

AGENDA

FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, FEBRUARY 5, 2019 AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

City Council Mission: Use democracy to govern the City efficiently and effectively to accomplish the City's mission.

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.

INVOCATION: Van McNeece, Hillside Christian Church

PROCLAMATION: "Congenital Heart Defect Awareness Week"

1. City Council will discuss or receive reports on the following current matters or projects.
 - A. Review agenda items for regular meeting and attachments;
 - B. Quarterly Budget and Sales Update; and
 - C. Consider future Agenda items and request reports from City Manager.

2. **CONSENT ITEMS:**

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 for the meeting held on January 29, 2019.

B. **ORDINANCE NO. 7769:**

(Contact: Andrew Freeman, Economic Development Manager)

This is the second and final reading of an ordinance combining the Downtown Design Urban Review Board and the Board of Review for Landmarks and Historic districts into a new consolidated board to be called the Board of Review for Landmarks, Historic Districts, and Downtown Design.

C. **AWARD – GATE/TAPPING VALVES SUPPLY AGREEMENT:**

(Contact: Trent Davis – Purchasing Agent)

Award to J&S Valves -- \$64,258.00

This item awards the gate/tapping valves supply agreement for use various departments.

D. **AWARD – NAVAJO OFFICE PRODUCTS CHANGE ORDER NO. 1:**

(Contact: Jerry Danforth, Facilities Director)

Award to Navajo Office Products -- \$71,936.36

This item is to consider approval of Change Order No. 1 to provide for additional office furniture in the MPEV. This change order allows the City to take advantage of savings realized through the value engineering process. This change order will not cause the City to exceed the Guaranteed Maximum Price (GMP) of \$45,540,000 for the project.

E. **CONSIDER -- PURCHASE APPROVAL OF REPLACEMENT VEHICLE FOR FIRE DEPARTMENT- PUMPER STYLE FIRE TRUCK:**

(Contact: Glenn Lavender, Fleet Services Superintendent)

Award to: Hall Buick-GMC -- \$577,743.00

(HGAC Contract #FS12-17)

This item is the scheduled replacement of vehicle unit no. 6474, a 2004 American LaFrance Fire Truck/Pumper Style. A new Fire Truck will be used for daily operational requirements. Vehicle unit no. 6474 has reached or exceeded its useable lifecycle.

F. **CONSIDER -- PURCHASE OF STREET SWEEPER.**

(Contact: Glenn Lavender, Fleet Services Superintendent)

Award to Heil of Texas -- \$280,145.00

(Utilizing HGAC Contract SW-04-18A)

This item is the scheduled replacement of unit no. 7590, a 2013 Freightliner/Elgin Eagle Street Sweeper. This equipment is used by the Drainage Utility Division for daily operational requirements. Unit 7590 has reached its useable lifecycle.

3. **NON-CONSENT ITEMS:**

A. **CONSIDERATION OF ORDINANCE NO. 7770:**

(Contact: Cris Valverde, Assistant Director of Planning and Development Services)

This is the first reading of an ordinance for the vacation of a 20 foot alley between Lots 7 through 18, Block 8, Wolflin Place Amended, in Section 186, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: South Hayden Street and Wolflin Avenue.)

B. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7771:**

(Contact: Cris Valverde, Assistant Director of Planning and Development Services)

This is a public hearing and first reading of an ordinance for the rezoning of the north 26 feet of Lot 10A, Block 7, Westview Addition Unit No. 5, in Section 226, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 2. (Vicinity: Wolflin Avenue and Carolina Street.)

C. **CONSIDERATION OF ORDINANCE NO. 7772:**

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is the first reading of an ordinance considering the proposed amendments to the current City of Amarillo Subdivision Ordinance, Chapter 4-6, Article II, Division 8, Section 4-6-59(d) regarding "partial release" of cash surety. Currently, before a subdivision that requires public improvements can be platted, developers must install the public improvements (roadways, water, sewer) or submit an acceptable form of "surety" (performance bond, trust agreement, letter of credit, or cash deposit) to the City. The surety option allows the improvements to be deferred until after Final Plat approval. The ordinance amendments, if approved, would allow those who submit a cash surety to request reimbursements, tied to partial construction of improvements, in a shorter timeframe than is currently allowed.

D. **RESOLUTION – SUPPORT OF COMMONS AT ST. ANTHONY’S, LLC APPLICATION FOR HOUSING TAX CREDITS:**

(Contact: Andrew Freeman, Director of Planning & Development Services)

This resolution is support for an application for Affordable Housing Tax Credits to the Texas Department of Housing and Community Affairs, Housing Tax Credit Program by Commons at St. Anthony’s, LLC, a private entity, The Commons at St. Anthony’s, a development for affordable rental property located near the southwest corner of Amarillo Boulevard and North Polk Street.

E. **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 551.074 - Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee, in accordance with the Texas Open Meetings Act.
 - (a) Discussion of City Manager Jared Miller's performance evaluation and compensation.
 - (b) Discussion of Municipal Court Judge Laura Hamilton's performance evaluation and compensation.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 South Buchanan Street) 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 1st day of February 2019.

Regular meetings of the Amarillo City Council 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 29th day of January 2019, the Amarillo City Council met at 12:00 p.m. for a work session which was held in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
EDDY SAUER
HOWARD SMITH

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

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

JARED MILLER
MICHELLE BONNER
BRYAN MCWILLIAMS
ANDREW FREEMAN

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
DIRECTOR OF PLANNING AND
DEVELOPMENT SERVICES
CITY SECRETARY

FRANCES HIBBS

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

PUBLIC COMMENT

Mike Fisher, 4410 Van Kriston Drive, stated he would interview anyone who would like to speak during the time left from the public comment period. He spoke on the City teaming up with a bar to raise money for the homeless. He stated this promotion was an abuse for a for profit business. He further spoke on the debt and cost of the ballpark. Claudette Smith, 4410 Van Kriston Drive, stated if she were to win the election in May, she would open the Thompson Park Swimming Pool this summer. She inquired about receiving the inspection reports for all the swimming pools. She inquired about any changes made at Animal Management & Welfare. She further inquired why the City Manager's evaluation was on the agenda again. John Adair, 1408 Southwest 20th Avenue, spoke on the red tags posted on trash carts. He inquired how the truck driver was able to get out of his truck to tag a cart but not able to move it to empty the contents. He further stated many residents have limited parking in front of their residences. He inquired why dumpsters were being removed and replaced by carts contradicting the website information. Steven Rosas, 6307 South Fannin Street, read from an Attorney General's letter regarding the Open Meetings Act handbook, conducting meetings in accordance with the law. He reiterated the need to put public comment online. He further suggested a committee be formed to research the public comment period and to include the citizens. Noah Dawson, 1111 Sugarloaf Drive, stated the agenda says the minutes were approved of the meeting held but does not indicate what meeting. He stated which minutes were being approved was unclear, distorts the truth and destroys government trust and documents. Signed up to speak but did not James Schenck, 6216 Gainsborough Road, There were no further comments.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 29th day of January 2019, the Amarillo City Council met at 1:00 p.m. for a regular meeting held in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, 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	CITY ATTORNEY
ANDREW FREEMAN	DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Jordan Melugin, Cross Point Church.

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

ITEM 1:

- A. Review agenda times for regular meeting and attachments;
- B. Reports and updates from City Councilmembers serving on outside boards: Amarillo Metropolitan Planning Organization Policy Committee Early Childhood Summit;
- C. Update on Upcoming Robotics District Event;
- D. Update on Utility Billing Software Changes; and
- E. Consider future Agenda items and request reports from City Manager.

CONSENT ACTION ITEMS:

ITEM 2: 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 Items 2A and 2C-F on the consent items, seconded by Councilmember Hays.

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.

Motion was made by Councilmember Smith to approve Item 2B on the consent item, as amended to reflect 'per year' for years 2-5, seconded by Councilmember Sauer.

- A. MINUTES:
Approval of the City Council minutes for the meeting held on January 22, 2019.
- B. CONSIDER – AWARD FOR DELL'S STORAGE AND BACKUP SYSTEMS:
(Contact: Rich Gagnon, Information Technology)
Dell Financial Services (DFS) -- \$600,444.03
This represents a five-year agreement with Dell Financial Services (DFS) to provide storage systems for the Police Department's In-Car Video and Body Worn Camera systems and Information Technology's data backup. The amount for year one (1) is \$102,030.43. The amount for years two-five (2-5) is \$124,603.40.

C. **CONSIDER – PURCHASE OF TICKET WRITERS:**

(Contact: Chief Ed Drain, Police Chief)

Award to Sourcewell (formerly NJPA) Contract#:110515-TTI Vendor -- \$207,456

This item to purchase 111 TC700K-0MB22B0-US/Zebra EVM, TC70X ticket writers. This purchase is to replace the current police department ticket writers. Funding is from State mandated court fee that provides funding for technology support and equipment for court operations.

D. **CONSIDER – AWARD OF THE FOLLOWING SIX LINE ITEMS FOR LABORATORY EQUIPMENT:**

(Contact: David Reasoner, Chief Chemist, Environmental Programs Manger)

1. Carbon Analyzer System		
Government Scientific Source Inc.		\$32,385.94
2. ICPMS System		
Perkin Elmer Health Sciences		\$159,134.10
3. GC-DUAL ECD System		
Agilent Technologies		\$48,749.45
4. GCMS System		
Agilent Technologies		\$217,115.30
5. FTIR Instrument System		
Perkin Elmer Health Sciences		\$22,282.78
6. Ion Chromatograph System		
Thermo Electron North America		\$74,424.00
TOTAL		\$554,091.57

This is to award the purchase of these six instruments to replace the existing instruments, which are obsolete and no longer supported by the manufacturer.

E. **CONSIDER – PURCHASE OF TIRE SHREDDER:**

(Contact: Glenn Lavender, Fleet Services Superintendent)

Award to Heil of Texas -- \$346,545.00

Utilizing BuyBoard Contract 516-16

Addition to City Infrastructure. Equipment will be utilized by Fleet Services to comply with City tire ordinance, disposal of scrap unusable tires. Equipment will be located at City Landfill as a joint initiative between the two Divisions in disposing of scrap tires and waste reduction. Solid Waste Disposal will use shredded waste as a fill at landfill for daily operations.

F. **CONSIDER APPROVAL OF THE REQUEST FOR PROPOSAL (RFP) 06-19: PRELIMINARY PLAN AND DESIGN FOR A NEW MULTIMODAL TRANSFER TERMINAL:**

(Contact: Marita Wellage-Reiley, Transit Director)

Award to Lavin Architects in the amount not to exceed \$100,000.00

RFP 06-19 is a proposal from a qualified consultant who can maximize the \$100,000 budget to accomplish advanced planning for a multimodal terminal for Amarillo City Transit and accommodate additional users. Funding for this RFP is through a grant from the Texas Department of Transportation.

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.

NON-CONSENT ITEMS

ITEM 3A: Mayor Nelson presented the first reading of an ordinance combining the Downtown Design Urban Review Board and the Board of Review for Landmarks and Historic districts into a new consolidated board to be called the Board of Review for Landmarks, Historic Districts, and Downtown Design. This item was presented by Andrew Freeman, Economic Development Manager. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7769

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: REPEALING AND REPLACING CHAPTER 2-6, ARTICLE IX AND REPEALING CHAPTER 2-6, ARTICLE XIV OF THE MUNICIPAL CODE OF THE CITY OF AMARILLO TO COMBINE THE DOWNTOWN DESIGN URBAN REVIEW BOARD AND THE BOARD OF REVIEW FOR LANDMARKS AND HISTORIC DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND 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 3B: Mayor Nelson presented an item considering an expansion of the Bi-City-County Public Health District. The Villages of Timbercreek Canyon, Tanglewood, Palisades, and the Town of Bishop Hills have requested permission to join the Bi-City-County Public Health District. In accordance with Texas Health and Safety Code, Chapter 121, the governing boards of the charter members of the public health district must approve of their entry before they can formally join. The charter members of the City of Canyon, Potter County, and Randall County have recently approved the requested expansion. Completion of this expansion is pending consideration by the City of Amarillo. This item was presented by Shaun May, Director of Environmental Health and Casie Stoughton, Director of Public Health. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the expansion of the Bi-City-County Public Health District be approved.

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 3C: Mayor Nelson presented an item considering the purchase to replace the current police department in-car camera system and to add a body worn camera system. At the end of term, Lessee shall have the option to purchase, renew and/or terminate and return the equipment to the Lessor. This item was presented by Chief Ed Drain, Police Chief. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that this item be approved.

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 3D: Mayor Nelson presented an item considering the purchase is to replace the current police department interview room systems and provide the additional capability for recording and documentation of investigations. These rooms are used for the interview of suspects in criminal investigations. Funding is from seized funds that are allocated for support of law enforcement operations. This item was presented by Chief Ed Drain, Police Chief. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that this item be approved.

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 3E: Mr. McWilliams advised at 2:26 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Section 551.074 - Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee, in accordance with the Texas Open Meetings Act. a) Discussion of City Manager Jared Miller's performance evaluation and compensation. (b) Discussion of Municipal Court Judge Laura Hamilton's performance evaluation and compensation.

Mr. McWilliams announced that the Executive Session was adjourned at 4:06 p.m. and recessed the Regular Meeting.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

Amarillo City Council Agenda Transmittal Memo



2B



Meeting Date	February 5, 2019	Council Priority	Economic Development/Redevelopment
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Department	Planning and Development Services	Contact Person	Andrew Freeman, Director of Planning and Development Services
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Agenda Caption

ORDINANCE NO. ____:

This is the second and final reading of an ordinance combining the Downtown Design Urban Review Board and the Board of Review for Landmarks and Historic districts into a new consolidated board to be called the Board of Review for Landmarks, Historic Districts, and Downtown Design.

Agenda Item Summary

This ordinance was prepared based on direction received from City Council during the 2017 board appointment process, as well as additional discussions that took place in February 2018. The Board of Landmark and Historic Districts and the Downtown Design Urban Review Board were identified as an opportunity to consolidate two boards into one that had similar board member qualifications, reviewed similar applications or requests and historically had less workload than other city boards.

Through the 2018 City Council annual board appointment process, City Council took advantage of the vacancies and turnover in appointees in order to fill the Downtown Design Urban Review Board with candidates interested in or qualified to serve on either existing board. This decision will allow the current Downtown Design Urban Review Board of 7 members and 1 alternate to become the new Board of Review for Landmarks, Historic Districts, and Downtown Design.

The board qualifications are intended to meet one of the following categories:

- (i) registered architect with a minimum of ten years' experience;
- (ii) building contractor with a minimum of ten years' experience in housing construction;
- (iii) land use or planning professional;
- (iv) downtown business owner or manager;
- (v) downtown resident;
- (vi) licensed real estate broker;
- (vii) representative of the banking or savings and loan industry;
- (viii) owner or resident of a historic property;
- (ix) history teacher or professor; or
- (x) historian or preservation consultant.

The new Board will have powers and duties with regard to review and approval of the Downtown Amarillo Urban Design Standards, as well as historic preservation standards across the City. In the future, this board will also review and provide recommendations to City Council for updating the City's historic preservation ordinance.

Requested Action

Request City Council approve the ordinance as presented

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval as presented

ORDINANCE NO. 7769

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: REPEALING AND REPLACING CHAPTER 2-6, ARTICLE IX AND REPEALING CHAPTER 2-6, ARTICLE XIV OF THE MUNICIPAL CODE OF THE CITY OF AMARILLO TO COMBINE THE DOWNTOWN DESIGN URBAN REVIEW BOARD AND THE BOARD OF REVIEW FOR LANDMARKS AND HISTORIC DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, Chapter 2-6, Articles IX and XIV of the Municipal Code of the City of Amarillo currently establish two separate boards, being the Downtown Design Urban Review Board and the Board of Review for Landmarks and Historic Districts, respectively;

WHEREAS, the City Council of the City of Amarillo finds that it is in the best interest of the community to combine the two boards into a single board;

WHEREAS, there are currently 14 board membership positions, eight of which are currently filled, and one alternate membership position, which is currently filled, on the two boards, and it is the City Council's intention, by the adoption of this ordinance, to allow the seven current board members and one alternate serving on the Downtown Design Urban Review Board to remain board members on the combined board, ; and

WHEREAS, it is the intention of the City Council that all of the duties of each of the two boards will be combined and included as the duties of the new board;

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

SECTION 1: Title II, Chapter 2-6, Article IX is hereby repealed and replaced to read as follows:

Sec. 2-6-80. – Created.

There is hereby created the Board of Review for Landmarks, Historic Districts, and Downtown Design (the “**Board**” in this Article).

Sec. 2-6-81. – Members.

- (a) Number and Quorum. The Board will consist of seven members and one alternate, and a quorum of the Board shall be four members.
- (b) Qualifications. This Board membership must reflect a diversity of interests and knowledge pertinent to the redevelopment of downtown and historic preservation city-wide. Accordingly, each regular member and alternate must be a member of one of these categories in order to serve:
 - (i) registered architect with a minimum of ten years' experience;
 - (ii) building contractor with a minimum of ten years' experience in housing construction;
 - (iii) land use or planning professional;
 - (iv) downtown business owner or manager;
 - (v) downtown resident;
 - (vi) licensed real estate broker;
 - (vii) representative of the banking or savings and loan industry;
 - (viii) owner or resident of a historic property;
 - (ix) history teacher or professor; or
 - (x) historian or preservation consultant.

It is not the intent of this section that each or all of these professions or interests must be seated at all times on the Board, but an approximate balance of interests shall be sought in appointments.

- (c) Alternates. The alternate member shall serve when a voting Board member is unable or unwilling to attend or participate.
- (d) Historic Preservation Officer. The Board may appoint a non-voting, ex officio member to serve as Historic Preservation Officer. The duties of the Historic Preservation Officer are:
 - (i) Develop policies and procedures to implement the city's adopted historic preservation ordinance and related ordinances.
 - (ii) Review Certificate of Appropriateness applications for completeness, perform administrative reviews where applicable, and submit recommendations to the Board.
 - (iii) Create community outreach programs to support city historic preservation program.
 - (iv) Review and help coordinate the city's preservation and urban design activities with those of local, state, and federal agencies and with local, state, and national preservation organizations in the private sector.

Sec. 2-6-82. – Powers and duties.

- (a) The Board will have the following powers and duties with regard to downtown design review:
 - (i) All power and duties contained in Article I of this Chapter that are not in conflict with this Article.
 - (ii) Interpret and enforce the Downtown Urban Design Standards for new construction and major renovations by hearing and deciding applications for a certificate of appropriateness in accordance with Article IV, Division 3 of Chapter 4-10 of this Code of Ordinances;
 - (iii) Hear items referred to the Board by City staff concerning the Downtown Urban Design Standards;
 - (iv) Propose to the City Council amendments to the Downtown Urban Design Standards;
 - (v) Grant variances under the Downtown Urban Design Standards adopted pursuant to Chapter 4-10, Article IV, Division 3 of this Code, and in accordance with section 2-6-83 below, when such will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the Downtown Urban Design Standards will result in unnecessary hardship, and so that the spirit of such Standards shall be observed and substantial justice done.
 - (vi) Other powers, duties, exceptions, privileges, and immunities accorded by the applicable law and any assignments or delegations by the City to this Board.
- (b) The Board will have the following powers and duties with regard to review of landmarks and historic districts:
 - (i) All powers and duties contained in Article I of this Chapter that are not in conflict with this Article.

- (ii) To hold hearings to review applications for reconstruction, alteration, relocation, new construction, or demolition affecting proposed or designated landmarks, objects, sites, and structures within historic districts, and to determine whether a certificate of appropriateness should be issued for such actions based on guidelines developed by the Board;
- (iii) To recommend specific design guidelines for the restoration, rehabilitation, alteration, construction, reconstruction, or relocation of objects, sites, and structures within historic districts and landmarks;
- (iv) To recommend guidelines for signage, street furniture, appurtenances, advertising devices, and landscaping for each landmark and historic district;
- (v) To conduct surveys to identify and catalog districts, objects, sites, and structures displaying significant historic, architectural, archaeological, or cultural value;
- (vi) To recommend incentives and tax abatement programs for landmarks and historic districts;
- (vii) To make recommendations concerning the utilization of state, federal, municipal, or private funds to promote the preservation and restoration of landmarks and historic districts;
- (viii) To recommend the acquisition of landmark structures by the City where preservation is essential and where private preservation is not feasible;
- (ix) To testify before all boards and commissions on any matter affecting historically, culturally, or archaeologically exceptional or significant objects, sites, structures, or historic districts;
- (x) To inform and educate the citizens concerning distinctive and important elements of the City's and State's historical, cultural, architectural, archaeological, social, economic, ethnic, and political history;
- (xi) To recognize the owners of landmarks, objects, sites, or structures within historic districts by means of certificates, plaques, or markers;
- (xii) To recommend to the Planning and Zoning Commission any ordinance amendments appropriate for the preservation, restoration, and protection of landmarks, objects, sites, and structures within historic districts;
- (xiii) To create committees of no more than three persons from among its membership to meet at times other than regular Board meetings, to consider specified categories of applications and to make recommendations to the full Board for ratification;
- (xiv) To prepare and submit to the Planning and Zoning Commission and the City Council a report summarizing the work of the Board during the previous calendar year;
- (xv) Based on a finding of available time of the Planning Department staff and of funds set aside for the specific purpose, to recommend special studies or projects to further the purposes of subsection (b)(i);
- (xvi) Other powers, duties, exceptions, privileges, and immunities accorded by applicable law, City ordinance, and any assignments or delegations by the City to this Board.

- (a) In authorizing a variance under Section 2-6-82(a)(v) above, the Board must find and show in its minutes such facts or special conditions by which each of the following conditions has been satisfied:
 - (i) Special circumstances exist on the property on which the application is made relating to its size, area, topography, location, or surrounding conditions that do not apply generally to the other property in the same area and the Downtown Urban Design District; and
 - (ii) A variance, if granted, will be of no material detriment to the public safety or welfare or injury to the use, enjoyment, or value of the property in the vicinity.
- (b) In exercising such authority, the Board may not grant a variance where the variance would operate to relieve the applicant of a condition or circumstance:
 - (i) that is not inherent in the property itself, but rather is the result of the use or development of the property;
 - (ii) that was otherwise self-imposed by the present or a previous owner; or
 - (iii) that is founded solely upon the opportunity to make the property more profitable or to reduce expense to owner.

Sec. 2-6-84. – Decisions; Effect of Decisions.

- (a) A majority affirmative vote by Board members participating in the decision shall be required to take any authorized action.
- (b) Unless appealed, the determinations of the Board on all certificate of appropriateness applications are final. Actions taken or recommendations made by the Board that are subject to review by the Planning and Zoning Commission or the City Council are not binding on those bodies, and the reviewing body or bodies may decide a matter contrary to the recommendations or actions of the Board.

Sec. 2-6-85. – Request for Board consideration.

Any person who desires to schedule any item applicable under this Article before the Board may provide appropriate written requests to the planning director.

SECTION 2: Title II, Chapter 2-6, Article XIV is hereby repealed in its entirety.

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

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

SECTION 5. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

SECTION 6. Publishing and Effective Date. This ordinance shall be published and become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 29th day of January, 2019; and **PASSED** on Second and Final Reading the 5th day of February, 2019.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

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Amarillo City Council Agenda Transmittal Memo



Meeting Date	February 5, 2019	Council Priority	Fiscal Responsibility
Department	Central Stores		
Contact	Trent Davis – Purchasing Agent		

Agenda Caption	
Award – Gate/ Tapping Valves Supply Agreement	
Award to J&S Valves	\$64,258.00

Agenda Item Summary
Award of Gate/Tapping Valves Supply Agreement for use various departments

Requested Action
Consider approval and award for the Gate/Tapping Valves Supply Agreement

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

Community Engagement Summary
N/A

Staff Recommendation
City Staff is recommending approval and award of the contract.

Bid No. 6300 GATE/TAPPING VALVES SUPPLY AGREEMENT
 Opened 4:00 p.m. January 10, 2019

To be awarded as one lot	J & S VALVE	FERGUSON ENTERPRISES	MORRISON SUPPLY	CORE & MAIN	WESTERN INDUSTRIAL SUPPLY
Line 1 Gate Valve, 4" Bronze Stem, per specifications					
10 ea					
Unit Price	\$314.000	\$331.490	\$363.320	\$390.250	\$356.990
Extended Price	3,140.00	3,314.90	3,633.20	3,902.50	3,569.90
Line 2 Gate Valve, 6" Bronze Stem, per specifications					
60 ea					
Unit Price	\$411.000	\$423.230	\$463.620	\$497.760	\$455.790
Extended Price	24,660.00	25,393.80	27,817.20	29,865.60	27,347.40
Line 3 Gate Valve, 8" Bronze Stem, per specifications					
10 ea					
Unit Price	\$726.000	\$673.550	\$738.420	\$792.760	\$725.360
Extended Price	7,260.00	6,735.50	7,384.20	7,927.60	7,253.60
Line 4 Gate Valve, 10" Bronze Stem, per specifications					
2 ea					
Unit Price	\$1,047.000	\$1,049.970	\$1,215.790	\$1,236.070	\$1,130.740
Extended Price	2,094.00	2,099.94	2,431.58	2,472.14	2,261.48
Line 5 Gate Valve, 12" Bronze Stem, per specifications					
2 ea					

Unit Price	\$1,354.000	\$1,328.600	\$1,456.990	\$1,564.080	\$1,430.800
Extended Price	2,708.00	2,657.20	2,913.98	3,128.16	2,861.60
<hr/>					
Line 6 Tapping Valve, 4" Bronze Stem, per specifications					
20 ea					
Unit Price	\$337.200	\$452.120	\$426.660	\$492.320	\$649.930
Extended Price	6,744.00	9,042.40	8,533.20	9,846.40	12,998.60
<hr/>					
Line 7 Tapping Valve, 6" Bronze Stem, per specifications					
30 ea					
Unit Price	\$443.400	\$638.360	\$647.450	\$695.100	\$918.120
Extended Price	13,302.00	19,150.80	19,423.50	20,853.00	27,543.60
<hr/>					
Line 8 Tapping Valve, 8" Bronze Stem, per specifications					
2 ea					
Unit Price	\$757.200	\$947.520	\$961.080	\$1,031.750	\$1,348.250
Extended Price	1,514.40	1,895.04	1,922.16	2,063.50	2,696.50
<hr/>					
Line 9 Tapping Valve, 10" Bronze Stem, per specifications					
2 ea					
Unit Price	\$1,417.800	\$1,428.930	\$1,449.230	\$1,555.950	\$2,055.400
Extended Price	2,835.60	2,857.86	2,898.46	3,111.90	4,110.80
<hr/>					
Bid Total	64,258.00	73,147.44	76,957.48	83,170.80	90,643.48
<hr/>					
Award by Vendor	64,258.00				



Amarillo City Council Agenda Transmittal Memo



Meeting Date	February 5, 2019	Council Priority	Fiscal Responsibility
Department	Facilities		
Contact	Jerry Danforth – Director		

Agenda Caption

Award – to Navajo Office Products Change Order No. 1

Award to Navajo Office Products	\$71,936.36
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Agenda Item Summary

Award of Change Order No. 1 for MPEV Furniture

This item is to consider approval of Change Order No. 1 to provide for additional office furniture in the MPEV. This change order allows the City to take advantage of savings realized through the value engineering process. This change order will not cause the City to exceed the Guaranteed Maximum Price (GMP) of \$45,540,000 for the project.

Requested Action

Consider approval and award for Change Order No. 1

Funding Summary

Funding for this award is available in the department’s Downtown Improvements Account 440086.17400.1060.

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval of Change Order No. 1

Amarillo City Council

Agenda Transmittal Memo



28



Meeting Date	February 5, 2019	Council Priority	Fiscal Responsibility, Best Practices, Customer Service
Department	Fleet Services		
Contact	Glenn Lavender, Fleet Services Superintendent		

Agenda Caption

CONSIDER: Purchase approval of replacement vehicle for Fire Department. Pumper Style Fire Truck

Award to: Hall Buick-GMC \$577,743.00
 HGAC contract #FS12-17

Agenda Item Summary

Scheduled replacement of unit 6474, 2004 American LaFrance Fire Truck/Pumper Style. New Fire Truck will be used for daily operational requirements. Vehicle 6474 has reached or exceeded its useable life cycle.

Requested Action

Recommend approval of Fire Truck/Pumper Style purchased through Hall Buick – GMC. This is a HGAC Contract Purchase using contract number FS12-17

Funding Summary

Funding for this purchase will be from 61120.84100, Fleet Services Rolling Stock. Cost \$577,743.00, remaining fund balance \$ 3,951,477.00

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends purchase approval of the Fire Truck using HGAC contract.

Bid No. 6325 FIRE TRUCK PUMPER
Opened 4:00 p.m. January 02, 2019

To be awarded as one lot HALL BUICK GMC

Line 1 Scheduled Replacement Unit 6626
Fire Truck, per specifications

1 ea		
Unit Price	\$630,743.000	
Extended Price		630,743.00

Line 2 HGAC Contract Fee, per
specifications

1 ea		
Unit Price	\$2,000.000	
Extended Price		2,000.00

Line 3 Repeat Customer Discount, per
specifications

1 ea		
Unit Price	(\$55,000.000)	
Extended Price		(55,000.00)

Bid Total		577,743.00
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Award by Vendor		577,743.00
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Bid No. 6340 MECHANICAL STREET SWEEPER
Opened 4:00 p.m. January 15, 2019

To be awarded as one lot HEIL OF TEXAS

Line 1 Scheduled Replacement Unit, per specifications

1 ea		
Unit Price	\$291,645.000	
Extended Price		291,645.00

Line 2 Freight, per specifications

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

Line 3 Post Delivery Inspection, per specifications

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

Line 4 Discount, per specifications

1 ea		
Unit Price	(\$16,000.000)	
Extended Price		(16,000.00)

Bid Total		280,145.00
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Award by Vendor		280,145.00
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Amarillo City Council Agenda Transmittal Memo



Meeting Date	February 5, 2019	Council Priority	Infrastructure
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Department	Cris Valverde Assistant Director of Planning and Development Services
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Agenda Caption

This is the first Reading of an ordinance for the vacation of a 20 foot alley between Lots 7 through 18, Block 8, Wolflin Place Amended, in Section 186, Block 2, AB&M Survey, Potter County, Texas.
 VICINITY: South Hayden St. and Wolflin Ave.
 APPLICANT: Amarillo Independent School District

Agenda Item Summary

Proposal

The applicant is requesting abandonment of the above-mentioned alley in order to provide a dedicated one-way student pick-up and drop-off drive aisle for the Wolflin Elementary School.

Analysis

With exception of the residential lot located at the southwest corner of the block, the applicant owns all land adjacent to the alley proposed for abandonment.

When a vacation request is considered, staff takes into account what impacts, if any, abandonment will have on adjacent property owners and/or traffic patterns. When reviewing the proposal, staff does not anticipate changes with existing utility service (water, sewer, electrical, and gas), whereas relocation of existing utility equipment is not proposed, yet there will be a change in solid waste pick-up service for the above-mentioned residential lot. If approved, the existing dumpster in the alley (immediately east of the home) would be removed and cart service offered. Regarding traffic patterns, staff does not foresee any changes, whereas it is understood that the alley is mostly used by parents dropping off and/or picking up students.

On January 18th, staff and the applicant met with the homeowner to discuss details of the proposed abandonment and one-way drive. Staff informed the homeowner that although no change in utility service would result, the proposed abandonment would require removal of the dumpster and an alternative solid waste service offered as described previously.

At the conclusion of the meeting, the homeowner did not have any objections to both the one-way drive and conversion of solid waste service.



Amarillo City Council Agenda Transmittal Memo



As with any request to vacate public right-of-way, an applicant is required to either pay fair market value to acquire the alleyway, dedicate an area of equal or greater value, pay only the higher cost of the fair market value or the relocation cost, or complete a combination of these requirements. In this particular case, dedication of an area of equal value via retention of a Public Utility Easement over the entire area for abandonment is proposed. Therefore, no fair market value payment is required.

Requested Action/Recommendation

Notices have been sent to property owners within 200 feet regarding this proposed vacation. At the time of this writing, the Planning Department has not received any negative comments regarding the request.

Considering the above, the Planning and Zoning Commission is of the opinion that the applicant's request is appropriate and recommends approval as presented.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR AN ALLEY IN THE VICINITY OF HAYDEN STREET AND WOLFLIN AVENUE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED RIGHT-OF-WAY SAVE AND EXCEPT A PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO ABUTTING LANDOWNERS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the Amarillo School District petitioned the City of Amarillo to abandon an existing twenty foot (20') alley right-of-way located in the vicinity of South Hayden St. and Wolflin Ave., Potter County, Texas; and

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

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

WHEREAS, the City Council further decides that such vacation of alley right-of-way excepted a public utility easement, which is retained for current utilities; and

WHEREAS, the City Council further determined that this alley vacation and abandonment is not detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood and is in the best interest of the City of Amarillo's citizens.

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

SECTION 1: The herein-described alley be vacated and abandoned for public purposes:

Vacation of an existing 20-foot alley in adjacent to Lots 7 through 18, Block 8, Wolflin Place Amended, in Section 186, Block 2, AB&M Survey, Potter County, Texas and being further described in the attached Exhibit 1 incorporated herein.

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

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

SECTION 3: Repealer. All ordinances and resolutions or parts thereof in conflict with this Ordinance are hereby repealed to the extent of conflict with this Ordinance.

SECTION 4: Severability. If any provision, section, subsection, clause or the application of sale to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this Ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 5: Effective Date. This Ordinance shall be 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 this the ____ day of February 2019; and PASSED on Second and Final Reading this the ____ day of February 2019.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

V-18-06 Vacation of a 20' Alley



**CITY OF AMARILLO
PLANNING DEPARTMENT**

**Scale: 1 inch = 150 feet
Date: 12/6/2018**



Vacation of a 20' alley lying between Lots 7 through 18, Block 8, Wolflin Place Amended, Potter County, Texas.

Vicinity: S. Hayden St. & Wolflin Ave.

Applicant: Amarillo Independent School District

Case Manager: Brady Kendrick

AP: M13



Amarillo City Council Agenda Transmittal Memo



Meeting Date	February 5, 2019	Council Priority	Infrastructure
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Department	Cris Valverde Assistant Director of Planning and Development Services
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Agenda Caption

This is the first Reading of an ordinance for the rezoning of the north 26 feet of Lot 10A, Block 7, Westview Addition Unit No. 5, in Section 226, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 2.

VICINITY: Wolfin Ave. and Carolina St.

DEVELOPER: Jeff Reasoner for Carolina 1031 LLC

Agenda Item Summary

Adjacent land use and zoning

Adjacent land uses consist of single-family detached homes to the north and east, duplexes to the west, and ongoing office development to the south.

Adjacent zoning consists of Residential District 1 to the north and east, Residential District 3 to the west, and Office District 2 to the south.

Proposal

As platted, a majority of the applicant's lot (10A) is currently zoned Office District 2. However, the northern 26 feet of the applicant's lot is zoned Residential District 1. This particular 26-foot portion of the lot is planned to be utilized for parking related to ongoing office development on the site. Therefore, in order to be able to utilize this portion as intended, a change in zoning is required and is the reason for the request.

Analysis

When a request for rezoning occurs, staff is tasked with understanding what impacts a proposed rezoning, if any, will have on area development and/or zoning patterns.

In analyzing s patterns in the area, staff found that office and residential zoning and/or development is immediately adjacent to each other to the east, west, and the applicant's site. As such, staff is of the opinion that if approved, no detrimental changes to existing zoning and/or developments patterns would result.

Amarillo City Council Agenda Transmittal Memo



Requested Action/Recommendation

Notices have been sent to property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has not received any negative comments regarding the request.

Considering the above, the Planning and Zoning Commission is of the opinion that the applicant's request is appropriate and represents a minimal and logical continuation of existing office zoning northward. Planning and Zoning Commissioners recommend approval as presented.

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 WOLFLIN AVENUE AND CAROLINA STREET, POTTER COUNTY, TEXAS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS 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, A proposed change to such established zoning districts and regulations was submitted to the Planning and Zoning Commission; and

WHEREAS, after a public hearing before 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, TEXAS:

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 the north 26 feet of Lot 10A, Block 7, Westview Addition Unit No. 5 in Section 226, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 2.

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

SECTION 4. In the event this ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and such remaining portions shall continue to be in full force and effect. 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 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 ____ day of February 2019 and **PASSED** on Second and Final Reading on this the _____ day of February 2019.

Ginger Nelson, Mayor

ATTEST:

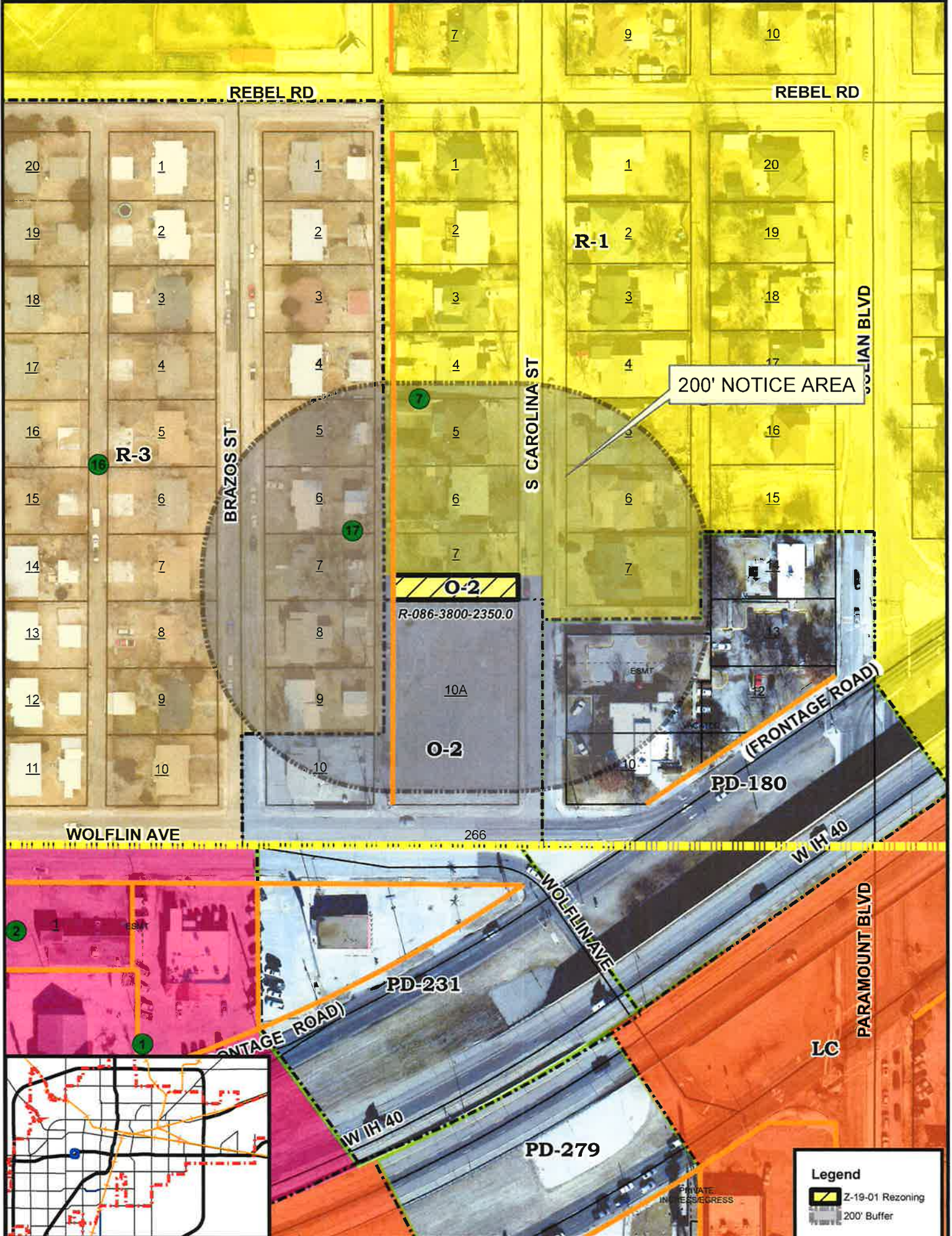
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

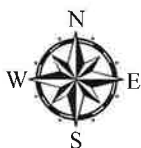
CASE Z-19-01

REZONING FROM RESIDENTIAL DISTRICT 1 (R1) TO OFFICE DISTRICT 2 (O2)



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 125 feet
 Date: 1/14/2019
 Case No: Z-19-01



Rezoning of north 26 feet of Lot 10A,
 Block 7, Westview Addition Unit No. 5,
 in Section 226, Block, AB&M Survey,
 Potter County, Texas plus one-half of
 all bounding streets, alleys, and public ways to
 change from Residential District 1 to Office District 2.

Vicinity: Wolflin Ave and Carolina St.

Applicant: Jeff Reasoner for Carolina 1031 LLC

AP: L12



Amarillo City Council Agenda Transmittal Memo



Meeting Date	February 5, 2018	Council Priority	Economic Development & Redevelopment- Infrastructure
Department	City Manager		
Contact	Kelley Shaw, Development Customer Service Coordinator		

Agenda Caption

To consider proposed amendments to the current City of Amarillo Subdivision Ordinance, Chapter 4-6, Article II, Division 8, Section 4-6-59 (d) regarding "partial release" of cash surety.

Agenda Item Summary

Currently, before a subdivision that requires public improvements can be platted, developers must install the public improvements (roadways, water, sewer) or submit an acceptable form of "surety" (performance bond, trust agreement, letter of credit, or cash deposit) to the City. The surety option allows the improvements to be deferred until after Final Plat approval. The ordinance amendments, if approved, would allow those who submit a cash surety to request reimbursements, tied to partial construction of improvements, in a shorter timeframe than is currently allowed.

Requested Action

Approval of recommended Subdivision Ordinance amendments.

Funding Summary

N/A

Community Engagement Summary

The proposed amendments are a result of four meetings with the Planning and Zoning Commission (P&Z) where the amendments were discussed in detail. Staff also solicited comments from the development related community. Discussions centered around specific language and possible impacts on professionals involved in providing the information needed for reimbursements. The professional experiences of P&Z Commissioners and their comments helped greatly in the formalization of the proposed amendments.

The results of P&Z meetings and input from external development partners have provided proposed amendments that have received positive comments from all involved.

Staff Recommendation

Along with the formal affirmative recommendation from the Planning and Zoning Commission, staff recommends approval of the amendments as presented.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS AMENDING THE AMARILLO MUNICIPAL CODE AT CHAPTER 4-6, BY ADDING OPTIONS FOR PARTIAL RELEASE TO ARTICLE II, DIVISION 8, SECTION 4-6-59, "SECURITY FOR COMPLETION OF IMPROVEMENTS," FOR REVISIONS TO THE PLATTING AND DEVELOPMENT REGULATIONS AND PROCEDURES; PROVIDING REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Texas Local Government Code, Chapter 212, permits the governing body of a municipality to adopt rules regulating plats and subdivisions within their municipality; and

WHEREAS, the Texas Local Government Code at Section 212.002 allows a municipality to adopt such rules after a public hearing for the purpose of promoting the health, safety, and welfare of its citizens as well as the safe, orderly, and healthful development of such municipality; and

WHEREAS, the City of Amarillo's Construction Management Ordinance regarding the security for completing construction improvements does not specifically address additional options for partial release of a surety upon the review and acceptance of the City Engineer; and

WHEREAS, after a public meeting before the Planning and Zoning Commission to discuss the proposed amendment to the Amarillo Municipal Code at Section 4-6-59(d) to specifically address additional partial release of surety options, the Planning and Zoning Commission recommended this amendment's approval to the City Council; and

WHEREAS, the City Council has considered the final recommendation and report of the Planning and Zoning Commission and finds that the provisions of this Ordinance amendment, as indicated herein, is consistent with the goals, policies, and legal requirements and will promote the public welfare and greater efficiency in procedures for construction of public improvements required to be installed in order to serve a subdivision or a development.

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

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 City Council hereby amends the Amarillo Municipal Code, Chapter 4-6, Article II, Division 8, Section 4-6-59(d), as follows:

Sec. 4-6-59(d). Partial Release. As portions of the public improvements are completed in accordance with the City of Amarillo regulations, and the approved public improvement plans, the developer may make application to the City Engineer to reduce the amount of the original letter of credit, bond or cash escrow. If the City Engineer is satisfied that such portion of the improvements has been completed in accordance with city policies, he may cause the amount of the letter of credit, bond or cash escrow to be reduced by such amount that he deems appropriate, so that the remaining amount of the letter of credit or bond or cash escrow adequately insures the completion of the remaining public improvements.

- (1) Public improvements secured with a letter of credit, bond, or cash, and deemed completed and available for partial release will have passed all testing requirements of the applicable portions of the City of Amarillo's technical specifications. The value of completed improvements available for partial release will be the total value of the public improvement outlined in the development agreement minus any associated appurtenances required to insure the completion of the remaining related public improvements. Developer's application for release must provide a detailed estimate of costs provided by an Engineer of Record certifying that to the best of the engineer's knowledge the quantity of work requested for surety release is accurate related to the completed improvement.

- (2) For public improvements secured with the cash escrow option before construction begins, a developer may request a partial release of the cash surety through a formal written request to the City Engineer. Developer's application for release must provide a detailed estimate of costs provided by an Engineer of Record certifying that to the best of the engineer's knowledge the quantity of work requested for surety release is accurate related to the installed improvement. The release of funds will be based on the level of detail and amounts provided in the schedule of values identified within the executed Developer Agreement. An amount equal to 30% of the partial release request will be retained until such time the improvements have passed all testing requirements and are considered acceptable by the City Engineer. The frequency of this type of partial release request must meet appropriate policy guidelines and contract documents established by the City Engineer.

- (3) ~~(1)~~ The Assistant City Manager of Development Services and other necessary City officials shall execute any documents necessary to cause release of any portion of the security in accordance with this provision, provided that all such documents shall be subject to approval by the City Attorney.

- (4) ~~(2)~~ No partial release shall be granted where any substantial part of work performed prior to the date of the application fails to meet City standards and specifications for any release other than incompleteness.

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

SECTION 4. Severability. The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 5. Publication and Effective Date. This Ordinance shall be published and become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the ____ day of February, 2019 and **PASSED** on Second and Final Reading on this the _____ day of February, 2019.

Ginger Nelson, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

Amarillo City Council Agenda Transmittal Memo



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Meeting Date	February 5, 2019	Council Priority	Economic Development/Redevelopment
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Department	Planning and Development Services	Contact Person	Andrew Freeman, Director of Planning and Development Services
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Agenda Caption

RESOLUTION – SUPPORT OF COMMONS AT ST. ANTHONY’S, LLC APPLICATION FOR HOUSING TAX CREDITS:

This resolution is support for an application for Affordable Housing Tax Credits to the Texas Department of Housing and Community Affairs, Housing Tax Credit Program by Commons at St. Anthony’s, LLC, a private entity, The Commons at St. Anthony’s, a development for affordable rental property located near the southwest corner of Amarillo Boulevard and North Polk Street.

Agenda Item Summary

The Texas Department of Housing and Community Affairs (TDHCA) administers the Housing Tax Credit (HTC) program for the State of Texas. The HTC program provides equity financing for the development of affordable housing. In addition, the program seeks to maximize affordable housing and is structured to ensure the housing supply is well maintained and operated. HTC 9% applications are competitive and are reviewed by TDHCA staff for compliance with the TDHCA’s Governing Board making the final funding decisions.

Commons at St. Anthony’s, LLC is proposing a 125 unit elderly multi-family project on the eastern side of the existing historic St. Anthony’s Hospital.

The 2019 application timeline includes application acceptance beginning January 4, 2019 through March 1, 2019. Final awards will be determined by TDHCA in July.

Through the application process, an applicant can be awarded 17 points for a governing body resolution expressly supporting the application. An additional 1 point is provided by the local political subdivision committed development funding equal to \$500 or more. Up to 7 points can be awarded for developments that are proposed within existing revitalization areas of the city. This particular development is within the **North Heights Neighborhood Plan**, which is an Amendment to the **Amarillo Comprehensive Plan**. The remainder of the application scoring is made up of many different factors – quality of housing; income levels; rent levels; resident services; underserved areas; proximity to urban core; community support and engagement; etc.

Requested Action

Request City Council approve the resolution supporting Commons at St. Anthony’s, LLC’s application to the 2019 Competitive 9% HTC program for the development of affordable rental property located near the southwest corner of Amarillo Boulevard and North Polk Street.

Funding Summary

N/A

Community Engagement Summary

Increasing the availability of affordable housing aligns with the City of Amarillo’s efforts to serve the needs of our community as identified in the City’s Comprehensive Plan

Staff Recommendation

Staff recommends approval as presented

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF AMARILLO CITY COUNCIL:
SUPPORTING A HOUSING TAX CREDIT APPLICATION FOR THE
COMMONS AT ST. ANTHONY’S DEVELOPMENT; COMMITMENT
OF DEVELOPMENT INCENTIVE; AUTHORIZING STAFF;
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds there is a continuing need for additional affordable and low income housing in Amarillo; and,

WHEREAS, Commons at St. Anthony’s, LLC has proposed a development for affordable rental housing at the southwest corner of Amarillo Boulevard and North Polk Street named, *The Commons at St. Anthony’s*, in the City of Amarillo, Potter County, Texas; and

WHEREAS, Commons at St. Anthony’s, LLC has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2019 “Competitive 9% Housing Tax Credits” for *The Commons at St. Anthony’s* project.

WHEREAS, the development is part of the revitalization area as outlined in the *North Heights Neighborhood Plan and the Amarillo Comprehensive Plan*.

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

SECTION 1. The City of Amarillo, acting by and through its governing body, hereby confirms that it supports the proposed development, *The Commons at St. Anthony’s* to be located near the southwest corner of Amarillo Boulevard and North Polk Street, as evidenced by this Resolution.

SECTION 2. The City confirms that it will commit development fee waivers in an amount of \$500 to Commons at St. Anthony’s, LLC conditioned upon receipt of Housing Tax Credits.

SECTION 3. This resolution affirms that the above named Development has been identified as contributing most significantly to the concerted revitalization efforts of the city as outlined in the *North Heights Neighborhood Plan and the Amarillo Comprehensive Plan*.

SECTION 4. The City Manager or designee is authorized to execute all reasonably necessary documents to implement this Resolution. The City Secretary is hereby authorized and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

SECTION 5. This Resolution is effective on the date of its approval.

Approved this 5th day of February 2019.

Ginger Nelson, Mayor

APPROVED AS TO FORM:

ATTEST:

Bryan S. McWilliams, City Attorney

Frances Hibbs, City Secretary