55" W., 72.076 feet;

THENCE N. 89° 56' 20" E., 40 feet;

THENCE S. 00° 12' 55" E., 72.076 feet;

THENCE S. 00° 12' 55" E., 40 feet;

THENCE S. 89° 56' 20" W., 268.70 feet to the POINT OF BEGINNING and containing .3129 acres of land more or less.

Site No: 374463
Site Name: Amarillo #3 TX

EXHIBIT B

FORM OF MEMORANDUM OF LEASE

Site No: 374463
Site Name: Amarillo #3 TX

Prepared by and Return to:

American Tower
10 Presidential Way
Woburn, MA 01801
Attn: Land Management/Damen R. Nisula, Esq.
ATC Site No: 374463
ATC Site Name: Amarillo #3 TX
Assessor's Parcel No(s): R-200-1350-5000-0

Prior Recorded Lease Reference:

Volume 3073, Page 308
Date: 06-07-2001
State of Texas
County of Potter

MEMORANDUM OF LEASE

This Memorandum of Lease (the "**Memorandum**") is entered into on the _____ day of _____, 201__ by and between **City of Amarillo, Texas**, a municipal corporation ("**Landlord**") and **GTP Acquisition Partners II, LLC**, a Delaware limited liability company ("**Tenant**").

NOTICE is hereby given of the Lease (as defined and described below) for the purpose of recording and giving notice of the existence of said Lease. To the extent that notice of such Lease has previously been recorded, then this Memorandum shall constitute an amendment of any such prior recorded notice(s).

1. **Parent Parcel and Lease.** Landlord is the owner of certain real property being described in **Exhibit A** attached hereto and by this reference made a part hereof (the "**Parent Parcel**"). Landlord (or its predecessor-in-interest) and Tenant (or its predecessor-in-interest) entered into that certain Lease Agreement Between the City of Amarillo, Texas and Titan Towers, L.P. dated April 11, 2001 (as the same may have been amended, renewed, extended, restated, and/or modified from time to time, collectively, the "**Lease**"), pursuant to which the Tenant leases a portion of the Parent Parcel and is the beneficiary of certain easements for access and public utilities and, if applicable, easements for guy wires and guy anchors (such leasehold and easement rights and interests, collectively, the "**Leased Premises**"), which Leased Premises is also described on **Exhibit A**.
2. **Expiration Date.** Subject to the terms, provisions, and conditions of the Lease, and assuming the exercise by Tenant of all renewal options contained in the Lease, the final expiration date of the Lease would be April 10, 2061. Notwithstanding the foregoing, in no event shall Tenant be required to exercise any option to renew the term of the Lease.
3. **Leased Premises Description.** Tenant shall have the right, exercisable by Tenant at any time during the original or renewal terms of the Lease, to cause an as-built survey of the Leased Premises to be prepared and, thereafter, to replace, in whole or in part, the description(s) of the Leased Premises set forth on **Exhibit A** with a legal description or legal descriptions based upon such as-built survey. Upon Tenant's request, Landlord shall execute and deliver any documents reasonably necessary to effectuate such replacement, including, without limitation, amendments to this Memorandum and to the Lease.
4. **Effect/Miscellaneous.** This Memorandum is not a complete summary of the terms, provisions and conditions contained in the Lease. In the event of a conflict between this Memorandum and the Lease, the Lease shall control.
5. **Notices.** All notices must be in writing and shall be valid upon receipt when delivered by hand, by nationally recognized courier service, or by First Class United States Mail, certified, return receipt requested to the addresses set forth herein; To Landlord at: 808 So. Buchanan St., Amarillo, TX 79105; To

Site No: 374463
Site Name: Amarillo #3 TX

Tenant at: Attn: Land Management 10 Presidential Way, Woburn, MA 01801, with copy to: Attn Legal Dept. 116 Huntington Avenue, Boston, MA 02116. Any of the parties hereto, by thirty (30) days prior written notice to the other in the manner provided herein, may designate one or more different notice addresses from those set forth above. Refusal to accept delivery of any notice or the inability to deliver any notice because of a changed address for which no notice was given as required herein, shall be deemed to be receipt of any such notice.

6. **Counterparts.** This Memorandum may be executed in multiple counterparts, each of which when so executed and delivered, shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument.
7. **Governing Law.** This Memorandum shall be governed by and construed in all respects in accordance with the laws of the State or Commonwealth in which the Leased Premises is situated, without regard to the conflicts of laws provisions of such State or Commonwealth.

[SIGNATURES FOLLOW ON NEXT PAGE]

Site No: 374463
Site Name: Amarillo #3 TX

IN WITNESS WHEREOF, Landlord and Tenant have each executed this Memorandum as of the day and year set forth below.

LANDLORD

2 WITNESSES

City of Amarillo, Texas
a municipal corporation

Signature: _____
Print Name: Bob Cowell
Title: Deputy City Manager
Date: _____

Signature: _____
Print Name: _____

Signature: _____
Print Name: _____

WITNESS AND ACKNOWLEDGEMENT

State/Commonwealth of _____

County of _____

On this ____ day of _____, 201____, before me, _____ the undersigned Notary Public, personally appeared Bob Cowell, who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public
Print Name: _____
My commission expires: _____

[SEAL]

[SIGNATURES CONTINUE ON NEXT PAGE]

TENANT

WITNESS

GTP Acquisition Partners II, LLC
a Delaware limited liability company

Signature: _____
Print Name: _____
Title: _____
Date: _____

Signature: _____
Print Name: _____

Signature: _____
Print Name: _____

WITNESS AND ACKNOWLEDGEMENT

Commonwealth of Massachusetts

County of Middlesex

On this ____ day of _____, 201____, before me, the undersigned Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public
Print Name: _____
My commission expires: _____

[SEAL]

Site No: 374463
Site Name: Amarillo #3 TX

EXHIBIT A

This Exhibit A may be replaced at Tenant's option as described below

PARENT PARCEL

Tenant shall have the right to replace this description with a description obtained from Landlord's deed (or deeds) that include the land area encompassed by the Lease and Tenant's improvements thereon

The Parent Parcel consists of the entire legal taxable lot owned by Landlord as described in a deed (or deeds) to Landlord of which the Leased Premises is a part thereof with such Parent Parcel being described below.

Being situated in the County of Potter, State of Texas, and being known as
Potter County APN: R-200-1350-5000-0.

Site No: 374463
Site Name: Amarillo #3 TX

EXHIBIT A (continued)

LEASED PREMISES

Tenant shall have the right to replace this description with a description obtained from the Lease or from a description obtained from an as-built survey conducted by Tenant.

The Leased Premises consists of that portion of the Parent Parcel as defined in the Lease which shall include access and utilities easements and, if applicable, easements for guy wires and anchors existing at the time of this Amendment (such guy wire and anchor easements shall be 10 feet on either side of existing guy wires and running 20 feet beyond each guy anchor and may be used by Tenant to access, repair, upgrade, maintain and replace such guy wires, anchors and fencing by Tenant). The square footage of the Leased Premises shall be the greater of: (i) the land area conveyed to Tenant in the Lease; (ii) Tenant's existing improvements on the Parent Parcel; or (iii) the legal description or depiction below (if any).

BEGINNING at a point from whence the Southwest Corner of said section bears S. 00° 12' 55" E., 2047.81 feet, and thence S. 89° 56' 20" W., 248.89 feet;

THENCE N. 00° 12' 55" W., 50 feet;

THENCE N. 89° 56' 20" E., 5.068 feet;

THENCE N. 29° 44' 08" W., 379.332 feet;

THENCE N. 60° 15' 52" E., 10 feet;

THENCE S. 29° 44' 08" E., 385.03 feet;

THENCE N. 89° 56' 20" E., 33.422 feet;

THENCE S. 00° 55' 12" E., 19.97 feet;

THENCE N. 89° 45' 46" E., 381.044 feet;

THENCE S. 00° 14' 14" E., 10 feet;

THENCE S. 89° 45' 46" W., 381.294 feet;

THENCE S. 00° 12' 55" E., 20.032 feet;

THENCE S. 89° 56' 20" W., 33.888 feet;

THENCE S. 30° 03' 24" W., 383.367 feet;

THENCE N. 69° 56' 36" W., 10 feet;

THENCE N. 30° 03' 24" E., 379.391 feet;

THENCE S. 89° 56' 20" W., 4.727 feet to the POINT OF BEGINNING and containing .3189 acres of land, more or less.

Site No: 374463
Site Name: Amarillo #3 TX

EXHIBIT A (continued)

ACCESS AND UTILITIES

The access and utility easements include all easements of record as well that portion of the Parent Parcel currently utilized by Tenant for ingress, egress and utility purposes from the Leased Premises to and from a public right of way including but not limited to:

BEGINNING at a point from whence the Southwest Corner of said section bears S. 00° 12' 55" E., 1935.51 feet and thence S. 89° 56' 20" W., 30 feet;

THENCE N. 00° 12' 55" W., 40 feet;

THENCE N. 89° 56' 20" E., 228.70 feet;

THENCE N. 00° 12' 55" W., 72.076 feet;

THENCE N. 89° 56' 20" E., 40 feet;

THENCE S. 00° 12' 55" E., 72.076 feet;

THENCE S. 00° 12' 55" E., 40 feet;

THENCE S. 89° 56' 20" W., 268.70 feet to the POINT OF BEGINNING and containing .3129 acres of land more or less.



11

Amarillo City Council Agenda Transmittal Memo



Meeting Date	11/22/2016	Council Priority	Best Practices
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Department	Aviation
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Agenda Caption

Approval of the Texas A&M Forest Service (TFS), Emergency Facilities & Land Use Agreement, TFS Contract No.: CO-16-247, Rick Husband Amarillo International Airport.

Agenda Item Summary

Approval of the Texas A&M Forest Service (TFS), Emergency Facilities & Land Use Agreement, TFS Contract No.: CO-16-247. This agreement provides the Texas A&M Forest Service a lease hold area to stage equipment for aerial firefighting services. It has been a standing agreement that was recently modified to accommodate a temporary building and storage tank. The term was also extended to two calendar years.

Requested Action

Approve the Texas A&M Forest Service, Emergency Facilities & Land Use Agreement, TFS Contract No.:CO-16-247.

Funding Summary

N/A. Outlined in this agreement, the City of Amarillo, in return for providing land and facilities, the TFS will provide wild land firefighting services.

Community Engagement Summary

N/A.

Staff Recommendation

Staff recommends the approval of the Texas A&M Forest Service (TFS), Emergency Facilities & Land Use Agreement, TFS Contract No.:CO-16-247.

TEXAS A&M FOREST SERVICE
A Member Of
The Texas A&M University System
And an agency of the State of Texas

EMERGENCY FACILITIES & LAND USE AGREEMENT

1. This agreement is entered into between the Texas A&M Forest Service ("TFS"), and City of Amarillo ("CITY") for the purpose of defining the facility and land use that the CITY agrees to provide for TFS.
2. **STATEMENT OF SERVICES TO BE PROVIDED:** CITY agrees to furnish land/facilities to TFS for staging and flight of fixed wing and rotary aircraft for fire surveillance and firefighting activities. Land/facility use shall include but are not limited to the runways, tarmac, and parking.
 - Only the airfield will be utilized under this agreement, no utilities are included. The area is depicted in Exhibit 1-1, Texas A&M Forest Service – Assigned Areas.
- 2.1. **USE OF ASSIGNED AREAS:** TFS will use the assigned areas solely for the purpose of activities related to its aerial firefighting operation. TFS will not use the premises for any purpose other than those authorized herein without written consent from CITY. No commercial use of the assigned areas or the airport in general by TFS or its employees, agents, contractors and their employees, or guests is authorized. TFS will conduct its operations on the assigned areas in an orderly and proper manner so as not to unreasonably annoy, disturb, endanger or be offensive to others in the airport. Additionally, TFS will:
 - 2.1.1. Take all reasonable measures not to produce on the airport, through its installation, maintenance and operation of machinery, antennae, or equipment any electrical, electronic or other disturbance that interferes with the operation by CITY, the Federal Aviation Administration or other users of the airport of air navigational, communication or flight equipment on the airport or on aircraft using the airport or with ground communications.
 - 2.1.2. Exercise control over the conduct of its employees, agents, contractors and guests while on the airport.
 - 2.1.3. Commit no nuisances, waste or injury on the assigned areas.
 - 2.1.4. Never cause or create, nor permit any obnoxious odor, smoke, noxious gas or vapor upon the assigned area.
 - 2.1.5. Not do, or permit to be done, anything which may interfere with the effectiveness or accessibility of the drainage system, sewage system, airfield lighting system, or any other facility, equipment or pavement on the assigned areas.
 - 2.1.6. Not install any fuel storage facilities.
 - 2.1.7. Operate and maintain any authorized aircraft refueling equipment in accordance with standards specified by CITY's fire marshal and the airports FAA approved airport certification manual.

- 2.1.8. Not permit aircraft refueling equipment which are authorized by CITY to be on the airport to refuel any aircraft which is not owned by the owner of the refueling equipment, whether commercially, in exchange of funds, service, or under barter or trade. Any refueling of aircraft on the airport which is not conducted by an airport tenant authorized to refuel aircraft may only be conducted by the owner of that aircraft being refueled using that owner's equipment and bona fide employees.
- 2.1.9. Collect all garbage, debris and waste material (whether solid or liquid) arising out of its occupancy of the assigned areas, and store, pending disposal, in metal or other rigid and sturdy constructed receptacles while on the airport. Removal of waste from the airport and disposal shall be conducted at regular intervals. Piling and accumulation of boxes, cartons, barrels or other similar items on or about the assigned areas shall not be permitted.
- 2.1.10. Prevent the presence, use, generation, release, discharge, storage, disposal or transportation of any hazardous materials on, under, in, above, to or from the assigned areas other than in strict compliance with all applicable federal, state and local laws, regulations, ordinances and orders. For purposes of this paragraph, "hazardous materials" shall refer to any substances, materials and wastes that are or become regulated as hazardous or toxic substances under any applicable federal, state and local laws, regulations, ordinances and orders.

Subject to the limitations as to liability and damages in the Texas Tort Claims Act and without waiving its governmental immunity, each party agrees to hold harmless each other, its governing board, officers, agents and employees for any liability, loss, damages, claims or causes of action caused or asserted to have been caused directly or indirectly by any other party to this contract, or any of its officers, agents or employees, under this contract, to the extent permitted by the laws and the constitution of the State of Texas.

Notwithstanding the above, TFS shall bear no responsibility for any hazardous materials that exist on or under the assigned areas prior to TFS's original occupation on the premises which proceed this agreement.

- 2.1.11. Repair any damage caused by TFS to paving or other surfaces of the assigned areas caused by any oil, gasoline, grease, lubricants or other flammable liquids and substances having a corrosive or detrimental effect thereon.
- 2.2. COMPLIANCE WITH LAWS AND REGULATIONS: TFS will conduct its operations on the airport in compliance with all federal, state and local laws and regulations, including but not limited to Federal Aviation Regulation Part 139, Federal Transportation Regulation Part 1542, National Environmental Protection Agency and Texas Commission on Environmental Quality regulations. Any fines incurred by CITY as a result of TFS's failure to comply with these or any other law or regulation will be reimbursed by TFS, to the extent allowed by the laws and constitution of the State of Texas.
- 2.3. ACCEPTANCE OF ASSIGNED AREAS: TFS will accept the assigned areas in an as-is condition and will make no modifications or alterations without prior approval by CITY through its director or designee. TFS shall not be obligated to make capital improvements or capital repairs to the premises.

- 2.4. ALTERATIONS: TFS may attach fixtures and erect temporary signs and temporary structures in or upon the land or facilities during the term of the agreement. TFS will remove the alterations at the termination of the agreement and restore the CITY land/facility to its prior condition. TFS may install and store the following at the Assigned Area during the term of this agreement:
- 10'x10' temporary storage building.
 - 7000-gallon storage tank for fire retardant. TFS will provide secondary containment for storage tank.
- 2.5. CONDITION REPORTS: A joint pre and post-use physical inspection report of the land/facilities shall be made and signed by both parties. The purpose of the report is to document the existing site condition.
3. TERMS OF AGREEMENT: This agreement is to begin on 9/1/2016 and shall terminate on 8/31/2018 and may be renewed by mutual written consent of both parties.
4. AMOUNT OF AGREEMENT: As consideration for the use of land/facilities, the citizens of the City of Amarillo will be getting wild land fire fighting services from TFS.
5. GENERAL TERMS AND CONDITIONS
- 5.1. This agreement may not be amended or otherwise altered except upon the written agreement of both parties.
- 5.2. Either the TFS or CITY may terminate this agreement early. The party exercising its right to terminate shall give 30-days written notice to the other party prior to the termination of service. In the event of early termination, the TFS shall only be liable for payment of services performed to termination.
- 5.3. This agreement is subject to cancellation either in whole or in part, if funds are not appropriated by the Texas Legislature. In the event funds are not appropriated as described above, the TFS, upon written notice to CITY, either may terminate this agreement, or adjust it in accordance with the provisions of the agreement.
- 5.4. Neither the TFS nor the CITY shall assign, sublet, or transfer their interest in this agreement without written consent of the other.
- 5.5. This agreement shall be construed under the laws of the State of Texas, and pursuant to Texas Education Code, Sec. 85.18, venue in any action brought hereunder shall be Brazos County, Texas.
- 5.6. Payment for services rendered will be made at the beginning of each month for which services will occur.
- 5.7. Any written notice required by this agreement shall be mailed by first class mail to the address listed below:

TFS
Texas A&M Forest Service
ATTN: Terry Smith
200 Technology Way, Suite 1120
College Station, TX 77845
(979) 458-7382

CITY
Amarillo International Airport
ATTN: Tyler Hurst, C.M., ACE
10801 Airport Blvd
Amarillo, TX 79111
(806) 335-1671

City of Amarillo

Texas A&M Forest Service

APPROVED

APPROVED

City Manager

Robby DeWitt

Associate Director for
Finance and Administration

Date

11/16/16

Date



Texas A&M Forest Service - Assigned Areas
 Exhibit 1-1
 May 13, 2014

Rick Husband Amarillo International Airport
 Amarillo, Texas





5

Amarillo City Council Agenda Transmittal Memo



Meeting Date	November 22, 2016	Council Priority	Infrastructure
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Department	Planning
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Agenda Caption

Aviation Clear Zone Easement, being 3,755 feet above mean sea level above the plat of Memory Acres Unit No. 13, an addition to the City of Amarillo, being an unplatted tract of land situated in Section 107, Block 2 AB&M Survey, Potter County, Texas.

Agenda Item Summary

The above referenced Aviation Clear Zone (ACZ) Easement is being requested by the City of Amarillo and is associated with the plat Memory Acres Unit No. 13.

Requested Action

Planning and Legal Staff have reviewed the associated Aviation Clear Zone Easement and the item is ready for City Council Consideration as a consent agenda item.

Funding Summary

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

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this Aviation Clear Zone 16-11.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and that these covenants and agreements shall run with the land, and that for the purposes of this instrument, this easement shall be considered the dominant estate on the above-referenced property.

IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 2nd day of November, 2016.



Carlos Villarreal

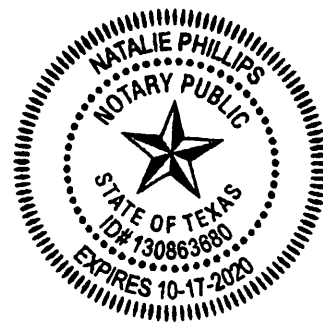
THE STATE OF TEXAS §

COUNTY OF POTTER §

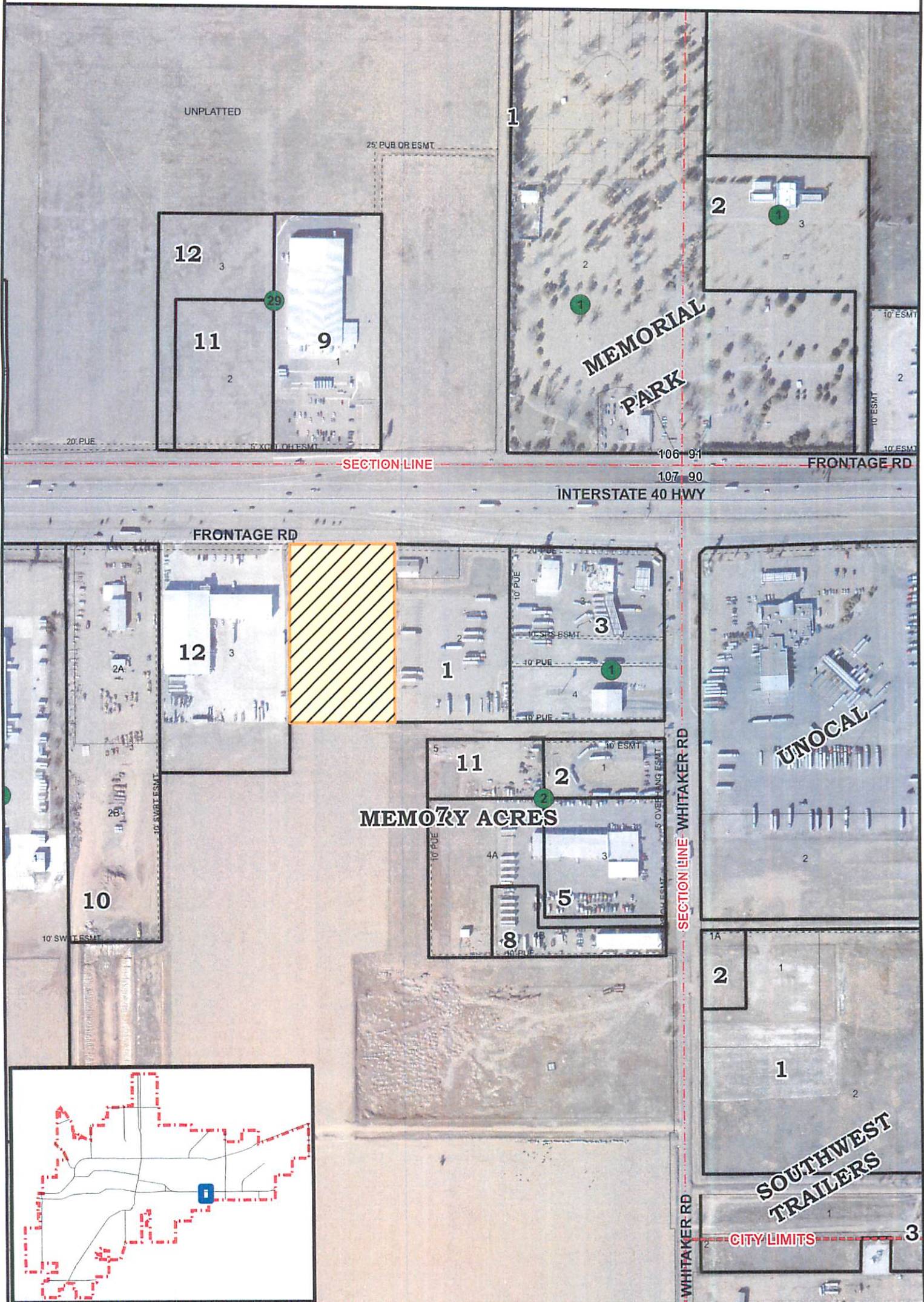
This instrument was acknowledged before me on this the 2nd day of November, 2016, by Carlos Villarreal



Notary Public, State of Texas



AVIATION CLEAR ZONE EASEMENT



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1" = 400'
Date: 11-17-16
Case No: ACZ-16-11



ACZ-16-11 Aviation Clear Zone Easement, being 3,755 feet above mean sea level above the plat of Memory Acres Unit No. 13, an addition to the City of Amarillo, being an unplatted tract of land situated in Section 107, Block 2 AB&M Survey, Potter County, Texas.

Developer: Carlos Villarreal

Surveyor: IH 40 & Whitaker

AP: R-13



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

On the 24th 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	Y	105	76
Dean Bedwell	Y	190	179
Rob Parker, Chairman	Y	58	46
Rick Thomason	Y	28	23
Bowden Jones	N	19	13
Dick Ford	Y	3	3
Terry Harman	Y	2	2

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

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 gave the recommendations for each item.

ITEM 1: Approval of the minutes of the October 10, 2016 meeting

A motion to approve the minutes of the October 10, 2016 meeting was made by Commissioner Bedwell, seconded by Commissioner Good, and carried unanimously.

ITEM 2: P-16-91 Ridgeview Medical Center Unit No. 24, an addition to the City of Amarillo, being a replat of all of lot 1, Block 6, Ridgeview Medical Center Unit No. 13, in Section 43, Block 9, BS&F Survey, Potter County, Texas. (5.51 Acres) (Vicinity: Evans Dr. & Coulter St.)
 DEVELOPER(S): Mike Hughes
 SURVEYOR: Kevin Brown

Mr. Balzen stated this item will not require any discussion today as new information has been presented and the plat will be handled administratively.

ITEM 3: 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. (Vicinity: Bell St. & Attebury Dr.)
 APPLICANT: Robert Keys

Mr. Balzen advised the applicant is proposing the zoning change in order to develop the next phase of the planned Pinnacle subdivision with single family residences. The preliminary plan was approved on August 17, 2016 and this zoning request is consistent with the preliminary plan. Mr. Balzen stated this request does not compromise the 2010 Future Land Use map and is consistent with the suburban residential development. Mr. Balzen stated 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-16-31 was made by Commissioner Bedwell, seconded by Commissioner Good, and carried unanimously.

ITEM 4: P-16-71 Point West Business Campus Unit No. 8, an addition to the City of Amarillo, being an unplatted tract of land in Section 43, Block 9, BS&F Survey, Potter County, Texas. (4.90 Acres) (Vicinity: Pointwest Pkwy. & Outlook Dr.)
DEVELOPER(S): Richard L. Fausset
SURVEYOR: J. D. Keller

A motion to approve P-16-71 was made by Commissioner Good, seconded by Commissioner Thomason, and carried unanimously.

ITEM 5: P-16-81 Point West Business Campus Unit No. 9, an addition to the City of Amarillo, being an unplatted tract of land in Section 43, Block 9, BS&F Survey, Potter County, Texas. (3.67 Acres) (Vicinity: Research St. & Outlook Dr.)
DEVELOPER(S): George Totten
SURVEYOR: Donald Barnes

Chairman Parker stated the plat was signed by the Deputy City Manager on October 24, 2016.

ITEM 6: P-16-83 Glenwood Addition Unit No. 15, an addition to the City of Amarillo, being an unplatted tract of land in Section 154, Block 2, AB&M Survey, Randall County, Texas. (4.95 Acres)(Vicinity: SE 34th Ave. & Ross St.)
DEVELOPER(S): Derek Martin
SURVEYOR: Daryl Furman

A motion to approve P-16-83 was made by Commissioner Thomason, seconded by Commissioner Bedwell, and carried unanimously.

ITEM 7: P-16-90 Plemons Addition Unit No. 20, an addition to the City of Amarillo, being a replat of a portion of Lots 3 & 4, Block 125, Plemons Addition Unit No. 1, in Section 170, Block 2, AB&M Survey, Potter County, Texas. (0.19 Acres) (Vicinity: SW 10th Ave. & S Jackson St.)
DEVELOPER(S): Muhammad Subhani
SURVEYOR: Kevin Brown

Chairman Parker stated the plat was signed by the Deputy City Manager on October 24, 2016.

ITEMS WITH PLAT WAIVERS SET TO EXPIRE ON 10/24/2016:

ITEM 8: P-16-45 South Park Unit No. 46, an addition to the City of Amarillo, being a replat of a portion of Lot 6, Block 25, South Park Unit No. 23, out of Section 29, Block 9, BS&F Survey, Randall County, Texas. (1.56 Acres) (Vicinity: Bell St. & Hillside Rd.)
DEVELOPER(S): Greg Ogburn
SURVEYOR: Richard Johnson

Chairman Parker stated the plat was signed by the Deputy City Manager on October 24, 2016.

ITEM 9: P-16-84 Blankenship Estates Unit No. 3, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 179, Block 2, AB&M Survey, Randall County, Texas. (15.00 Acres) (Vicinity: S Georgia St. & Wheeler Rd.)
DEVELOPER(S): Frank Blankenship
SURVEYOR: Clyde E. Israel

A motion to deny P-16-84 was made by Commissioner Good, seconded by Commissioner Bedwell, and carried unanimously.

ITEM 10: 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 11: Director's Report.

Ms. Fawver advised staff is transitioning the agenda into a new format with the intent to make the work session more for the commissioners, to answer any questions and to tackle any issues. The formal presentation of the items will be saved for the public meeting. Another change the commissioners will be seeing is the breaking out of different types of plats processed by the Planning Department. Ms. Fawver explained a minor plat is typically four (4) lots or less, does not require extension of public services, does not require street dedication and can be administered by the Planning Director. The items that do not meet that threshold will be placed on the agenda for action by the Planning and Zoning Commission. The department has become aware of some confusion from applicants in regards to waivers and variances. Staff will be reviewing the literature to make sure the information is clear and concise to better serve the customers. Ms. Fawver mentioned a training schedule for the commissioners is in the works for 2017 and will be getting with the commissioners for their feedback.

ITEM 12: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:20 P.M.



AJ Fawver, AICP, CNU-A
Planning & Zoning Commission

BOARDS AND COMMISSIONS – VACANCIES



172

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

07/31/2010	Kris Culp	09/01/2016
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10/26/2016