

AGENDAS

FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, JULY 24, 2018 AT 4:00 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 5:00 P.M., CITY HALL, 509 SOUTHEAST 7th AVENUE, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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

WORK SESSION

- A. City Council will discuss or receive reports on the following current matters or projects.
- (1) Review agenda items for regular meeting and attachments;
 - (2) Update from Canadian River Municipal Water Authority;
 - (3) Amarillo Police Department Progress Report and Needs Assessment;
 - (4) Reports and updates from City Councilmembers serving on outside Boards:
Amarillo Metropolitan Planning Organization
Cross-Bar Ranch
First Responders Excellence and Innovation Fund Board; and
 - (5) Consider future Agenda items and request reports from City Manager.
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REGULAR MEETING ITEMS

INVOCATION: Davlyn Duesterhaus, BSA Staff Chaplain

PUBLIC COMMENT: Citizens who desire to address the City Council with regard to matters on the agenda or having to do with the City's policies, programs, or services will be received at this time. The total time allotted for comments is 30-minutes with each speaker limited to three (3) minutes. City Council may not discuss items not on this agenda, but may respond with factual, established policy information, or refer to staff. The City Council may choose to place the item on a future agenda.
(Texas Attorney General Opinion. JC-0169.)

1. **CONSENT AGENDA:**

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

THE FOLLOWING ITEMS MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COUNCILMEMBER, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

A. **MINUTES:**

Approval of the City Council minutes of the regular meeting held on July 17, 2018.

B. **AWARD - ADVANCED METERING INFRASTRUCTURE:**

(Contact: Jonathan Gresham, Assistant Director of Water Utilities)
SL-serco, Inc. -- \$110,000.00

The City of Amarillo conducted internal staff workshops to define existing utility issues and opportunities for a new meter reading technology to mitigate existing problems through an Advanced Metering Infrastructure solution. The City of Amarillo has selected SL-serco Inc. for an Advanced Metering Infrastructure (AMI) consulting contract for the completion of the City's advanced Metering planning, which includes clear goals, mapping

processes, identifying integrations and setting direction as well as integration with other technology requiring facilitated solutions. This contract will include providing technical assistance supporting the evaluation of metering features.

C. **AWARD – OSAGE WATER TREATMENT PLANT FILTERS:**

(Contact: Russell Grubbs, Director of Water Utilities)

Dowtech Specialty Contractors, Inc. -- \$1,990,400.00

This item is to consider award of a construction contract for rehabilitation of the underdrains which includes the demolition, removal and replacement of the existing media and underdrains for filters 5-8. Filtration is the final process in the production of water for the citizens of Amarillo. Filters 1-4 were rehabilitated in 2016/2017.

D. **AWARD – CONSIDER APPROVAL OF UNIFORM SERVICES CONTRACT:**

(Contact: Trent Davis, Purchasing Agent)

Award to: AmeriPride Services, Inc. -- \$216,078.72

This item is for a three (3) year contract with two (2) one (1) year extensions for Uniform Services for use by city departments.

E. **AWARD – TRAFFIC SIGNAL EQUIPMENT:**

(Contact: Michael Padilla, Transportation Superintendent)

Award to listed vendors:

This is a purchase for traffic signal equipment for new and replacement of outdated electronic equipment and other signal materials.

Peek Traffic Corporation

Mounting Equipment (Pelco Equipment) – \$ 22,529.12

Traffic Signal Heads – \$ 16,324.00

Traffic Signal Controllers - \$ 48,230.00

Traffic Control Cabinets - \$ 34,785.00

Traffic Signal Controllers - \$ 6,890.00

Black Top Industries, LLC.

Construction Signs - \$ 6,098.80

Consolidated Traffic Controls

School Flasher Equipment – \$ 27,966.00

Position System Satellite - \$ 14,004.00

Flashers School Zone - \$ 17,980.00

ITS Plus, Inc.

Traffic Signal Control & Detectors - \$ 6,950.00

Total amount: \$201,756.92

These signal items will be used to update technology, and replacement of daily maintenance items used throughout the year to run signalized intersections efficiently.

REGULAR AGENDA

2. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7746:**

(Contact: Sherry Bailey, Senior Planner)

This is a public hearing and first reading of an ordinance rezoning a 25.73 acre tract of land situated in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3). (Vicinity: Heritage Hills Parkway and Arlo Drive.)

3. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7745:**

(Contact: Sherry Bailey, Senior Planner)

This is a public hearing and second and final reading of an ordinance on a request to Rezone Lots 7 - 9, Block 2, Denver Heights Unit No. 1, in Section 138, Block 2, AB&M Survey, Potter County, Texas, plus one half of all bounding streets, alley, and public ways to change from Heavy Commercial District (HC) to Heavy Commercial District with a Specific Use Permit 194 (HC/S-194) for a crematorium (0.49 acres). (Vicinity: South Bivins Street and Southeast 4th Avenue.)

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

Appointment is needed for the following board:

Canadian River Municipal Water Authority

8/1/16 William Hallerberg 7/31/18

5. **EXECUTIVE SESSION:**

City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:

- (1) Section 551.087 - Deliberation regarding economic development negotiations; discussion regarding commercial or financial information received from a business prospect:
 - (a) City Economic Development Project #18-07 in the vicinity of Southeast 3rd Avenue and South Pierce Street.
 - (b) City Economic Development Project #18-06 in the vicinity of English Road and East Amarillo Boulevard.
- (2) Section 551.072 - Deliberation regarding real property; discussion regarding purchase, exchange, lease or value of real property:
 - (a) City Economic Development Project #18-07 in the vicinity of Southeast 3rd Avenue and South Pierce Street.
 - (b) City Economic Development Project #18-06 in the vicinity of English Road and East Amarillo Boulevard.

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 20th day of July 2018.

Amarillo City Council meetings stream live on Cable Channel 10 and are available online at:
<http://amarillo.gov/city-hall/city-government/view-city-council-meetings>
Archived meetings are also available.

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 17th day of July 2018, the Amarillo City Council met at 3:00 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

- | | |
|---------------|---------------------|
| GINGER NELSON | MAYOR |
| ELAINE HAYS | COUNCILMEMBER NO. 1 |
| FREDA POWELL | COUNCILMEMBER NO. 2 |
| EDDY SAUER | COUNCILMEMBER NO. 3 |
| HOWARD SMITH | COUNCILMEMBER NO. 4 |

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

- | | |
|-------------------|-------------------------------|
| JARED MILLER | CITY MANAGER |
| MICHELLE BONNER | DEPUTY CITY MANAGER |
| BRYAN MCWILLIAMS | INTERIM CITY ATTORNEY |
| STEPHANIE COGGINS | ASSISTANT TO THE CITY MANAGER |
| FRANCES HIBBS | CITY SECRETARY |

The invocation was given by Stan Austin. Mayor Nelson led the Pledge of Allegiance.

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

PUBLIC COMMENT:

Misty Harvey, 5802 Shady Lane, spoke about G7 and the unification of citizens. She stated she previously worked at the City of Amarillo and spoke about previous City leaders. She further challenged current City leaders to have a heart as a servant and encouraged everyone to get in the trenches and foster animals. Jill Humphrey, 7714 Pineridge Drive, stated she respected everyone's time and efforts much like the countless rescuers and various rescue groups. She stated the volunteers make the AM&W look good and they work in getting animals out of the shelter. She stated change is needed and animal advocates have been represented at City Council meetings for the past six weeks. She inquired about the 90 For 90 referendum, which would provide funding for a low cost spay and neuter clinic. She further stated the breeders' ordinance would result in lawsuits. She inquired who would monitor the ordinance because there were ordinances on the books that were not enforceable. James Schenck, 6216 Gainsborough Drive, asked City Council to consider zero based budgeting. He stated the parking management is supply and demand and the hopes of driving people into the parking garage. He stated parking meters in downtown were taken out in 1967 because of the mall on Western Street. Mr. Schenck further inquired about the state law prohibiting the back and forth conversation with City Council during public comment. Claudette Smith, 4410 Van Kriston Drive, stated every issue she has brought before City Council has been ignored. She stated the need for Council to be the bridge when conflicts arise. Mike Fisher, 4410 Van Kriston Drive, stated he recently saw where the Council deliberated and consulted a recent zoning change request, and the City Manager's percentage of property owners was not correct. He stated his dismay on a recent approval for assistance with a sprinkler system item. Mayor Nelson asked Mr. McWilliams if the City Council could comment to a person with a pending litigation. Mr. McWilliams stated the City cannot have a dialogue with someone who has an ongoing litigation pending. Allen Finegold, 2601 North Grand Street, spoke on the importance of having a City committee on infrastructure for the City's water and sewer systems. Noah Dawson, 1133 Sugarloaf Drive, spoke about the need for representation, fiscal representation and public engagement with citizens. There were no further comments.

ITEM 1: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell to approve the consent agenda, seconded by Councilmember Sauer.

- A. **MINUTES:**
Approval of the City Council minutes of the regular meeting and special meeting held on July 10, 2018.
- B. **ORDINANCE NO. 7739:**
(Contact: Sherry Bailey, Senior Planner)
This is the second and final reading of an ordinance rezoning The Colonies Unit No. 70, in Section 40, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways from Agricultural District (A) to Residential District 2 (R-2). (Vicinity: Wesley Road and Liberty Circle South.)
- C. **ORDINANCE NO. 7743:**
(Contact: Sherry Bailey, Senior Planner)
This is the second and final reading of an ordinance determining the lack of Public Necessity for a 25-foot drainage easement located on Lots 1 and 2, Block 37, Lawrence Park Unit No. 25, in Section 227, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: Lometa Drive and Olsen Boulevard.)
- D. **ORDINANCE NO. 7744:**
(Contact: Sherry Bailey, Senior Planner)
This is a second and final reading of an ordinance rezoning Lots 17 thru 33, Block 24, Heritage Hills Unit No. 7, in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 2 (R-2) to Residential District 3 (R-3). (Vicinity: Kori Drive and John Thomas Street.)
- E. **APPROVAL – CONSIDER THE OPERATING AGREEMENT BETWEEN THE CITY OF AMARILLO AND LYFT, INC.:**
(Contact: Michael W. Conner, Director of Aviation)
This item is the agreement between the City of Amarillo and Lyft, Inc., which is a transportation network company. The agreement outlines the Lyft operating parameters for their operations at the Rick Husband Amarillo International Airport.
- F. **APPROVAL – CONSIDER THE OPERATING AGREEMENT BETWEEN THE CITY OF AMARILLO AND RASIER, LLC (UBER):**
(Contact: Michael W. Conner, Director of Aviation)
This item is the agreement between the City and Raiser, LLC, which is the regional UBER transportation network company. The agreement outlines the UBER operating parameters for their operations at the Rick Husband Amarillo International Airport.
- G. **APPROVAL – CONSIDER THE SECOND AMENDMENT TO THE AUTOMOBILE PARKING MANAGEMENT CONTRACT BETWEEN CITY OF AMARILLO AND REPUBLIC PARKING SYSTEM, LLC:**
(Contact: Michael W. Conner, Director of Aviation)
This item is the second amendment to the Republic Parking System, LLC contract for the continued management of the Airport's parking lots. This amendment includes a contract extension of three (3) additional years, through March 31, 2022, in exchange for Republic installing new parking equipment to accommodate the regulations of commercial ground transportation traffic at the airport terminal building.
- H. **APPROVAL – CONSIDER THE HANGAR LAND LEASE AGREEMENT BETWEEN THE CITY OF AMARILLO AND WILMAX LLC:**
(Contact: Michael W. Conner, Director of Aviation)
This item is a new land lease agreement between the City of Amarillo and Wilmax, LLC for the continued lease of land at the Rick Husband Amarillo International Airport. The new lease is a 10-year lease with two separate 10-year option periods. This lease begins on August 1, 2018, with the initial term ending on July 31, 2028. This new lease is an update to their original lease which began on November 4, 1975, and includes new lease

rates based on the latest land appraisal from November 8, 2017.

- I. **APPROVAL – AVIATION CLEAR ZONE EASEMENT:**
(Contact: Sherry Bailey, Senior Planner and Cody Balzen, Planner II)
Aviation Clear Zone Easement, being 3,755 feet above mean sea level above the plat of Buffalo Run Unit No. 1, an addition to the City of Amarillo, being an unplatted tract of land in Section 59, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: Pullman Road and Walls Road.)
- J. **APPROVAL – PROFESSIONAL SERVICES AGREEMENT – AMENDMENT #2 ENGINEERING SERVICES – RFQ # 06-13 PROJECT # 521805: RELOCATION OF LIFT STATION NO. 32 AT A NEW SITE:**
(Contact: Kyle Schniederjan, CP&DE Director)
Kimley-Horn and Associates, Inc. -- \$262,240.00
This item approves Amendment # 2 to a November 20, 2013, Agreement for Engineering Services to perform additional engineering services. This addendum provides for the continuation of services by Kimley-Horn and Associates, Inc. at a cost not-to-exceed \$262,240.00.
- K. **CONSIDER FOR APPROVAL – CHANGE ORDER NO. 1- HILLSIDE TERRACE ESTATES 30” SEWER REPLACEMENT – CONTRACT 2 – SPIESS CONSTRUCTION CO., INC.:**
(Contact: Floyd Hartman, Assistant City Manager)
- | | |
|--------------------------|-----------------------|
| Original Contract Amount | \$8,655,030.00 |
| Previous Change Orders | \$ 0.00 |
| This Change Order No. 1 | <u>\$ (89,103.16)</u> |
| Revised Contract Total | \$8,565,926.84 |
- This item is to approve Change Order No. 1 to Spiess Construction Co., Inc., which revises the northern alignment location from the street to the alley and changes construction method from trenchless to open-cut excavation. The realignment of this line is due to unforeseen project conditions.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

Mr. Miller introduced Donny Hooper, Assistant Director of Public Works.

REGULAR AGENDA

ITEM 2: Mr. Danforth presented an update on the MPEV Construction site. Mr. Danforth stated vertical construction is taking place. They are in the process of receiving another steel package this week. The recent rain only impacted construction for one day. Recently, they conducted a meeting with the team owners. The ownership group is happy with the progress, and how the construction is proceeding. The quality of the product has exceeded their expectations. The owners are also looking at additional items which will be added at their expense. The Guaranteed Maximum Price (GMP) has been received \$500,000 below the estimated amount.

ITEM 3: Mayor Nelson presented the first reading of an ordinance rezoning on a request to Rezone Lots 7 - 9, Block 2, Denver Heights Unit No. 1, in Section 138, Block 2, AB&M Survey, Potter County, Texas, plus one half of all bounding streets, alley, and public ways to change from Heavy Commercial District (HC) to Heavy Commercial District with a Specific Use Permit 194 (HC/S-194) for a crematorium (0.49 acres). (Vicinity: South Bivins Street and Southeast 4th Avenue.) This item was presented by Sherry Bailey, Senior Planner. Mayor Nelson opened a public hearing. Alice McDonald, 310 South Nelson Street (rear) stated her residence was separated by an alley. She stated there is a language barrier in the neighborhood. A lot of the residents do not speak English. She stated there are multiple families in the neighborhood with children, and she smells burning from the vents. Mayor Nelson inquired how long she has lived at this address. Ms. McDonald replied 10-years. She stated she was unaware this was in her neighborhood and the community is unaware of what is going on. Councilmember Hays inquired as to who informed her about this item. Ms. McDonald presented a list of people in her neighborhood who do not want the crematory located there. Eric Shafer, Shafer Mortuary Services, stated the crematory was regulated through the state and

there is no odor. Mr. Shafer presented written statements from neighbors and funeral homes throughout town approving of the crematory. He stated there is no smoke and the crematory is monitored. There are alarms and someone is there 24-hours a day. Mayor Nelson inquired how he came to own the business. Mr. Shafer replied he was working at a different funeral home and the owner passed away. He stated the crematory has been operating since November 1, 2017. The building used to be an ice cream business with large coolers and a garage. Renovations included the addition of an embalming room, adjustments to the coolers, heating and air conditioners, sidewalks with ADA compliance, water lines and other CDC guidelines. Mayor Nelson inquired about the cost invested in the crematory. Mr. Shafer replied close to \$1 million. Councilmember Sauer inquired if residents outside the 200' zone were sent any type of notice. Mr. Hartman replied only residences within the 200' received notices. He further stated an approval process was obtained, the original request resulted in an email that gave approval under these zonings. Subsequently, a Special Use Permit (SUP) was required for the crematory, but the mortuary was allowed at this location. The first email indicated it was approved, and the email went to multiple departments. The notification for the needed SUP did not go to all staff only to the owner. The Building Official approved the plans for a mortuary and crematory. It was approved without an SUP and was an error from staff. Mr. Hartman stated there has been a lot of steps to avoid this type of error in the future. Councilmember Smith inquired how the residents were notified. Ms. Bailey stated they were notified twice, but only in English. She further stated she also went to the location to speak to some of the residents. She stated there were no citizens who appeared in opposition. Marty Rowley, stated the crematory has been operating since November 2017. The original approval came through based upon a categorized Standard Industry Code instead of the North American Standard, and heavy commercial would not need a SUP. He stated the crematory met the omission standards and was state-of-the-art with computerized components and immediate alerts if something was not working correctly. Mayor Nelson asked Mr. Rowley to address the smell. Mr. Rowley stated he has empathy for Ms. McDonald but believed it could be a perception and TCEQ would indicate otherwise. If a person learns a crematory is operating that may attribute to the smells. Cody Mills, 302 A North Avenue, Canyon, stated he works for a local funeral home. He stated Amarillo College offers a mortuary program. He stated he serves the east side of Amarillo, and he frequently visits these homes due to hospice care and affordable costs. They are competition for A to D Mortuary. He further stated the Shafer family has brought integrity and respect to the community. Joel Carver, A to D Mortuary, stated he sought approval for a crematory in 2008 at 808 South Johnson Street. In 2009, the City negated the verbal approval due to zoning requirements and he had to move the crematory out of town. He stated he was told a crematory would not be allowed inside the city limits. Mayor Nelson inquired if the crematory he was wanting to build was like the Shafer crematory. Mr. Carver stated his model was an older type. Mayor Nelson inquired if their unit was smokeless. Mr. Carver replied occasionally the smoke and sensors do go off. There were no further comments. Mayor Nelson closed the public hearing. Councilmember Powell explained she was employed at Warford-Walker Mortuary. She stated she receives no special favors, and is not an owner of the mortuary, and therefore has no personal interest or gain in the business. She further stated she intends to utilize her vote on this item. Motion was made by Councilmember Sauer, seconded by Councilmember Powell, that the following captioned ordinance be passed:

ORDINANCE NO. 7745

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 S. BIVINS STREET AND SE 4TH AVE., POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mayor Nelson presented an item awarding the construction of the new Fire Station #3 located at 7441 Oxford Drive, Amarillo, Texas. Funding for this project is from General Obligation bonds approved in November 2016 bond election as Proposition 2.

This item was presented by Jerry Danforth, Facilities Director. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, to approve this award.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

Mayor Nelson stated they would review Work Session Items 4, 5 and 6 at this time.

ITEM 5: Mr. McWilliams advised at 7:17p.m. that the City Council would convene in Executive Session per Texas Government Code (1) Section 551.087 - Deliberation regarding economic development negotiations; discussion regarding commercial or financial information received from a business prospect: City Economic Development Project #18-07 in the vicinity of Southeast 3rd Avenue and South Pierce Street; and (2) Section 551.072 - Deliberation regarding real property; discussion regarding purchase, exchange, lease or value of real property: City Economic Development Project #18-07 in the vicinity of Southeast 3rd Avenue and South Pierce Street.

Mr. McWilliams announced that the Executive Session was adjourned at 7:45 p.m. and recessed the Regular Meeting.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

B

Amarillo City Council Agenda Transmittal Memo



Meeting Date	July 24, 2018	Council Priority	Best Management Practices
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Department	Water Utilities
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Agenda Caption

Consider the approval of a contract for Advanced Metering Infrastructure consulting services with SL-serco Inc. in the amount not to exceed \$110,000.00

Agenda Item Summary

The City of Amarillo conducted internal staff workshops to define existing utility issues and opportunities for a new meter reading technology to mitigate existing problems through an Advanced Metering Infrastructure solution. The Purchasing Department sent out a Request for Qualifications, RFQ (01-18), was released with addendum through January 22, 2018 to identify the most qualified System Integrator. The responses to the RFQ were submitted by interested firms on February 1, 2018.

The responses were evaluated and the City of Amarillo has selected SL-serco Inc. for an Advanced Metering Infrastructure (AMI) consulting contract for the completion of the City's Advanced Metering planning, which includes clear goals, mapping processes, identifying integrations and setting direction as well as integration with other technology requiring facilitated solutions. This will include providing technical assistance supporting the evaluation of metering features.

The evaluation committee consisted of Russell Grubbs, Director of Water Utilities; Laura Storrs, Director of Finance, and Floyd Hartman, Assistant City Manager.

Requested Action

Approve the an **Advanced Metering Infrastructure solution contract with SL-serco Inc.**

Funding Summary

Funding for this project is available in the project Budget Number 523291.17400.1040

Staff Recommendation

City Staff is recommending approval of the **Advanced Metering Infrastructure solution contract to SL-serco Inc.**

PROFESSIONAL SERVICES AGREEMENT

This **PROFESSIONAL SERVICES AGREEMENT** (“Agreement”) is made and entered into by and between the **CITY OF Amarillo, Texas** (the “City”), a home rule municipal corporation situated in portions of Potter and Randall Counties, Texas, acting by and through Floyd Hartman, its duly authorized Assistant City Manager, and **SL-serco Inc.** (“Consultant”), a Minnesota Corporation chartered under the laws of the State of Minnesota and acting by and through Laurie Allen, CFO, its duly authorized Project Principal, each individually referred to as a “party” and collectively referred to as the “parties.”

The City of Amarillo has approximately 80,000 water meters that are currently read manually with handheld devices throughout its service area. In association with the new AMI program, the City recognizes that additional business process efficiencies, operational cost savings, revenue enhancement, database integrations, and improved customer service activities can and should occur. The City has implemented a meter replacement program that provides for the annual replacement of inaccurate meters in the system that under estimate actual water volume registration.

The City conducted internal staff workshops to define existing utility issues and opportunities for a new meter reading technology to mitigate existing problems through an Advanced Metering Infrastructure solution. A Request for Qualifications, RFQ (01-18), was released with addendum through January 22, 2018 to identify the most qualified System Integrator. The responses to the RFQ were submitted by interested firms on February 1, 2018. The City evaluated the RFQ responses and selected SL-serco.

1. SCOPE OF SERVICES.

Consultant hereby agrees to provide the City with professional services in the completion of the City’s Advanced Metering planning and the integration with other technology requiring facilitated solutions that are thoughtful and strategic in nature. This will include defining advanced metering technical features to the support to the City leadership as well as preparation and hosting of the selection committee as a part of this effort.

Task: System planning and technology strategy:

The Consultant will be supporting the completion of the City’s Advanced Metering scope definition which includes clear goals, mapping processes, identifying integrations and setting direction. An important sub-task under this task will be to provide technical assistance supporting the evaluation of metering features.

City’s Responsibilities

- Provide the Consultant with adequate work space throughout the engagement.
- Advising Consultant of City Purchasing Procedures.
- Assist communication between Consultant and Water Department subject matter experts.

2. TERM.

This Agreement shall commence upon the date it is completely executed ("Effective Date") and shall expire on March 31, 2019, unless additional time is required for the Consultant to complete the Task or terminated earlier in accordance with the provisions of this Agreement.

3. COMPENSATION.

The City shall pay Consultant an amount not to exceed \$110,000.00 in accordance with the provisions of this Agreement. The Consultant will invoice the City monthly based on hours performed. Consultant shall not perform any additional services for the City not specified by this Agreement unless the City requests and approves in writing the additional costs for such services. The City shall not be liable for any additional expenses of Consultant not specified by this Agreement unless the City first approves such expenses in writing. Consultant agrees that it can provide the services described in Section 1 for the not to exceed amount.

4. TERMINATION.

4.1. Written Notice.

The City or Consultant may terminate this Agreement at any time and for any reason by providing the other party with thirty (30) days written notice of termination. The City may also issue notice of termination for Consultant's failure to perform in accordance with Section 1. Consultant shall respond and correct any failure to perform five (5) business days of such notice of termination, otherwise the Agreement shall be terminated at the end of the 5th business day.

4.2 Non-appropriation of Funds.

In the event no funds or insufficient funds are appropriated by the City period for any payments due hereunder, City will notify Consultant of such occurrence and this Agreement shall terminate on the last day for which appropriations were received without penalty or expense to the City of any kind whatsoever, except as to the portions of the payments herein agreed upon for which funds shall have been appropriated.

4.3 Duties and Obligations of the Parties.

In the event that this Agreement is terminated prior to the Expiration Date, the City shall pay Consultant for services actually rendered up to the effective date of termination and Consultant shall continue to provide the City with services requested by the City and in accordance with this Agreement up to the effective date of termination.

5. DISCLOSURE OF CONFLICTS AND CONFIDENTIAL INFORMATION.

Consultant hereby warrants to the City that Consultant has made full disclosure in writing of any existing or potential conflicts of interest related to Consultant's services under this Agreement. In the event that any conflicts of interest arise after the Effective Date of this Agreement, Consultant hereby agrees immediately to make full disclosure to the City in writing. Consultant, for itself and its officers, agents and employees, further agrees that it shall treat all information provided to it by the

City as confidential and shall not disclose any such information to a third party without the prior written approval of the City. Consultant shall store and maintain City Information in a secure manner and shall not allow unauthorized users to access, modify, delete or otherwise corrupt City Information in any way. Consultant shall notify the City immediately if the security or integrity of any City information has been compromised or is believed to have been compromised.

6. RIGHT TO AUDIT.

Consultant agrees that the City shall, until the expiration of three (3) years after final payment under this contract, have access to and the right to examine at reasonable times any directly pertinent books, documents, papers and records of the Consultant involving transactions relating to this Contract at no additional cost to the City. Consultant agrees that the City shall have access during normal working hours to all necessary Consultant facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this section. The City shall give Consultant reasonable advance notice of intended audits.

Consultant further agrees to include in all its subconsultant agreements hereunder a provision to the effect that the subconsultant agrees that the City shall, until expiration of three (3) years after final payment of the subcontract, have access to and the right to examine at reasonable times any directly pertinent books, documents, papers and records of such subconsultant involving transactions related to the subcontract, and further that City shall have access during normal working hours to all subconsultant facilities and shall be provided adequate and appropriate work space in order to conduct audits in compliance with the provisions of this paragraph. City shall give subconsultant reasonable notice of intended audits.

7. INDEPENDENT CONSULTANT.

It is expressly understood and agreed that Consultant shall operate as an independent Consultant as to all rights and privileges granted herein, and not as agent, representative or employee of the City. Subject to and in accordance with the conditions and provisions of this Agreement, Consultant shall have the exclusive right to control the details of its operations and activities and be solely responsible for the acts and omissions of its officers, agents, servants, employees, Consultants and subConsultants. Consultant acknowledges that the doctrine of *respondeat superior* shall not apply as between the City, its officers, agents, servants and employees, and Consultant, its officers, agents, employees, servants, Consultants and subConsultants. Consultant further agrees that nothing herein shall be construed as the creation of a partnership or joint enterprise between City and Consultant.

8. LIABILITY AND INDEMNIFICATION.

CONSULTANT SHALL BE LIABLE AND RESPONSIBLE FOR ANY AND ALL PROPERTY LOSS, PROPERTY DAMAGE AND/OR PERSONAL INJURY, INCLUDING DEATH, TO ANY AND ALL PERSONS, OF ANY KIND OR CHARACTER, WHETHER REAL OR ASSERTED, TO THE EXTENT CAUSED BY THE NEGLIGENT ACT(S) OR OMISSION(S), MALFEASANCE OR INTENTIONAL MISCONDUCT OF CONSULTANT, ITS OFFICERS, AGENTS, SERVANTS OR EMPLOYEES.

CONSULTANT COVENANTS AND AGREES TO, AND DOES HEREBY, INDEMNIFY, HOLD HARMLESS AND DEFEND THE CITY, ITS OFFICERS, AGENTS, SERVANTS AND EMPLOYEES, FROM AND

AGAINST ANY AND ALL CLAIMS OR LAWSUITS FOR EITHER PROPERTY DAMAGE OR LOSS (INCLUDING ALLEGED DAMAGE OR LOSS TO CONSULTANT'S BUSINESS AND ANY RESULTING LOST PROFITS) AND/OR PERSONAL INJURY, INCLUDING DEATH, TO ANY AND ALL PERSONS, OF ANY KIND OR CHARACTER, WHETHER REAL OR ASSERTED, ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OR OMISSIONS OR MALFEASANCE OF CONSULTANT, ITS OFFICERS, AGENTS, SERVANTS OR EMPLOYEES.

9. ASSIGNMENT AND SUBCONTRACTING.

Consultant shall not assign or subcontract any of its duties, obligations or rights under this Agreement without the prior written consent of the City. If the City grants consent to an assignment, the assignee shall execute a written agreement with the City and the Consultant under which the assignee agrees to be bound by the duties and obligations of Consultant under this Agreement. The Consultant and Assignee shall be jointly liable for all obligations under this Agreement prior to the assignment. If the City grants consent to a subcontract, the subconsultant shall execute a written agreement with the Consultant referencing this Agreement under which the subconsultant shall agree to be bound by the duties and obligations of the Consultant under this Agreement as such duties and obligations may apply. The Consultant shall provide the City with a fully executed copy of any such subcontract.

10. INSURANCE.

Consultant shall provide the City with certificate(s) of insurance documenting policies of the following minimum coverage limits that are to be in effect prior to commencement of any work pursuant to this Agreement:

10.1 Coverage and Limits

- (a) Commercial General Liability
\$1,000,000 Each Occurrence
\$2,000,000 Aggregate

- (b) Automobile Liability
\$1,000,000 Each accident on a combined single limit basis or
\$250,000 Bodily injury per person
\$500,000 Bodily injury per occurrence
\$100,000 Property damage

Coverage shall be on any vehicle used by the Consultant, its employees, agents, representatives in the course of the providing services under this Agreement. "Any vehicle" shall be any vehicle owned, hired and non-owned

- (c) Worker's Compensation
Statutory limits Employer's liability
\$100,000 Each accident/occurrence
\$100,000 Disease - per each employee
\$500,000 Disease - policy limit

This coverage may be written as follows:

Professional Services Agreement – SL-serco, Inc.

Workers' Compensation and Employers' Liability coverage with limits consistent with statutory benefits outlined in the Texas Workers' Compensation Act (Art. 8308 – 1.01 et seq. Tex. Rev. Civ. Stat.) and minimum policy limits for Employers' Liability of \$100,000 each accident/occurrence, \$500,000 bodily injury disease policy limit and \$100,000 per disease per employee

- (d) Professional Liability (Errors & Omissions)
 - \$1,000,000 Each Claim Limit
 - \$1,000,000 Aggregate Limit

Professional Liability coverage may be provided through an endorsement to the Commercial General Liability (CGL) policy, or a separate policy specific to Professional E&O. Either is acceptable if coverage meets all other requirements. Coverage shall be claims-made, and maintained for the duration of the contractual agreement and for two (2) years following completion of services provided. An annual certificate of insurance shall be submitted to the City to evidence coverage.

10.2 Certificates.

Certificates of Insurance evidencing that the Consultant has obtained all required insurance shall be delivered to the City prior to Consultant proceeding with any work pursuant to this Agreement. All policies except Workers' Compensation and Professional Liability shall be endorsed to name the City as an additional insured thereon, as its interests may appear. All policies shall contain a Waiver of Subrogation for the benefit of the City of Amarillo. The term City shall include its employees, officers, officials, agent, and volunteers in respect to the contracted services. Any failure on the part of the City to request required insurance documentation shall not constitute a waiver of the insurance requirement. A minimum of thirty (30) days' notice of cancellation or reduction in limits of coverage shall be provided to the City. Ten (10) days' notice shall be acceptable in the event of non-payment of premium. Such terms shall be endorsed onto Consultant's insurance policies. Notice shall be sent to the Risk Manager, City of Amarillo, with copies to the City Attorney.

11. COMPLIANCE WITH LAWS, ORDINANCES, RULES AND REGULATIONS.

Consultant agrees to comply with all applicable federal, state and local laws, ordinances, rules and regulations. If the City notifies Consultant of any violation of such laws, ordinances, rules or regulations, Consultant shall immediately desist from and correct the violation.

12. NON-DISCRIMINATION COVENANT.

Consultant, for itself, its personal representatives, assigns, subconsultants and successors in interest, as part of the consideration herein, agrees that in the performance of Consultant's duties and obligations hereunder, it shall not discriminate in the treatment or employment of any individual or group of individuals on any basis prohibited by law. If any claim arises from an alleged violation of this non-discrimination covenant by Consultant, its personal representatives, assigns, subconsultants or successors in interest, Consultant agrees to assume such liability and to indemnify and defend the

Professional Services Agreement – SL-serco, Inc.

City and hold the City harmless from such claim.

13. NOTICES.

Notices required pursuant to the provisions of this Agreement shall be conclusively determined to have been delivered when (1) hand-delivered to the other party, its agents, employees, servants or representatives, (2) delivered by facsimile with electronic confirmation of the transmission, or (3) received by the other party by United States Mail, registered, return receipt requested, addressed as follows:

To CITY:
City of Amarillo
Attn: Jonathan Gresham
808 S. Buchanan Street Suite #251
P.O. Box 1971
Amarillo, TX
Phone: 806-378-4265
Facsimile: 806-378-3027
E-Mail: jonathan.gresham@amarillo.gov

To CONSULTANT:
SL-serco, Inc.
Attn: Laurie Allen
2817 Anthony Lane S
Suite # 104
St. Anthony, MN 55418
Phone: 612-709-6107
Fax: 612-782-9782
Email: laurie.allen@sl-serco.com

14. SOLICITATION OF EMPLOYEES.

Neither the City nor Consultant shall, during the term of this agreement and additionally for a period of one year after its termination, solicit for employment, whether as employee or independent Consultant, any person who is or has been employed by the other during the term of this agreement, without the prior written consent of the person's employer.

15. GOVERNMENTAL POWERS.

It is understood and agreed that by execution of this Agreement, the City does not waive or surrender any of its governmental powers.

16. NO WAIVER.

The failure of the City or Consultant to insist upon the performance of any term or provision of this Agreement or to exercise any right granted herein shall not constitute a waiver of the City's or Consultant's respective right to insist upon appropriate performance or to assert any such right on any future occasion.

17. GOVERNING LAW / VENUE.

This Agreement shall be construed in accordance with the internal laws of the State of Texas. If any action, whether real or asserted, at law or in equity, is brought on the basis of this Agreement, venue for such action shall lie in state courts located in Potter County, Texas.

18. SEVERABILITY.

If any provision of this Agreement is held to be invalid, illegal or unenforceable, the validity,

legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

19. FORCE MAJEURE.

The City and Consultant shall exercise their best efforts to meet their respective duties and obligations as set forth in this Agreement, but shall not be held liable for any delay or omission in performance due to force majeure or other causes beyond their reasonable control (force majeure), including, but not limited to, compliance with any government law, ordinance or regulation, acts of God, acts of the public enemy, fires, strikes, lockouts, natural disasters, wars, riots, material or labor restrictions by any governmental authority, transportation problems and/or any other similar causes.

20. HEADINGS NOT CONTROLLING.

Headings and titles used in this Agreement are for reference purposes only and shall not be deemed a part of this Agreement.

21. AMENDMENTS / MODIFICATIONS / EXTENSIONS.

No extension, modification or amendment of this Agreement shall be binding upon a party hereto unless such extension, modification, or amendment is set forth in a written instrument, which is executed by an authorized representative and delivered on behalf of such party.

22. ENTIRETY OF AGREEMENT.

This Agreement, including the schedule of exhibits attached hereto and any documents incorporated herein by reference, contains the entire understanding and agreement between the City and Consultant, their assigns and successors in interest, as to the matters contained herein. Any prior or contemporaneous oral or written agreement is hereby declared null and void to the extent in conflict with any provision of this Agreement.

24. SIGNATURE AUTHORITY.

The person signing this agreement hereby warrants that he/she has the legal authority to execute this agreement on behalf of the respective party, and that such binding authority has been granted by proper order, resolution, ordinance or other authorization of the entity. The other party is fully entitled to rely on this warranty and representation in entering into this Agreement.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in multiples this ___ day of _____, 2018.

ACCEPTED AND AGREED:

CITY OF AMARILLO:

SL-serco, Inc.

By: _____
Jared Miller
City Manager

By: _____
Laurie Allen, CFO

Date: _____

Date: _____

WITNESS:

By: _____

Name: _____

Title: _____

APPROVED AS TO FORM:

By: _____

Bryan McWilliams
Interim City Attorney

Date: _____

ATTEST:

By: _____

Frances Hibbs
City Secretary

C

Amarillo City Council Agenda Transmittal Memo



Meeting Date	July 24, 2018	Council Priority	Best Management Practices
Department	Water Utilities – Water Production		
Contact	Russell Grubbs – Director of Water Utilities		

Agenda Caption

Award – Project No. 530002 – Osage Water Treatment Plant Filters Nos. 5-8 Improvements.
 Bid No. 6124
 Dowtech Specialty Contractors, Inc.

This item is to approve the contract for construction services for Dowtech Specialty Contractors for the installation of new media and underdrains at Osage Water Treatment Plant.

Agenda Item Summary

This item is to consider award of a construction contract for rehabilitation of the underdrains which includes the demolition, removal and replacement of the existing media and underdrains for filters 5-8. Filtration is the final process in the production of water for the citizens of Amarillo. Filters 1-4 were rehabilitated in 2016/2017.

Requested Action

Award construction contract to Dowtech Specialty Contractors, Inc. - \$1,990,400.00

Funding Summary

Funding for this project is available in the Project Budget Number 530002.17400.1040

Community Engagement Summary

This project will have modest impact to the neighborhood.

Staff Recommendation

City Staff is recommending approval and award of the contract to Dowtech Specialty Contractors, Inc. as the low bidder

To be awarded as one lot	DOWTECH SPECIALTY CONTRACTORS INC	MH CIVIL CONSTRUCTORS INC	ASSOCIATED CONSTRUCTION PARTNERS LTD
Line 1 For construction of all Work required complete in place and placed in operation at the City of Amarillo Osage Water Treatment Plant (except for Bid Items as listed separately below),per specifications			
1 LS			
Unit Price	\$844,500.000	\$1,199,100.000	\$2,099,000.000
Extended Price	844,500.00	1,199,100.00	2,099,000.00
Line 2 For purchase, transportation, installation guidance, and startup assistance of Underdrain System in Filters No. 5-8 per Specification Section 11382 "Gravity Filtration System" and of sand, anthracite, garnet gravel and garnet sand media in Filters No. 5-8 per Specification Section 11383 "Gravity Filtration Media Replacement",per specifications			
1 LS			
Unit Price	\$1,037,900.000	\$1,037,900.000	\$1,037,900.000
Extended Price	1,037,900.00	1,037,900.00	1,037,900.00
Line 3 For supervisory service during installation, startup, and testing of Underdrain System in Filters No. 5-8,per specifications			
1 LS			
Unit Price	\$108,000.000	\$108,000.000	\$108,000.000
Extended Price	108,000.00	108,000.00	108,000.00
Bid Total	1,990,400.00	2,345,000.00	3,244,900.00
Award to Vendor	1,990,400.00		

Amarillo City Council Agenda Transmittal Memo



D

Meeting Date	7-24-2018	Council Priority	Fiscal Responsibility
Department	Purchasing		
Contact	Trent Davis, Purchasing Agent		

Agenda Caption

Consider approval of Uniform Services Contract

Agenda Item Summary

This item is for a three (3) year contract with two (2) one (1) year extensions for Uniform Services for use by city departments.

Award to: Ameripride Services, Inc. in the amount of \$216, 078.72

Requested Action

Consider approval of Uniform Services Contract for City departments.

Funding Summary

Funds are available in various operating and departmental accounts

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of the Uniform Services Contract.

Amarillo City Council Agenda Transmittal Memo



E

Meeting Date	July 24, 2018	Council Priority	Provide better Customer Service
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Department	Traffic Field Operations / 1732
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Agenda Caption

Purchase – This is a purchase for Traffic Signal Equipment for new and replacement of out dated electronic equipment and other signal materials.

Mounting Equipment (Pelco equipment) – \$22,529.12 Peek Traffic Corporation

Traffic Signal Heads – \$16,324.00 Peek Traffic Corporation

Traffic Signal Controllers - \$48,230.00 Peek Traffic Corporation

Construction Signs - \$6,098.80 Black Top Industries LLC.

School Flasher Equipment – \$27,966.00 Consolidated Traffic Controls

Traffic Control Cabinets - \$34,785.00 Peek Traffic Corporation

Traffic Signal Control & Detectors - \$6,950.00 ITS Plus Inc

Position System Satellite - \$14,004.00 Consolidated Traffic Controls

Traffic Signal Controllers - \$6,890.00 Peek Traffic Corporation

Flashers School Zone - \$17,980.00 Consolidated Traffic Controls

for a total amount of \$201,756.92

Agenda Item Summary

Signal Items used to update technology, and replacement of daily maintenance items used throughout the year to run Signalized Intersections efficiently.

Requested Action

Award these items to the lowest bidder of each lot. These items came at an overall cost decrease of 12.69% compared to the last purchase in June 2015.

Funding Summary

Funding for the amount of \$201,756.92 for the purchase of Traffic Signals and Materials will be out of two jobs, 462025.17400.2040 Traffic Signal Improvements and 462026.17400.2040 \$ 180,862.92, and New Traffic Signal Construction \$20,894.00. The cost \$201,756.92 is 12% less than budgeted, no state or federal funds will be used for these materials.

Community Engagement Summary

This Signal equipment is used in the primary preventative maintenance of most of the traffic signal equipment at all signalized intersections. Implementing best practices all signal equipment should be changed out every ten years to update technology to improve efficiency, and fix declining infrastructure.

Staff Recommendation

Traffic Field Operations recommends acceptance of this bid as offered.

To be awarded as by lot	PEEK TRAFFIC CO	BLACKTOP INDUSTRIES LLC	CONSOLIDATED TRAFFIC CONTROL	ITS PLUS INC	ITERIS INC	OB TRAFFIC	MDI WORLDWIDE	TRAFFIC PARTS INC	TRAFFIC PARTS INC	MOBOTREX INC
Line 10 Traffic signal heads parts & accessories Pelco equipment 4" aluminum sun hole 12', per specifications 2 ea										
Unit Price	\$258.500	\$0.000	\$234.000	468.00	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$220.000
Extended Price	\$17.00									440.00
Line 11 Traffic signal heads parts & accessories Pelco equipment upper and lower arm assembly, per specifications 100 ea										
Unit Price	\$76.630	\$0.000	\$77.000	7,700.00	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$82.000
Extended Price	7,663.00									8,200.00
Line 12 Traffic signal heads parts & accessories Pelco equipment ped pole acorn caps, per specifications 20 ea										
Unit Price	\$19.810	\$0.000	\$13.750	275.00	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$12.000
Extended Price	396.20									240.00
Line 13 Traffic signal heads parts & accessories Pelco equipment slip fitter assembly 1-way, per specifications 5 ea										
Unit Price	\$68.750	\$0.000	\$68.500	342.50	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$68.000
Extended Price	343.75									340.00
Line 14 Traffic signal heads parts & accessories Pelco equipment confirmation light, per specifications 6 ea										
Unit Price	\$74.630	\$0.000	\$75.000	450.00	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$74.000
Extended Price	447.78									444.00
Line 15 Traffic signal heads parts & accessories Pelco equipment sign clamp, per specifications 30 ea										
Unit Price	\$13.190	\$0.000	\$12.000	360.00	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$18.000
Extended Price	395.70									540.00
Line 16 Traffic signal heads 12" 3-section, per specifications 40 ea										
Unit Price	\$245.000	\$0.000	\$310.000	12,400.00	\$0.000	\$0.000	\$610.000	\$327.150	\$0.000	\$330.000
Extended Price	9,800.00						24,400.00	13,086.00		13,200.00
Line 17 Traffic signal heads 12" 5-section, per specifications 6 ea										
Unit Price	\$469.000	\$0.000	\$530.000	3,180.00	\$0.000	\$0.000	\$950.000	\$600.650	\$0.000	\$548.000
Extended Price	2,814.00						5,700.00	3,603.90		3,288.00
Line 18 Traffic signal heads IED pedestrian signal, per specifications 20 ea										
Unit Price	\$185.500	\$0.000	\$294.000	5,880.00	\$0.000	\$0.000	\$240.000	\$217.000	\$0.000	\$210.000
Extended Price	3,710.00						4,800.00	4,340.00		4,200.00
Line 19 Traffic signal heads TS-2, 54" base mounted, per specifications 5 ea										
Unit Price	\$6,890.000	\$0.000	\$11,805.000	59,025.00	\$0.000	\$9,150.000	\$10,000.000	\$0.000	\$7,695.000	\$8,050.000
Extended Price	34,450.00					45,750.00	50,000.00		38,475.00	40,250.00

To be awarded as by lot	PEEK TRAFFIC CO	BLACKTOP INDUSTRIES LLC	CONSOLIDATED TRAFFIC CONTROL	ITS PLUS INC	ITERIS INC	OB TRAFFIC	MDI WORLDWIDE	TRAFFIC PARTS INC	TRAFFIC PARTS INC	MOBOTREX INC
Line 30 Flashers, school zone school flashers, rtc flash circuit, per specifications 5 ea										
Unit Price	\$0.000	\$0.000	\$163.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
Extended Price			815.00							
Line 31 Flashers, school zone school flashers, morning star charger, per specifications 5 ea										
Unit Price	\$0.000	\$0.000	\$143.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
Extended Price			715.00							
Line 32 Flashers, school zone school flashers, 12"x24", per specifications 6 ea										
Unit Price	\$0.000	\$0.000	\$406.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
Extended Price			2,436.00							
Line 33 Traffic signal cabinets, TSI conflict monitor, per specifications 30 ea	\$549.000	\$0.000	\$625.000	\$0.000	\$0.000	\$678.500	\$0.000	\$0.000	\$625.000	\$0.000
Unit Price										
Extended Price	16,470.00		18,750.00			20,355.00			18,750.00	
Line 34 Traffic signal cabinets, TSI conflict monitor, smart monitor, per specifications 10 ea	\$639.000	\$0.000	\$837.000	\$0.000	\$810.000	\$678.500	\$0.000	\$0.000	\$825.000	\$0.000
Unit Price										
Extended Price	6,390.00		8,370.00		8,100.00	6,785.00			8,250.00	
Line 35 Traffic signal cabinets, TS2 load switch, per specifications 50 ea	\$16.000	\$0.000	\$21.000	\$0.000	\$0.000	\$60.380	\$0.000	\$0.000	\$17.950	\$0.000
Unit Price										
Extended Price	800.00		1,050.00			3,019.00			897.50	
Line 36 Traffic signal cabinets, Small electronics, flasher relay per 50 ea	\$16.000	\$0.000	\$25.000	\$0.000	\$0.000	\$57.160	\$0.000	\$0.000	\$17.950	\$0.000
Unit Price										
Extended Price	800.00		1,250.00			2,858.00			897.50	
Line 37 Traffic signal cabinets, Small electronics, transfer relay per specifications 10 ea	\$18.000	\$0.000	\$30.000	\$0.000	\$0.000	\$57.160	\$0.000	\$0.000	\$18.500	\$0.000
Unit Price										
Extended Price	180.00		300.00			571.60			185.00	
Line 38 Traffic signal cabinets, Small electronics, stand alone analog vehicle detector, per specifications 25 ea	\$69.000	\$0.000	\$180.000	\$0.000	\$0.000	\$195.000	\$0.000	\$0.000	\$82.000	\$0.000
Unit Price										
Extended Price	1,725.00		4,500.00			4,875.00			2,050.00	
Line 39 Traffic signal cabinets, Small electronics, SDLC cables for TS2 cabinets, per specifications 5 ea	\$65.000	\$0.000	\$65.000	\$0.000	\$0.000	\$65.400	\$0.000	\$0.000	\$75.000	\$0.000
Unit Price										
Extended Price	325.00		325.00			327.00			375.00	

To be awarded as by lot	PEEK TRAFFIC CO	BLACKTOP INDUSTRIES LLC	CONSOLIDATED TRAFFIC CONTROL	ITS PLUS INC	ITERIS INC	OB TRAFFIC	MDI WORLDWIDE	TRAFFIC PARTS INC	TRAFFIC PARTS INC	MOBOTREX INC
Line 40 Traffic signal cabinets, Small electronics, TS2 BIU, per specifications 50 ea										
Unit Price	\$139,000	\$0.00	\$215,000	\$0.00	\$0.00	\$230,000	\$0.00	\$0.00	\$165,000	\$0.00
Extended Price	6,950.00		10,750.00			11,500.00			8,750.00	
Line 41 Traffic signal cabinets, Small electronics, TS2 power supply, per specifications 5 ea										
Unit Price	\$229,000	\$0.00	\$360,000	\$0.00	\$0.00	\$249,600	\$0.00	\$0.00	\$325,000	\$0.00
Extended Price	1,145.00		1,800.00			1,248.00			1,625.00	
Line 42 Traffic signal & control detectors, color video camera, per specifications 10 ea										
Unit Price	\$800,000	\$0.00	\$938,000	\$695,000	\$900,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price	8,000.00		9,380.00	6,950.00	9,000.00					
Line 43 Positioning systems, opticom intersection kit, per specifications 2 ea										
Unit Price	\$0.00	\$0.00	\$6,369,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price			12,738.00							
Line 44 Positioning systems, opticom aux panel w/ cable, per specifications 2 ea										
Unit Price	\$0.00	\$0.00	\$395,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price			790.00							
Line 45 Positioning systems, opticom GPS card rack, per specifications 2 ea										
Unit Price	\$0.00	\$0.00	\$168,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price			336.00							
Line 46 Positioning systems, green sense harness, per specifications 2 ea										
Unit Price	\$0.00	\$0.00	\$70,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price			140.00							
Line 47 traffic signal controllers, per specifications 1 ea										
Unit Price	\$6,890,000	\$0.00	\$11,805,000	\$0.00	\$9,100,000	\$10,500,000	\$0.00	\$0.00	\$7,550,000	\$8,050,000
Extended Price	6,890.00		11,805.00		9,100.00	10,500.00			7,550.00	8,050.00
Line 48 Flashers, school zone, per specifications 4 ea										
Unit Price	\$0.00	\$0.00	\$4,495,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Extended Price			17,980.00							
Bid Total	136,758.12	6,098.80	263,393.50	6,950.00	88,650.00	166,938.60	7,137.10	21,029.90	101,895.00	107,006.00
Award by Vendor	128,758.12	6,098.80	59,950.00	6,950.00						

Amarillo City Council

Agenda Transmittal Memo



2

Meeting Date	July 24, 2018	Council Priority	Regular Agenda Item – Public Hearing
Department	Planning Department		
Contact	Sherry Bailey, Senior Planner; Cody Balzen, Planner 2/Project Manager		

Agenda Caption

First reading of an ordinance rezoning a 25.73 acre tract of land situated in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3). (Vicinity: Heritage Hills Pkwy. & Arlo Dr.)

Agenda Item Summary

Area Characteristics

The applicant’s tract is located in southwest Amarillo. The adjacent zoning consists of Residential District 3 (R-3) and Residential District 2 (R-2) to the east, Agricultural District (A) to the north and west, and outside of the city limits to the south. Adjacent land uses consist of vacant land and residences in all directions with vacant land to be developed with residential subdivision in the future.

Proposal

The applicant is requesting the zoning of a 25.73 acre tract of land within the Heritage Hills subdivision area, currently zoned Agricultural District (A), to change to Residential District 3 (R-3), in order to develop the next stage of the Heritage Hills Preliminary Plan development.

Analysis

This tract of land was annexed on 9/24/2013. At which time, the property was assigned the Agricultural District zoning as all newly annexed land is assigned.

Staff’s analysis of zoning change requests consists of reference to the Comprehensive Plan’s Future Land Use and Character Map in order to identify what was recommended for future land uses when the plan was adopted in 2010. Staff also considers how any zoning change would impact the Comprehensive Plan’s recommended Neighborhood Unit Concept (NUC) of development whereby non-residential land uses are encouraged at section-line arterial intersections with a transition to residential uses as development occurs away and inward from the arterial intersections. Staff also considers the principles and recommendations laid out within the Comprehensive Plan, as well existing zoning and development patterns in the area.

This rezoning request is consistent with the preliminary plan for this development, approved 10/9/2015. The preliminary plan was designed for the creation of a large residential subdivision that is incorporated in a Public Improvement District. This rezoning request is also consistent with the current pattern of development within the Heritage Hills Subdivision which is predominately R-3 within the developed portions of the preliminary plan.

This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, insofar as it is a request for zoning of a residential nature. However, that is where the consistency ends. “Estate Residential” is the land use/character type identified for this area. This type calls for a higher degree of open space and setbacks. Although the portion of the site to be developed will not represent the large lot sizes mentioned in the future land use description, it is also recognized that there has been a change in conditions within the area that did not exist at the time of the Future Land Use Map adoption.

The requested zoning would be a logical continuation of the zoning pattern established in this area as most Agricultural and R-2 zoning districts originally established in this location have been rezoned to R-3. This has established some zoning districts that slightly contradict the neighborhood unit concept of stepping down the intensity of land uses when moving towards the center of the section from the perimeter [Comprehensive Plan, Chapter 2, Pg 2.23]. However, the intent given by the developers is to establish a 20’ setback through deed restrictions and not build to the maximum extent of the R-3 district’s allowed density. The request also does not jeopardize the consistency of a residential area

Amarillo City Council

Agenda Transmittal Memo



character of the overall development.

Considering the future of State Loop 335 and its impacts on FM 2186/W Hollywood Rd, paired with the proximity to Soncy Rd (an arterial), having a higher density of housing in this area may be appropriate. In addition, this is still at the lower end of the residential density scale, still falling below the Moderate Density (MD) and Multiple Family (MF-1 and MF-2) districts.

As the city continues to grow in a southwesterly direction, future analysis of this general area will need to be done, which may show a need for an amendment to the comprehensive land use of this area.

The adopted Comprehensive Plan also contains a number of action strategies that are to be followed when making decisions about land use, development, and other community elements. One of these strategies is an emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. (page 3.3, Growth Management & Capacity) This action strategy is supported in this situation as the requested zoning change would create the opportunity for development in a place where little development besides this subdivision has occurred since its annexation.

Based on the above analysis, planning staff believes the requested rezoning seems appropriate for conditions of the area.

Requested Action

The applicant is requesting the zoning of a 25.73 acre tract of land, previously zoned Agricultural District (A), to change to Residential District 3 (R-3), in order to change develop Unit 11 of the Heritage Hills Subdivision.

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 8 property owners within 200 feet regarding this proposed rezoning for each of the public meetings held. At the time of this writing, the Planning Department has received no comments either in favor or opposition to this request.

The item was recommended for approval with a 4:0 vote by the Planning and Zoning Commission at its July 9, 2018 public meeting.

Community Impact: Level 1 – Modest on selected area and/or community group.

Staff Recommendation

Planning Staff has reviewed the associated ordinance and recommends the City Council approve the item as submitted.

Attachments

1. Drafted Ordinance
 2. Ordinance Exhibit
 3. Maps of Area
 4. Pictures of Area
 5. P&Z Drafted Minutes
-

ORDINANCE NO. _____

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 ARLO DRIVE AND HERITAGE HILLS PARKWAY, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; A REPEALER PROVIDING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the “Amarillo Comprehensive Plan” on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the Amarillo Municipal Code established zoning districts and regulations in accordance with such land use plan, and proposed changes must be submitted to the Planning and Zoning Commission; and

WHEREAS, after a public hearing before the Planning and Zoning Commission for proposed zoning changes on the property hereinafter described, the Commission 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; and

WHEREAS, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

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

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. 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 25.73 acre tract of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3). Further described by Exhibit A.

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

SECTION 5. 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 24th day of July, 2018 and **PASSED** on Second and Final Reading on this the 31st day of July, 2018.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
Interim City Attorney

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

On the 9th day of July, 2018, the Amarillo Planning and Zoning Commission met in a work session at 2:45 PM to review agenda items, and 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
Joshua Raef	N	11	3
Royce Gooch	Y	11	10
Rob Parker, Chairman	Y	93	78
Rick Thomason	N	63	51
Bowden Jones	Y	54	42
Dick Ford	N	38	31
Terry Harman	Y	37	37

PLANNING DEPARTMENT STAFF:
Sherry Bailey, Senior Planner
Hannah Green, Recording Secretary

Cody Balzen, Planner II

Chairman Parker opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. Sherry Bailey gave the recommendations for the agenda items.

- I. Call to order and establish a quorum is present.
- II. Public Comment: Citizens who desire to address the Planning and Zoning Commission with regard to matters on the agenda or having to do with policies, programs, or services will be received at this time. The total time allotted for comments is three (3) minutes per speaker. Planning and Zoning Commission may not discuss items not on this agenda, but may respond with factual, established policy information, or refer to staff. *(Texas Attorney General Opinion. JC-0169)*

Jesse Pfrimmer, 5723 South Milam, stood to address the board regarding the North Heights neighborhood and concern that the area has. Mr. Pfrimmer spoke about zoning concerns and redevelopment of that area and areas that may need addressing in the Barrio neighborhood as well. He ended his comment by inviting the Board to attend the next North Heights neighborhood community meeting.

- III. Consent Agenda: The Commission may request a consent agenda item to be moved to the Regular Agenda for presentation and comment. Otherwise, the consent agenda will be considered in one vote. Consent agenda items are routine items recommended for approval, and which do not include requests for waivers or variances.

- 1: Approval of the minutes of the June 25th, 2018 meeting.

A motion to approve the consent agenda was made by Commissioner Harman seconded by Commissioner Jones, and carried unanimously.

- IV. Regular Agenda:

- 1: Rezoning: The Planning & Zoning Commission makes recommendation for approval or denial; appeals may be directed to City Council.

- A. Z-18-18 Rezoning of a 25.73 acre tract of land situated in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Agricultural

District (A) to Residential District 3 (R-3). (Vicinity: Heritage Hills Pkwy. & Arlo Dr.)

Cody Balzen, Planner II, presented this item, and advised that the applicant is requesting a zone change from Agricultural District (A) to Residential District 3 (R-3), in order to develop the next stage of the Heritage Hills Preliminary Plan Development. Mr. Balzen ended the presentation with a staff recommendation of approval as presented.

Chairman Parker asked if anyone wanted to speak in favor or against this item. No comments were made.

A motion to approve Z-18-18 was made by Commissioner Gooch, seconded by Commissioner Harman, and carried unanimously.

2: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:12 P.M.

Sherry Bailey, Senior Planner
Planning & Zoning Commission

DRAFT

EXHIBIT A

DESCRIPTION

A 25.73+/- acre tract of land situated in Section 65, Block 9, B.S. & F. Survey, Randall County, Texas and being a portion of a 500.0343 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2012013183 of the Official Public Records of Randall County, Texas, said 25.73+/- acre tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 6, 2010 and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap (FURMAN) found at the Northwest corner of a that certain 13.79+/- acre tract of land being described in that certain instrument recorded under Clerk's File No. 201019789 of the Official Public Records of Randall County, Texas, same being the Northeast corner of this tract of land;

THENCE South 00° 16' 05" West, 60.00 feet along the West line of said 13.79+/- acre tract to a 1/2 inch iron rod with cap (FURMAN) found;

THENCE South 89° 43' 55" East, 0.32 feet to a 1/2 inch iron rod with cap (FURMAN) found;

THENCE South 52° 00' 09" East, 7.91 feet to a 1/2 inch iron rod with cap (FURMAN) found at the beginning of a curve to the left whose center point bears North 75° 38' 35" East, 1710.00 feet;

THENCE Southeasterly along said curve to the left, an arc distance of 452.18 feet with a long chord bearing South 21° 55' 57" East, 450.88 feet to a 1/2 inch iron rod with cap (FURMAN) found at the end of said curve;

THENCE South 29° 30' 29" East, 136.65 feet to a 1/2 inch iron rod with cap (FURMAN) found at the beginning of a curve to the right whose center point bears South 60° 29' 31" West, 1790.00 feet;

THENCE Southeasterly along said curve to the right, an arc distance of 41.12 feet pass a 1/2 inch iron rod with cap (FURMAN) found for the Southwest corner of said 13.79+/- acre tract, same being the Northwest corner of Heritage Hills Unit No. 7, an addition to the City of Amarillo, Randall County, according to the map or plat thereof recorded under Clerk's File No. 2016021080 of the Official Public Records of Randall County, Texas, continuing for a total arc distance of 915.40 feet with a long chord bearing South 14° 51' 27" East, 895.46 feet to a 1/2 inch iron rod with cap (FURMAN) found at the end of said curve;

THENCE South 00° 16' 05" East, 149.00 feet to a 1/2 inch iron rod with cap (FURMAN) found at the Southwest corner of said Heritage Hills Unit No. 7, same being the Southeast corner of this tract of land;

THENCE North 89° 43' 55" West 855.17 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 94.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 45° 18' 05" East, 7.07 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 25.18 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the beginning of a curve to the left whose center point bears North 89° 43' 55" West, 1141.00 feet;

THENCE Northwesterly along said curve to the left, an arc distance of 206.02 feet with a long chord bearing North 04° 54' 17" West, 205.74 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE North 49° 58' 02" West, 7.69 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 89° 43' 55" West, 11.70 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 38° 29' 43" East, 8.19 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the beginning of a curve to the left whose center point bears South 78° 35' 49" West, 1141.00 feet;

THENCE Northwesterly along said curve to the left, an arc distance of 250.85 feet with a long chord bearing North 19° 51' 08" West, 256.31 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE North 58° 04' 46" West, 8.51 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 89° 43' 55" West, 29.72 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 30° 22' 48" East, 5.02 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 29° 30' 29" East, 127.89 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the beginning of a curve to the right whose center point bears North 60° 29' 31" East, 2359.00 feet;

THENCE Northwesterly along said curve to the right, an arc distance of 147.34 feet with a long chord bearing North 27° 43' 07" West, 147.32 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE North 57° 48' 01" West, 8.49 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 89° 43' 55" West, 28.04 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 32° 59' 58" East, 5.41 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the beginning of a curve to the right whose center point bears North 65° 47' 30" East, 2359.00 feet;

THENCE Northwesterly along said curve to the right, an arc distance of 250.54 feet with a long chord bearing North 21° 04' 07" West, 250.41 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE North 00° 16' 05" East, 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 89° 43' 55" West, 11.70 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 38° 29' 43" East, 8.19 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the beginning of a curve to the left whose center point bears South 78° 35' 49" West, 1141.00 feet;

THENCE Northwesterly along said curve to the left, an arc distance of 250.85 feet with a long chord bearing North 19° 51' 08" West, 256.31 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE North 58° 04' 46" West, 8.51 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 89° 43' 55" West, 29.72 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 30° 22' 48" East, 5.02 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 29° 30' 29" East, 127.89 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the beginning of a curve to the right whose center point bears North 60° 29' 31" East, 2359.00 feet;

THENCE Northwesterly along said curve to the right, an arc distance of 147.34 feet with a long chord bearing North 27° 43' 07" West, 147.32 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE North 57° 48' 01" West, 8.49 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 89° 43' 55" West, 28.04 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

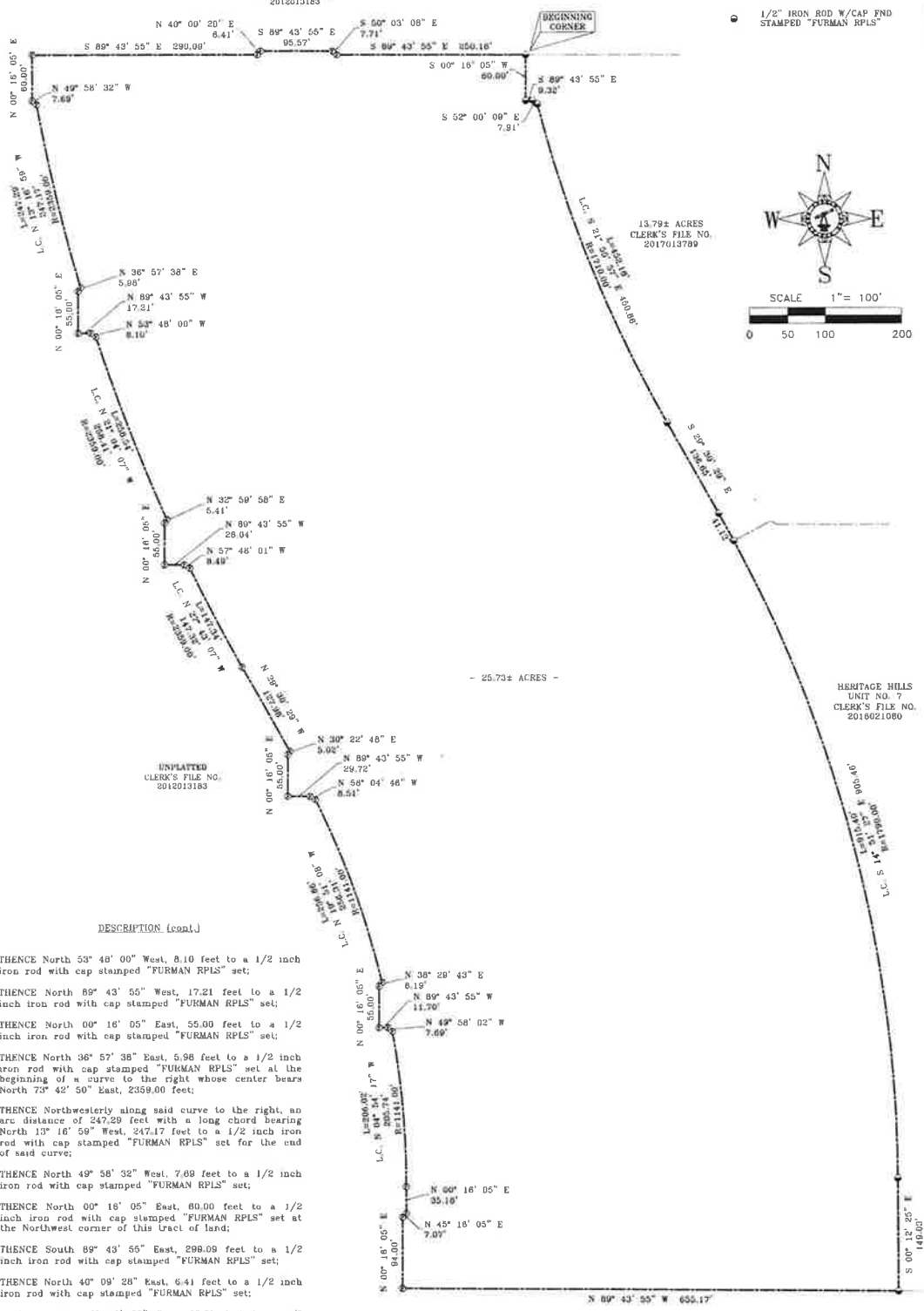
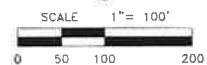
THENCE North 00° 16' 05" East, 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 32° 59' 58" East, 5.41 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the beginning of a curve to the right whose center point bears North 65° 47' 30" East, 2359.00 feet;

UNPLATTED
CLERK'S FILE NO.
2012013183

LEGEND:

- ⊙ 1/2" IRON ROD SET W/CAP STAMPED "FURMAN RPLS"
- ⊙ 1/2" IRON ROD W/CAP END STAMPED "FURMAN RPLS"



DESCRIPTION (cont.)

THENCE North 53° 48' 00" West, 8.10 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 89° 43' 55" West, 17.21 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 55.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 36° 57' 38" East, 5.98 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the beginning of a curve to the right whose center point bears North 73° 42' 50" East, 2359.00 feet;

THENCE Northwesterly along said curve to the right, an arc distance of 247.29 feet with a long chord bearing North 13° 16' 58" West, 247.17 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE North 49° 58' 02" West, 7.69 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 00° 16' 05" East, 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the Northwest corner of this tract of land;

THENCE South 89° 43' 55" East, 299.09 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE North 40° 09' 28" East, 6.41 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 89° 43' 55" East, 95.57 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 50° 03' 08" East, 7.71 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set;

THENCE South 89° 43' 55" East, 250.18 feet to the PLACE OF BEGINNING and containing a computed area of 25.73 acres of land, more or less.

NOTES

1. Original seal and signature of the surveyor must be present on each page for survey to be valid.
2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other than its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2010.
3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. THIS DOCUMENT HAS BEEN RELEASED BY DARYL R. FURMAN RPLS 5374 FOR REVIEW PURPOSES ONLY. DATE: 06/06/2018

EXHIBIT FOR ZONING APPLICATION

FURMAN LAND SURVEYORS, INC.

SURVEYING · MAPPING · CONSULTING

TEXAS · OKLAHOMA · NEW MEXICO · KANSAS · COLORADO

DARYL R. FURMAN, RPLS · DANIEL R. FURMAN, RPLS · DONALD R. FURMAN, RPLS
 CASEY A. STANK, RPLS · LANGRAN M. STOKES, RPLS
 HEATHER LYNN LEMONS, RPLS · KYLLIE L. BRADY, RPLS

TEXAS FIRM #1002400-A-10092401
 P.O. BOX 1418, AMARILLO, TEXAS 79103 · (806) 374-4240 · FAX (806) 374-4148
 P.O. BOX 262, DUMAS, TEXAS 76021 · (806) 934-4240 · FAX (806) 934-4242

PROJECT NO. 1822063-EXHIBIT FILE NO. H-17
 DRAWING NO. P1(Dwg 18) (RANDALL) H-17, 182206303, rev0000



Looking southwest from Kori Dr. & Arlo Dr. at proposed rezoning.



Looking west from Kori Dr. & Arlo Dr. at proposed rezoning.

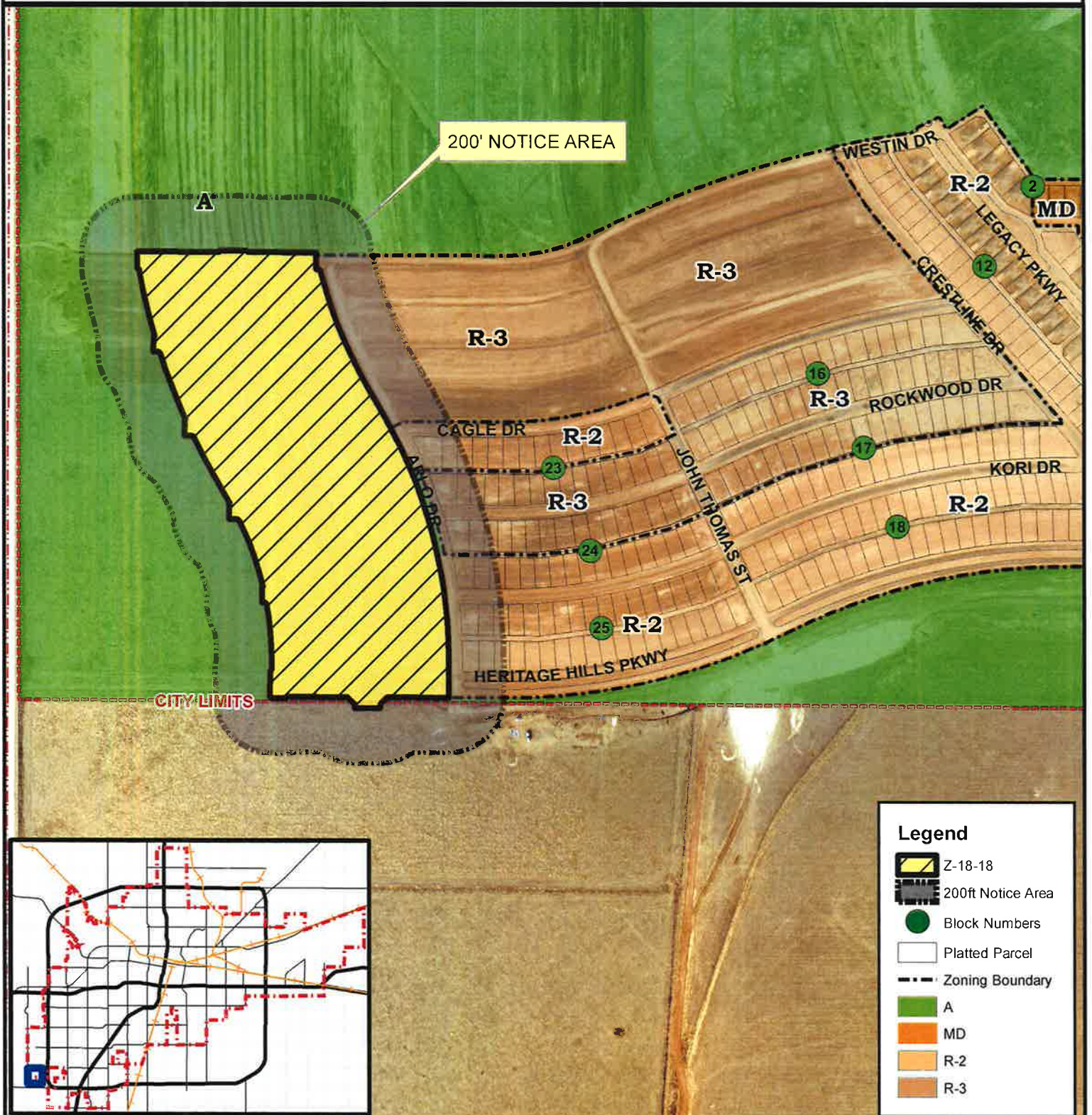


Looking northwest from Kori Dr. & Arlo Dr. at proposed rezoning.












Looking east from Kori Dr. & Arlo Dr. at existing conditions.

CASE Z-18-18
REZONING FROM AGRICULTURAL DISTRICT (A) TO RESIDENTIAL 3 DISTRICT (R-3)

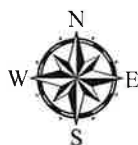


Legend

-  Z-18-18
-  200ft Notice Area
-  Block Numbers
-  Platted Parcel
-  Zoning Boundary
-  A
-  MD
-  R-2
-  R-3

CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 500 feet
Date: 6/18/2018



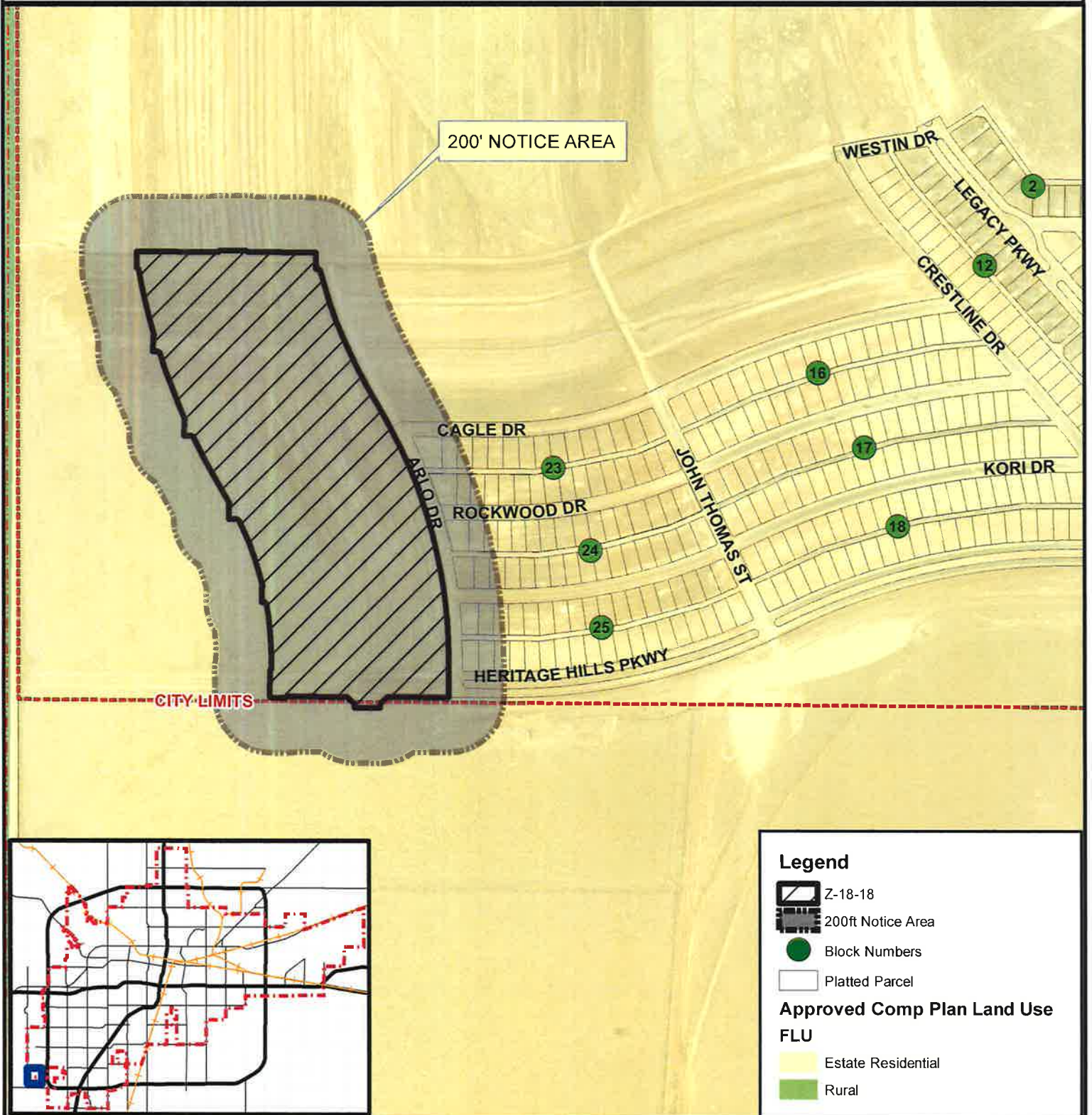
Z-18-18 Rezoning of a 25.84 acre tract of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3).

Applicants: PEGA Development

Vicinity: Heritage Hills Pkwy. & Arlo Dr.
 Case Manager: Cody Balzen

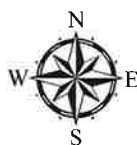
DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

**CASE Z-18-18
REZONING FROM AGRICULTURAL DISTRICT (A) TO RESIDENTIAL 3 DISTRICT (R-3)**



**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1 inch = 500 feet
Date: 7/3/2018



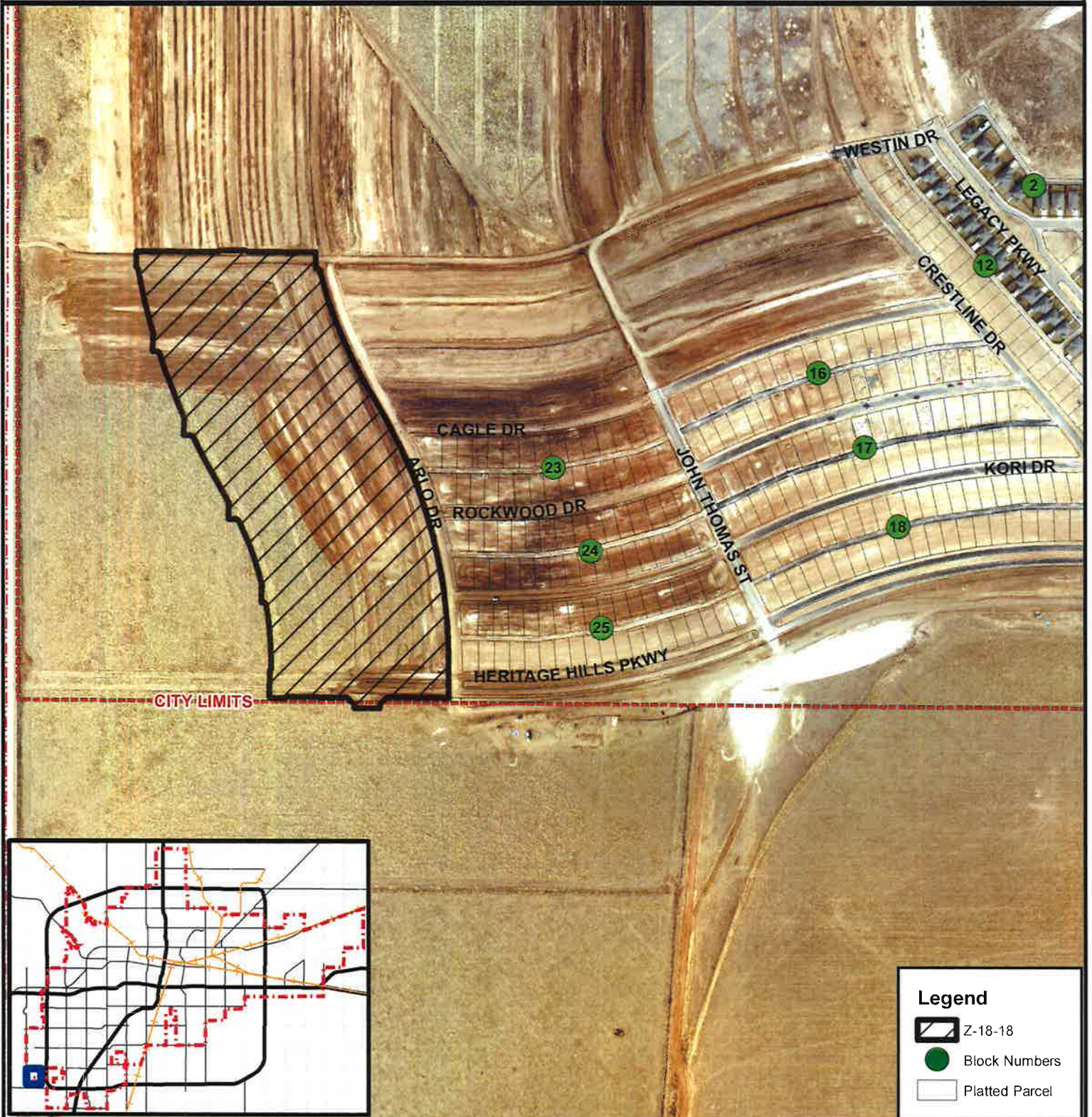
Z-18-18 Rezoning of a 25.84 acre tract of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3).

Applicants: PEGA Development




**Vicinity: Heritage Hills Pkwy. & Arlo Dr.
Case Manager: Cody Balzen**

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**CASE Z-18-18
REZONING FROM AGRICULTURAL DISTRICT (A) TO RESIDENTIAL 3 DISTRICT (R-3)**



Legend

-  Z-18-18
-  Block Numbers
-  Platted Parcel

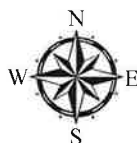
**CITY OF AMARILLO
PLANNING DEPARTMENT**

Z-18-18 Rezoning of a 25.84 acre tract of land in Section 65, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District (A) to Residential District 3 (R-3).

Applicants: PEGA Development

Vicinity: Heritage Hills Pkwy. & Arlo Dr.
Case Manager: Cody Balzen

Scale: 1 inch = 500 feet
Date: 7/3/2018



DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.

Amarillo City Council Agenda Transmittal Memo



Meeting Date	July 24, 2018	Council Priority	Community Attractiveness
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Department	Planning	Contact Person	Sherry Bailey, Senior Planner
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Agenda Caption

Public Hearing and Second and Final Reading on a request to Rezone Lots 7 - 9, Block 2, Denver Heights Unit No. 1, in Section 138, Block 2, AB&M Survey, Potter County, Texas, plus one half of all bounding streets, alley, and public ways to change from Heavy Commercial District (HC) to Heavy Commercial District with a Specific Use Permit 194 (HC/S-194) for a crematorium. (0.49 Acres) (Vicinity: S Bivins St. & SE 4th Ave.)

Agenda Item Summary

The applicant is requesting a zone change in order to operate a crematorium on the property in conjunction with an already operational mortuary business. The applicant's property is located in east central Amarillo, at the intersection of S Bivins Street and SE 4th Avenue. Adjacent zoning consists of Heavy Commercial District (HC) in all directions except to the south across SE 4th Avenue which is Residential District 3 (R-3).

Applicant: Eric Shaffer

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

During the site visit, Planning Department staff noticed that – to the north and west were commercial/warehouse uses while to the east were residential uses in a Heavy Commercial (HC) zoning district. Meanwhile, to the south across SE 4th Avenue were single family housing/residential uses. This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which designates this area for a future "General Commercial (GC)" land use. The Comprehensive Plan states that the character and intensity of this land use category allows "Wide range of commercial retail and service" uses.

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from areas of higher density at section line corners to areas of low density. This concept of development ensures that commercial areas will have less of an impact to residential areas. This concept does not follow the Neighborhood Unit Concept as this area was developed (Denver Heights Unit No. 1 was platted in January 1907) prior to that concept being adopted in the 1980s.

Amarillo City Council

Agenda Transmittal Memo



The adopted Comprehensive Plan contains a number of action strategies that are to be followed when making decisions about land use, development, and other community elements. These include: Emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. (page 3.3, Growth Management & Capacity)

This item has an approved site plan from October 19, 2017 (SP-17-57 or ZB1703899) when it was just a mortuary (which is allowed by right in the Heavy Commercial (HC) District). The site plan submittal was an existing building that had a change of use which triggered the need for a site plan application. This site plan meets city standards for the amount of parking spaces, amount of landscaping square footage and frontage trees, on-site dumpster for commercial properties, and provided ADA compliant 6' sidewalks to name a few. The applicants were told at the time after a July 12, 2017 Pre-Application Conference meeting if they were going to expand the business to include a crematorium that a Specific Use Permit would be required on the property to operate that as part of their business. That is the reason for this rezoning case.

The use of a crematorium was added which triggered the requirement for a Specific Use Permit (SUP) to be placed on the property. This SUP process stems back to Early/Mid 2010 when crematoriums were categorized under "Cemetery or Mausoleum" with SIC (Standard Industrial Classification) Code of 6553 in the Zoning Ordinance (Page 19) which requires an SUP if intended to go in HC districts.

Requested Action

The applicant is requesting approval of the Specific Use Permit 194 (HC/S-194) for the use of a crematorium.

Draft P&Z Minutes 6/11/2018

- A. Z-18-14 Rezoning of Lots 7 - 9, Block 2, Denver Heights Unit No. 1, in Section 138, Block 2, AB&M Survey, Potter County, Texas, plus one half of all bounding streets, alley, and public ways to change from Heavy Commercial District (HC) to Heavy Commercial District with a Specific Use Permit 194 (HC/S-194) for a crematorium. (0.49 Acres) (Vicinity: S Bivins St. & SE 4th Ave.)

Sherry Bailey, Senior Planner, presented this item, and advised that the applicant is requesting a zone change in order to operate a crematorium on the property in conjunction with an already operational mortuary business. Ms. Bailey ended the presentation with a staff recommendation of approval as submitted. The city staff and board discussed the item's history further.

Chairman Parker asked if anyone wanted to speak in favor of this item. Eric Shafer, owner of Shafer Mortuary Services, stood in favor of the item, explaining the process they followed and that they continued to follow regarding what was needed to maintain operations on the property.

Amarillo City Council

Agenda Transmittal Memo



Chairman Parker asked if anyone wanted to speak against this item. Joel Carver, owner of A to D Mortuary Services, stood to speak against this item, expressing his desire that Shafer Mortuary Services be held to current procedures and that operations be held until the applicant can get official approval to continue.

Tyler Carver, owner of A to D Mortuary Services stood against this item as well to express his desire for the enforcement of the zoning policies, and explained why he wanted the operation to follow the process.

In a rebuttal by Candice Shafer, general manager of Cox Funeral Home, Mrs. Shafer spoke explaining the process they followed in choosing the property and noting they would have followed the procedure had they known the needed process or any changes to it.

Tyler Carver stood to offer a rebuttal to discuss the importance of following the process through.

A motion to approve Z-18-14 was made by Commissioner Ford, seconded by Commissioner Thomason, and carried unanimously.

Community Engagement Summary

Notices have been sent out to 19 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has not received any comments regarding this request, either in favor of or in opposition to the request from the property owners within 200 feet. We did, however, receive a letter from A to D Mortuary questioning the process and appropriateness of this application. A to D Mortuary did appear at the Planning & Zoning Commission meeting but was the only objector.

Staff Recommendation

Considering the above, staff believes the applicant's request is appropriate and recommends approval as submitted.

ORDINANCE NO. _____

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 S. BIVINS STREET AND SE 4TH AVE., POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the "Amarillo Comprehensive Plan" on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the Amarillo Municipal Code established zoning districts and regulations in accordance with such land use plan, and proposed changes must be submitted to the Planning and Zoning Commission; and

WHEREAS, after a public hearing before the Planning and Zoning Commission for proposed zoning changes on the property hereinafter described, the Commission 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; and

WHEREAS, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

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

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. 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 Lots 7 - 9, Block 2, Denver Heights Unit No. 1, in Section 138, Block 2, AB&M Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Heavy Commercial District (HC) to Heavy Commercial District with a Specific Use Permit 194 (HC/S-194) for a crematorium.

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

SECTION 5. 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 17th day of July, 2018 and **PASSED** on Second and Final Reading on this the 24th day of July, 2018.

Ginger Nelson, Mayor

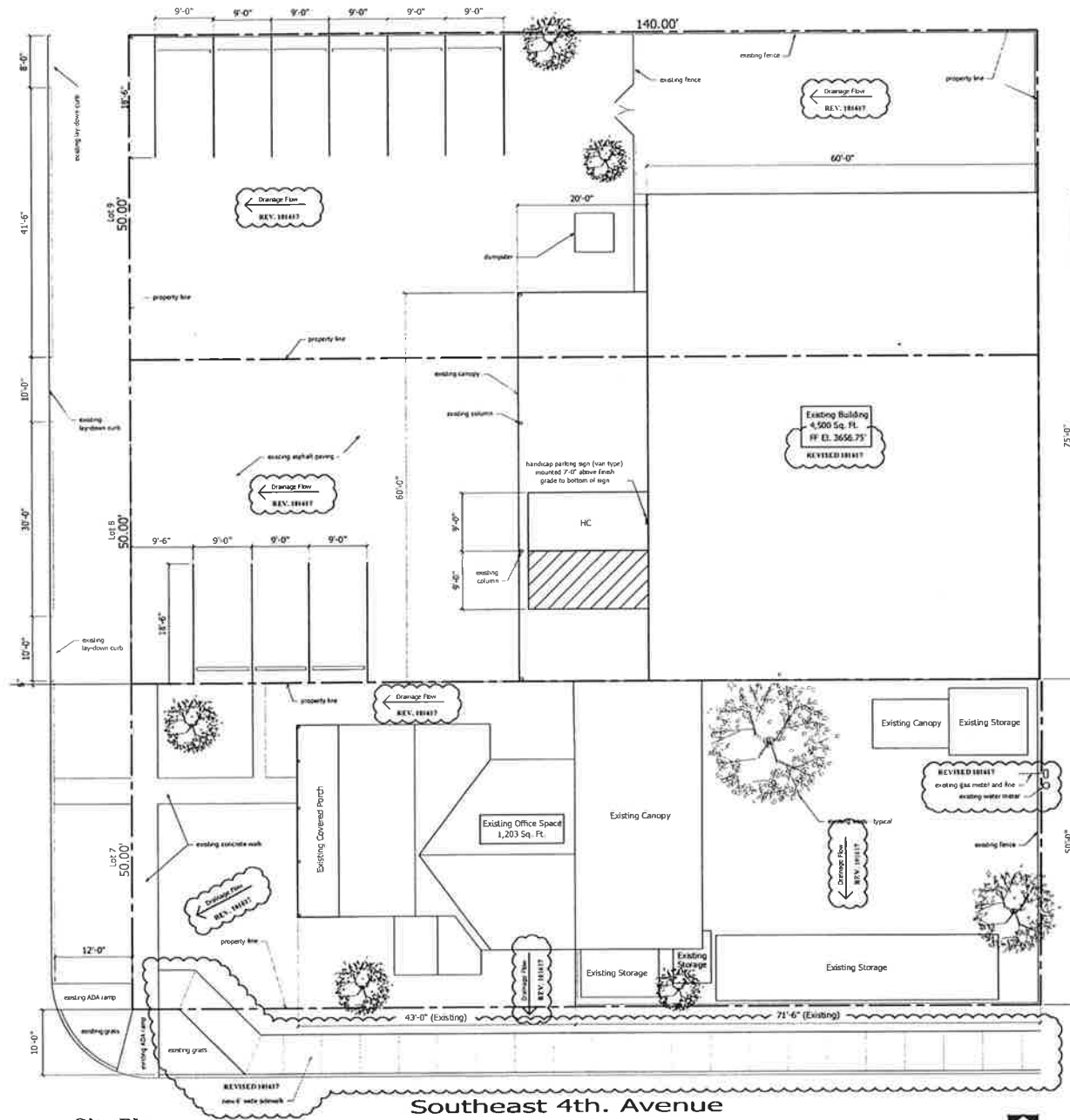
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

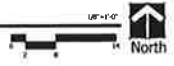
Bryan McWilliams,
Interim City Attorney

S. Bivins Street



Site Plan

Southeast 4th. Avenue



sheet index

C1.1 - Site Plan

A1.1 - Floor Plan

general notes

All lots and buildings have the same owner.

All work shall be done in accordance with all applicable codes and ordinances.

Zoning - Heavy Commercial (HC) REVISED 10/17

Proposed use - Mortuary services.

Property Area - 21,000 SF = 0.48 Acres.

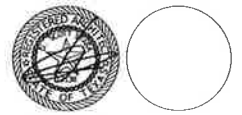
Legal Description - Denver Heights, Block 2, Lots 7, 8, 9

parking calculations

Storage	2,642 Sq. Ft. / 1000 = 2.6 spaces
Other Use	2,104 Sq. Ft. / 500 = 4.2 spaces
Office	1,203 Sq. Ft. / 400 = 3.1 spaces
Total	9.9 spaces required - 10 spaces shown

These plans and specifications shall remain the property of the Architect and shall not be used for the construction of any other project other than the one specified herein without written permission and proper compensation of the Architect.

The Texas Board of Architectural Examiners, P.O. Box 1220, Austin, Texas 78711-0237 or (512) 385-9500, has jurisdiction over individuals licensed under the Architects Registration Law, Texas Civil Statutes, Article 249.



Seal Expires On: 02.28.18
Seal Date: 10.16.17

Owner/Developer:
Shafer Mortuary Services
c/o Eric Shafer
307 S. Bivins
Amarillo, Texas 79104
(806) 584-8489

Renovations
for
Shafer Mortuary Services Facility

307 to 311 S. Bivins Street
Amarillo, Texas



REVISIONS:

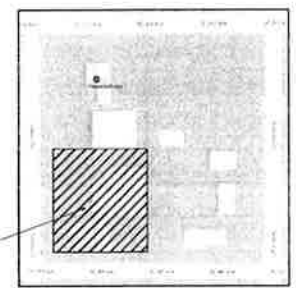
No.	Description	Date
1	Per City comments	10/16/2017

Drawings:

Site Plan	
drawn by:	sh / das
checked by:	das
date:	09.28.17
Sheet	No.

C1.1

10/19/17

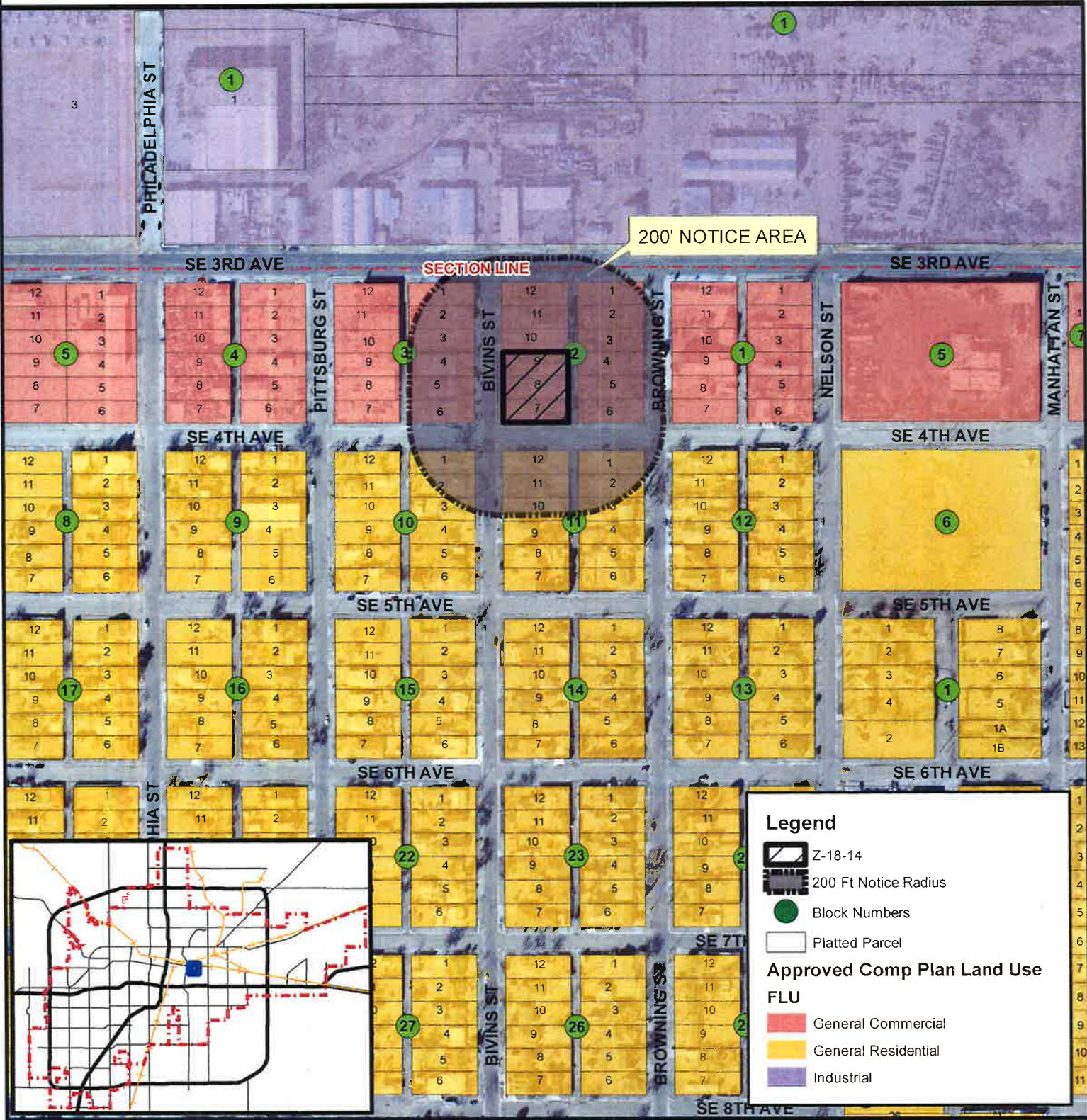


Vicinity Map



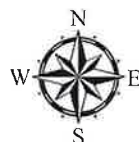


**CASE Z-18-14
 REZONING FROM HEAVY COMMERCIAL (HC) TO HC WITH SPECIFIC USE PERMIT 194 (HC/S-194)
 FOR A CREMATORIUM**



**CITY OF AMARILLO
 PLANNING DEPARTMENT**

Scale: 1 inch = 292 feet
Date: 5/17/2018



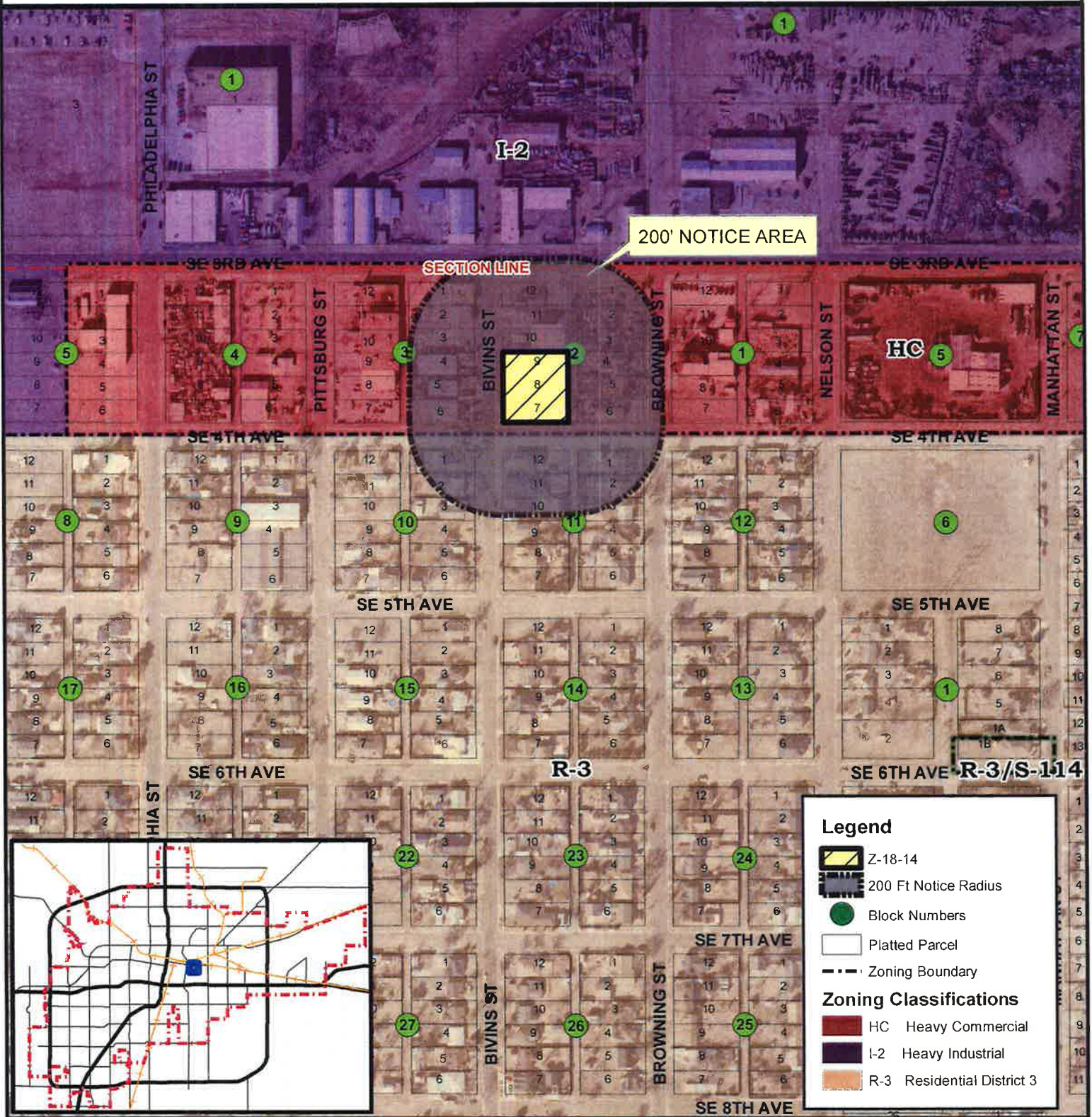
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Applicant: Eric & Candice Shafer

Vicinity: S Bivins St. & SE 4th Ave
Case Manager: Jeffrey English

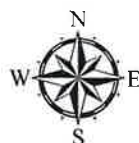
DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed as interpreted or represented by the City of Amarillo, nor is the City of Amarillo responsible for any discrepancies or errors for the use of the information provided.

CASE Z-18-14
REZONING FROM HEAVY COMMERCIAL (HC) TO HC WITH SPECIFIC USE PERMIT 194 (HC/S-194)
FOR A CREMATORIUM



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 292 feet
Date: 5/17/2018



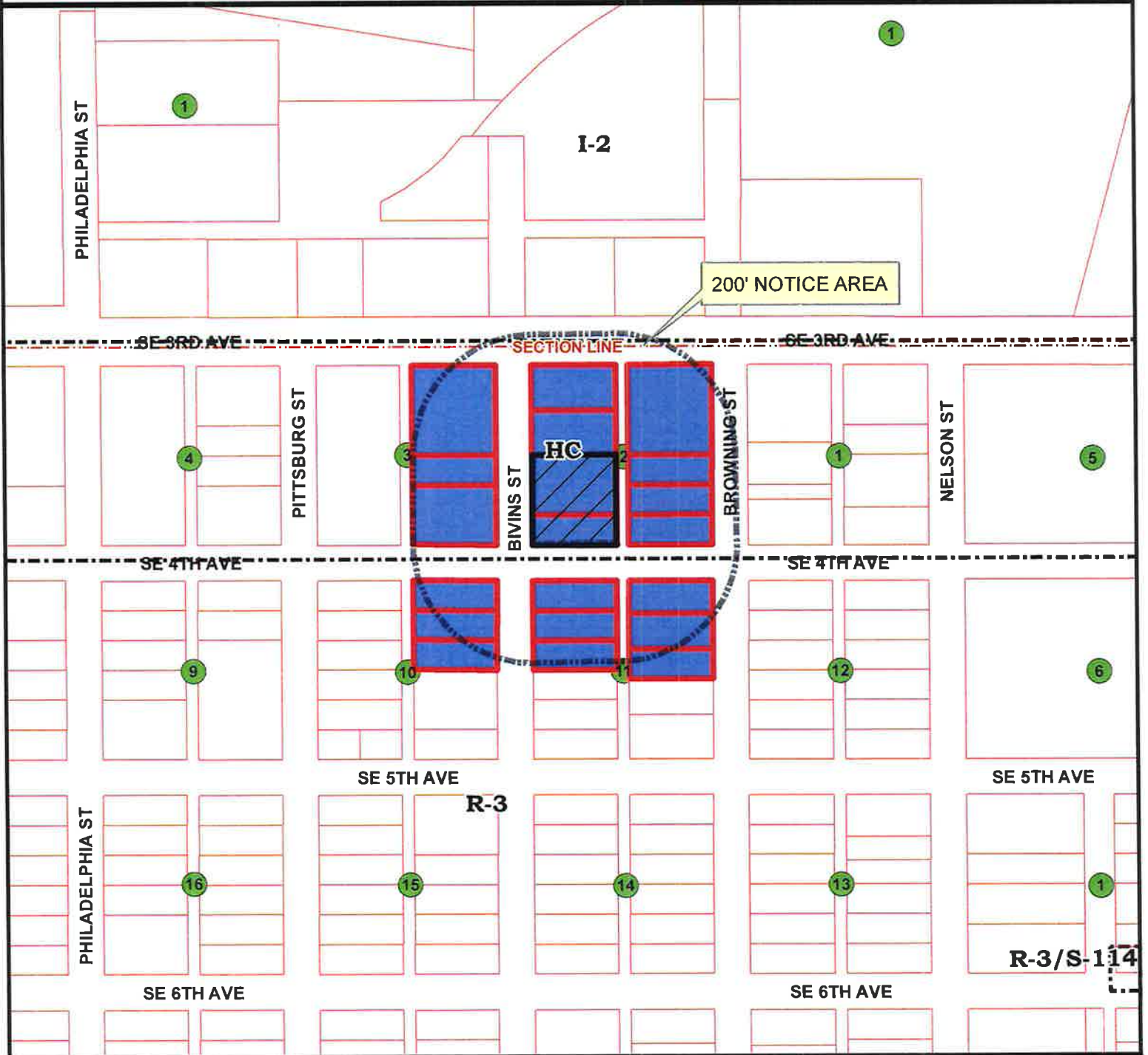
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Applicant: Eric & Candice Shafer

Vicinity: S Bivins St. & SE 4th Ave
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**CASE Z-18-14
 REZONING FROM HEAVY COMMERCIAL (HC) TO HC WITH SPECIFIC USE PERMIT 194 (HC/S-194)
 FOR A CREMATORIUM**



ID	Tax_Account_Number	Owner_LastName	Owner_FirstName	Contact_Address1	Contact_Address2	Contact_City	Contact_State	Contact_ZipCode
	1 01401000700R	FUENTES DAVID PEDRO JR	FUENTES JESUS ALEJANDRO	400 BROWNING ST	AMARILLO	TX	79104-1416	
	1 014010001300R	335 TRANSPORTERS LP	% D ALAN BOWLBY & ASSOC INC	PO BOX 1067	ADDISON	TX	75001-1067	
	1 014010000750R	FLORES GUILLERMO	VASQUEZ ANGELITA	% FLORES GUILLERMO & SONIA	AMARILLO	TX	79103-4500	
	1 014010001000R	SHAFER MORTUARY SERVICES LLC	311 S Bivins St		Amarillo	TX	79104-1407	
	1 014010001450R	DAVIDSON LIVING TRUST	DAVIDSON DOUGLAS TRUSTEE	DAVIDSON MARY TRUSTEE	AMARILLO	TX	79103-6707	
	1 014010000800R	NAVA AMANDA MICHELLE FUENTES	NAVA MARK ANTHONY FUENTES	308 BROWNING ST	AMARILLO	TX	79104-1414	
	1 014010001500R	BROWN DIANA LEE ETAL	5604 GENEVA AVE		LUBBOCK	TX	79413-4824	
	1 014010000860R	FIELDS CHERISH M	PO BOX 4145		AMARILLO	TX	79116-4145	
	1 014010000900R	SHAFER MORTUARY SERVICES LLC	311 S Bivins St		Amarillo	TX	79104-1407	
	1 014010006000R	ORTEGA GENOVEVA	3203 OAKDALE DR		AMARILLO	TX	79103-7325	
	1 014010006600R	FUENTES-SANCHEZ MIRNA	FUENTES-SANCHEZ MIRNA CUSTODIAN	402 BROWNING ST	AMARILLO	TX	79104-1416	
	1 014010007350R	CARRINGTON DENESE	3401 BRENNAN BLVD APT 15		AMARILLO	TX	79121-1669	
	1 014010006700R	FUENTES DAVID P	FUENTES-SANCHEZ MIRNA	402 BROWNING ST	AMARILLO	TX	79104-1416	
	1 014010006050R	HUDSON SHARON K	HUDSON RICKIE N	402 S BIVINS ST	AMARILLO	TX	79104-1410	
	1 014010007300R	RODRIGUEZ RICARDO	403 S BIVINS ST		AMARILLO	TX	79104-1409	
	1 014010007250R	CORTEZ LORENA	405 S BIVINS ST		AMARILLO	TX	79104-1409	
	1 014010006100R	HIDALGO JOSE GONZALEZ	404 S BIVINS ST		AMARILLO	TX	79104-1410	
	1 014010006800R	VASQUEZ MICHELLE	404 BROWNING ST		AMARILLO	TX	79104-1416	
	1 014010001100R	INSANE ENTERPRISES INC	2201 PEACH TREE ST		AMARILLO	TX	79109-1922	
	1 014010001200R	RIVERA JUAN CARLOS	805 PITTSBURG ST		AMARILLO	TX	79104-1733	

19 Total Notices Sent

2045 Sprint Boulevard
Apopka, FL 32703
407-886-5533 tel
407-886-5990 fax
800-327-2831

March 4, 2016

Mr. Eric Shafer
Shafer Mortuary Services
6866 Business Park Dr.
Amarillo, TX 79110

Dear Eric,

As a follow-up to our telephone conversation, this letter will review some facts regarding the common placement of cremation equipment within a funeral related facility.

Matthews Cremation Division has been designing, manufacturing and installing combustion systems for a broad range of industries for over 69 years. We are recognized as the leader in cremation equipment, with over 4,500 installations throughout the United States and 50 countries. Our designs have been granted U.S. patents, and have been adopted as industry standards for quality and performance. In addition, we are the largest service and repair organization, servicing all brands of cremation equipment.

Our company has been involved with the various fields of combustion for many years, and directly related to the cremation industry for over 52 years. We are a member in good standing with the Cremation Association of North America, and became its first supplier member approximately 40 years ago.

As the largest manufacturer of cremation equipment, our company annually markets over 70% of our production to the funeral industry. Most funeral establishments are located in residential communities and/or light commercial areas, since they are there to serve the local population. The cremation equipment is installed within the funeral home and is generally considered by most zoning regulations to be an extension of existing business and/or services.

The equipment operates without smoke or odor, and each and every installation must be permitted by the environmental authorities for the city, state or province in which it is installed. The equipment we manufacture is Underwriters Laboratories (UL) listed, confirming maximum safety of both equipment and personnel.

In addition, in Canada our equipment is built to the standards of the Canadian Gas Association (CGA), and is inspected and approved by them for safety of both the electrical and gas control systems.

Each model manufactured by our company is tested by an independent testing laboratory against standards set forth by the federal government. Our equipment's emission levels are substantially lower than the allowable standards to ensure environmental quality. Residents of the area will not be aware the equipment is operating.

The Standard of Excellence in Cremation Solutions

Mr. Eric Shafer
Shafer Mortuary Services
March 4, 2016
Page 2

All machinery that performs combustion, whether automobiles or furnaces of any type (fireplaces or crematories), gives off byproducts referred to as *particulate matter*. Because of our equipment's high quality standards, these byproducts are not visible, nor is there an odor of the material being combusted. At the present time there are over ninety (90) of our cremators operating within the State of Texas. Each has been approved and permitted by the Texas Commission on Environmental Quality.

The equipment operates automatically and has built-in pollution detection equipment that constantly supervises the operation, safeguarding against pollution and environmental impact. Cycle time is approximately two hours. When this cycle time is multiplied by the annual frequency of use, the actual hours of operation become insignificant.

The present rate of cremation in this country is approximately 45% and 38% in Texas. It is of vital importance that these services be locally available to residents of the community, to help minimize cost to them and fulfilling their demands.

I appreciate your interest and concern regarding the basic information surrounding the installation of cremation equipment. Please feel free to distribute this letter of information to any individuals and/or group that might have interest.

Should you or others require additional information or have questions about anything in this letter, please call me using our toll-free number: 800-327-2831.

Yours very truly,

A handwritten signature in black ink that reads "Stephen A. Talley". The signature is written in a cursive style with a large, looping flourish at the end of the name.

Stephen A. Talley
Senior Sales Representative

 *A to D*
Mortuary Service, LLC

CARE CENTER

Phone: 806-353-4944 ◆ Fax: 806-373-5272 ◆ atodmortuary@yahoo.com

Joel Carver
A to D Mortuary Service
808 S Johnson St
Amarillo, TX 79101
June 7, 2018

ATTN: Sherry Bailey
Planning & Zoning Department, City of Amarillo
Amarillo, TX 79101

Ms. Bailey,

My sons and I own and operate A to D Mortuary. A to D Mortuary has served the citizens of Amarillo and the Panhandle region with dignity for more than 20 years. We operate our mortuary service and crematory in accordance with the laws and ordinances established by our City officials. It has come to our attention that the City of Amarillo has changed its policy regarding the operation of crematories within city limits. The purpose of this letter is to address this change in policy.

On more than one occasion, A to D Mortuary has attempted to obtain the proper permission and permits necessary to operate our business, including our crematory, in one building. In 2008, we sought approval from the City of Amarillo to provide crematory and mortuary services at our current address of 808 South Johnson Street. After multiple meetings and conferences, we were given verbal approval from the City of Amarillo, the Fire Marshall, and the City Health Department to operate a crematory at 808 South Johnson. We purchased a crematory in early 2009. As we were nearing completion of the installation at 808 South Johnson, an official from the City of Amarillo demanded we immediately cease installation of the crematory. He told us we had to move our crematory outside of the city limits because Amarillo zoning laws did not allow for a crematory inside city limits. In compliance with these instructions, we paid to have the crematory moved outside of city limits and have incurred the additional expense of operating the crematory at a secondary location for the past 9 years. In 2016, we again sought permission from the City of Amarillo to operate a crematory in Amarillo. Once again, we were told by city officials that Amarillo zoning laws did not allow for a crematory inside city limits. We are familiar with the special use permit process as we have been through it on five different occasions with four different cities since 2008, including Amarillo, Mesquite and Irving, Texas.

The City of Amarillo has knowingly allowed Schafer Mortuary to operate a crematory within the city limits without the proper special use permit since November of 2017. Although the City gave



A to D
Mortuary Service, LLC

CARE CENTER

Phone: 806-353-4944 ♦ Fax: 806-373-5272 ♦ atodmortuary@yahoo.com

Schafer Mortuary permission to proceed with the mortuary and issued them an occupation permit, the City told them the crematory could be approved at a future date only if they obtained a special use permit. Despite the fact that Schafer Mortuary has not obtained a special use permit, the City has knowingly permitted them to operate the crematory for the past eight months in violation of the City's zoning laws.

Allowing Schafer Mortuary to operate a crematory without the proper permits in violation of zoning laws when others, including A to D Mortuary, have been denied the opportunity to operate within city limits is unreasonable and prejudicial. Our operating costs have been increased by tens of thousands of dollars as we have been required to operate at two locations because the City has repeatedly prevented us from operating a crematory in the City. The City has given Schafer Mortuary an unfair competitive advantage over other local funeral and mortuary businesses by allowing them to operate all facets of their business, including the crematory, in one building situated inside city limits.

We request the City not allow Schafer Mortuary to operate its crematory at its current location unless and until a special use permit is issued, just as the City required A to D Mortuary to do on two prior occasions. If the City chooses to issue a special use permit to Schafer Mortuary, then we ask that all other qualified businesses be permitted to operate a crematory within city limits in like-zoned areas. Further, we ask that the City establish the specific zoning, fire, health and safety requirements with which other funeral and mortuary businesses will be required to comply in order to operate a crematory inside city limits. The City of Amarillo should establish and enforce zoning laws in an even-handed manner so that all funeral and mortuary businesses may operate on a level playing field.

We understand a meeting will be held at City Hall on Monday, June 11, 2018, to consider whether Schafer Mortuary may continue the special use permit process and continue operating its crematory in the city limits. We request the opportunity to address the decision makers during this meeting. It is clear the City is setting a precedent and a pathway for funeral and mortuary businesses to follow from this point forward, and we would appreciate the opportunity to provide our insights.

Thank you for your attention to this matter, and I look forward to seeing you on Monday.

Joel Carver,
A to D Mortuary Service

Cc: Floyd Hartman