

AGENDA

FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, OCTOBER 12, 2021 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: Jimmy Witcher, Trinity Fellowship

PROCLAMATION: "Domestic Violence Awareness Month"
"Dyslexia Awareness Month"

PUBLIC ADDRESS:

(For items on the agenda for City Council consideration)

The public will be permitted to offer public comment on agenda items. Public Address signup times are available from Sunday at 8:00 a.m. until Tuesday at 12:45 p.m. at <https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form> or by calling the City Secretary's office at (806) 378-3014.

AGENDA

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. Update on Broadband Initiative;
- C. Update from Canadian River Municipal Water Authority;
- D. Discuss Transit Buses and Bus Shelters; and
- E. Request future agenda items and 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. CONSIDER APPROVAL – MINUTES:

Approval of the City Council minutes for the regular meeting held on September 28, 2021.

B. CONSIDERATION OF RESOLUTION 10-12-21-1:

(Contact: Michael Kashuba, Director of Parks and Recreation)

This item considers a resolution approving the Public Arts and Beautification Plan as an official document for the Amarillo Parks and Recreation Department, its appointed boards and City administration as a guideline for Public Arts and Beautification within the City of Amarillo.

- C. **CONSIDERATION OF RESOLUTION 10-12-21-2:**
(Contact: Michael Kashuba, Director of Parks and Recreation)

This item considers a resolution approving the Hike and Bike Master Plan as the adopted plan to be used by the Amarillo Parks and Recreation Department, the Amarillo Traffic Engineering Department, its appointed boards and the City administration as a guideline for future development and redevelopment of a Hike and Bike Trail System for the City of Amarillo.

- D. **CONSIDER APPROVAL – SIGNATORY AIRPORT USE AND LEASE AGREEMENT:**
(Contact: Michael W. Conner, Director of Aviation)

This item considers approval of a three-year Signatory Airport Use and Lease Agreement between Allegiant Travel Company and The Rick Husband Amarillo International Airport.

- E. **CONSIDER APPROVAL – FIRST AMENDMENT TO AIRPORT USE AND LEASE AGREEMENT:**
(Contact: Michael Conner, Director of Aviation)

This item considers approval of a first amendment to the Signatory Airport Use and Lease Agreement between Allegiant Travel Company and the Rick Husband Amarillo International Airport.

- F. **CONSIDER AWARD – AIRPORT MARKETING AND ADVERTISING CAMPAIGN CONTRACT TO MARY COYNE MARKETING COMMUNICATIONS**
(Contact: Michael Connor, Director of Aviation)
Contract Amount: \$90,000

This contract is to manage the airport's digital and television advertising and marketing program for FY21/22.

- G. **CONSIDER APPROVAL – REMODEL OF THE PUBLIC HEALTH ANNEX LOCATED AT 850 MARTIN ROAD:**
(Contact: Casie Stoughton, Director of Public Health)
Award to: Tri-State General Contractors – \$1,081,618

This item approves a construction project for the remodel of the Public Health Annex located at 850 Martin Road.

3. NON-CONSENT ITEM:

A. CONSIDERATION OF ORDINANCE NO. 7938:

(Contact: Anthony Spanel, Environmental Health Director)

Consideration of a Variance to distance regulations prohibiting the sale of alcoholic beverages within 300' of a public school. The City Council, as the governing body of the City of Amarillo, Texas and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, may grant a Variance to Section 14-3-5 of the City of Amarillo Municipal Code (enacted pursuant to Section 109.33(a)(1) of the Texas Alcoholic Beverage Code) for alcohol sales at 3420 SW 15th. (Applicant: Marcus Schwartz representing GoBrands Texas LLC; Vicinity 15th and Dixie St)

B. CONSIDERATION OF RESOLUTION 10-12-21-3:

(Contact: Laura Storrs)

This resolution approves the project plan for the first installment of American Rescue Plan Act (ARPA) funding of \$19,838,158.50 in accordance with eligible uses identified in the Interim Final Ruling issued May 17, 2021 and the subsequent FAQs provided by the United States Department of the Treasury.

C. CONSIDERATION OF ORDINANCE NO. 7926:

(Contact: Andrew Freeman, Assistant City Manager)

Second reading to consider an ordinance to rezone 602.85 acres of land in Sections 168, 169, 188, and 189, Block 2, AB&M Survey, Potter County, Texas pertaining to Part 1 of 2 of the North Heights Rezoning Initiative and being further described below and illustrated in the attached Exhibit A:

A: Rezoning of 346.13 acres consisting of land in University Heights, Miller Heights, North Heights, Amarillo Heights Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District, Multiple-Family District 1, Multiple-Family District 1 with Specific Use Permit 106, and Manufactured Home District to Residential District 2, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.

B: Rezoning of 22.82 acres consisting of land in the University Heights, Amarillo Heights, Charlotte Heights, Downing-Highland's, and WM Moore's Additions, including one half of all bounding streets, alleys, and public ways to change from Residential District 3, Manufactured Home District, and Light Industrial District to Multiple Family District 1, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.

C: Rezoning of 69.04 acres consisting of land in the University Heights, Miller Heights, Glidden and Sanborn, T&K, Wild Horse Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District, Light Commercial District, Multiple-Family District 1, and Multiple-Family District 1 with Specific Use Permit 100 to General Retail District, in Sections 168, 169, 188, and 189, Block 2, A.B.&M. Survey, Potter County, Texas.

D: Rezoning of 123.99 acres consisting of land in the University Heights, Mathew Hooks Re-Subdivision of Block 49 Miller Heights, Clarence Watley's Subdivision of Wheatley's 5 Acre Tract, Miller Heights, North Heights Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District and Multiple-Family District 1 to Moderate Density District, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.

E: Rezoning of 30.28 acres consisting of land in the Miller Heights, University Heights, and North Heights Additions, including one half of all bounding streets, alleys, and public ways to change from Multiple-Family District 1 and Multiple-Family District 1 with Specific Use Permit 85 to Neighborhood Service District, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.

F: Rezoning of 10.59 acres consisting of land in the University Heights Addition and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District to Office District 1, in Section 189, Block 2. A.B.&M. Survey, Potter County, Texas

F: Rezoning of 10.59 acres consisting of land in the University Heights Addition and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District to Office District 1, in Section 189, Block 2. A.B.&M. Survey, Potter County, Texas

Vicinity: North Heights Neighborhood Plan Area (north half)

Applicant: City of Amarillo

D. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7939:

(Contact: Emily Koller, Assistant Director of Planning)

This is a public hearing and the first reading of an ordinance to rezone 168.88 acres in the following areas of the North Heights Neighborhood Plan Area (south half):

A: Rezoning of 56.38 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District and Planned Development Districts 16 and 65 to Heavy Commercial District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.

B: Rezoning of 15.11 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District to Light Commercial District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.

C: Rezoning of 17.58 acres consisting of land in the GT Davis Subdivision of Blocks 109 through 112 of the Glidden & Sanborn Addition and Glidden & Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Heavy Commercial District to General Retail District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.

D: Rezoning of 30.63 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Multiple-Family District 1 and Light Industrial District to Moderate Density District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.

E: Rezoning of 49.18 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Heavy Commercial District, Light Commercial District, and Light Industrial District to Neighborhood Service District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.

Vicinity: North Heights Neighborhood Plan Area (south half)

Applicant: City of Amarillo

E. CONSIDERATION OF RESOLUTION 10-12-21-4:

(Contact: Stephanie Coggins, City Secretary)

This item considers a resolution providing nominations for upcoming vacancies. The Potter-Randall Appraisal District (PRAD) has ten (10) upcoming vacancies on the individual Potter and Randall County Appraisal Districts' Board of Directors. Upon the receipt of these nominations, the Appraisal Districts will schedule an election for governmental entities in Potter and Randall County to vote on these vacant positions, as established by State law requirements.

F. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 10-12-21-5:

(Contact: Marita Wellage-Reiley, Transit Director)

This item is the public hearing and consideration of a resolution for acceptance of two Federal grants totaling \$7,300,987 to support the design and construction of a passenger terminal to serve Amarillo City Transit, Greyhound, and other local transportation providers.

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 8th day of October 2021.

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.

A

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 28th of September 2021 the Amarillo City Council met at 1:00 p.m. for a regular meeting held in Council Chambers, located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

FREDA POWELL	MAYOR PRO TEM / COUNCILMEMBER NO. 2
COLE STANLEY	COUNCILMEMBER NO. 1
EDDY SAUER	COUNCILMEMBER NO. 3
HOWARD SMITH	COUNCILMEMBER NO. 4

Absent was Mayor Ginger Nelson. Also in attendance were the following administrative officials:

JARED MILLER	CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
ANDREW FREEMAN	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
JENIFER RAMIREZ	ASSISTANT TO THE CITY MANAGER
STEPHANIE COGGINS	CITY SECRETARY

The invocation was given by Jason Craft of Messiah's House. Mayor Pro Tem Powell led the Pledge of Allegiance.

A proclamation was presented for "World Teacher's Day".

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

PUBLIC ADDRESS:

James Schenck, 6216 Gainsborough, Amarillo, Texas spoke to agenda item no. 1H and Public Address. There were no further comments.

Jared Miller announced the promotion of Jonni Glick to Assistant City Secretary.

ITEM 1 – CITY COUNCIL DISCUSSED OR RECEIVED REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:

- A. Review agenda items for regular meeting and attachments;
- B. Discuss Update on Mayor's Leadership Initiative;
- C. Discuss Public Arts and Beautification Plan;
- D. Discuss Hike and Bike Master Plan;
- E. Discuss Recap of 2021 National Cleanup Day;
- F. Discuss updates from Councilmembers serving on outside Boards and Commissions:
 - a. Beautification and Public Arts Advisory Board;
- G. Discuss North Heights Rezoning Initiative, Part II; and
- H. Request future agenda items and reports from City Manager.

ITEM 2 – CONSENT ACTION ITEMS:

Mayor Pro Tem Powell presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Councilmember Stanley asked that Item No. 2P be taken off of the consent agenda for separate consideration. Motion was made to approve the consent agenda with the exception of Item no. 2P by Councilmember Sauer, seconded by Councilmember Smith.

- A. **CONSIDER APPROVAL – MINUTES:**

Approval of the City Council minutes for the regular meeting held on September 14, 2021.

B. CONSIDERATION OF ORDINANCE NO. 7927

(Contact: Kevin Carter, Amarillo Economic Development Corporation)

This is a second and final reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 14 for commercial and industrial tax abatement. The zone is approximately 7.29 acres in the vicinity of Wallace Blvd and Gentry Drive.

C. CONSIDERATION OF ORDINANCE NO. 7928

(Contact: Brady Kendrick, Planner II)

This is a second and final reading to consider the vacation of a 24,000 square foot portion of Public Right-of-way (SW 14th Avenue), lying between Blocks 182 and 197, Plemons Addition, in Section 170, Block 2, A.B.&M. Survey, Potter County, Texas. (Applicant: Chris Sharp for Amarillo Junior College, Vicinity SW 14th Avenue & South Tyler Street)

D. CONSIDERATION OF ORDINANCE NO. 7929

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Town Square Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. The Town Square PID Advisory Board met June 15, 2021, to review the proposed FY 2021/22 budget and service plan. The Town Square PID budget projects total maintenance and operation expenses for FY 2021/22 to be \$89,494. The Board recommends property owner assessment rates remain at \$0.1111 per square foot. This will result in assessments totaling \$166,164. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Town Square PID. Attached is the Town Square Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit

E. CONSIDERATION OF ORDINANCE NO. 7930

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Point West Public Improvement District (PID), which is allocated based on the percentage of total square footage owned within the PID, which must be approved on an annual basis. The Point West PID Advisory Board met on June 2, 2021, to review the proposed FY 2021/22 budget and service plan. The Point West PID budget projects total maintenance and operation expenses for FY 2021/22 to be \$53,208. The Board believes that last year's assessment rate is adequate and recommends no assessment increase for the 2021/22 budget and service plan. As mentioned above, the current assessment level remains adequate for all expenses and operating reserve and totals \$52,000.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Point West PID. Attached is the Point West Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

F. CONSIDERATION OF ORDINANCE NO. 7931

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Vineyards Public Improvement District (PID), determined by a

flat value per lot, which must be approved on an annual basis. The Vineyards PID Advisory Board met June 3, 2021, to review the proposed FY 2021/22 budget and service plan. The Vineyards PID budget projects total maintenance and operation expenses for FY 2021/22 to be \$10,389. The Board recommends keeping property owner assessment rates at \$50 per lot. This will result in assessments totaling \$10,450. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Vineyards PID. Attached is the Vineyards Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

G. CONSIDERATION OF ORDINANCE NO. 7932

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Quail Creek Public Improvement District (PID), determined by a flat value per lot, which must be approved on an annual basis. The Quail Creek PID Advisory Board met May 25, 2021, to review the proposed FY 2021/22 budget and service plan. The Quail Creek PID budget projects total maintenance and operation expenses for FY 2021/22 to be \$10,856. The Board recommends keeping property owner assessment rates at \$350 per lot. This will result in assessments totaling \$10,150. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Quail Creek PID. Attached is the Quail Creek Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

H. CONSIDERATION OF ORDINANCE NO. 7933

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Tutbury Public Improvement District (PID), determined by a flat value per lot, which must be approved on an annual basis. The Tutbury PID Advisory Board met May 18, 2021, to review the proposed FY 2021/22 budget and service plan. The Tutbury PID budget projects total maintenance and operation expenses for FY 2021/22 to be \$20,543. The Board recommends keeping property owner assessment rates at \$679 per lot. This will result in assessments totaling \$16,296. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Tutbury PID. Attached are the Tutbury Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

I. CONSIDERATION OF ORDINANCE NO. 7934

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Colonies Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. The Colonies PID Advisory Board met June 24, 2021, to review the proposed FY 2021/22 budget and service plan. The Colonies PID budget projects total maintenance, operation and debt service expenses for FY 2021/22 to be \$1,096,531. The Board recommended unanimously to maintaining the property

owner assessment rates at \$0.10 per square foot. This will result in assessments totaling \$1,029,895. This decision was made in order to continue to cover all operating costs as well as an additional \$460,063 annual debt service payment.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Colonies PID. Attached is the Colonies Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

J. CONSIDERATION OF ORDINANCE NO. 7935

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Greenways Public Improvement District (PID), determined by the placement of the lot within the neighborhood, which must be approved on an annual basis. The Greenways PID Advisory Board met June 16, 2021, to review the proposed FY 2021/22 budget and service plan. The Greenways PID budget projects total maintenance, operation, and debt service expenses for FY 2021/22 to be \$761,074. The Board recommends maintaining property owner assessment rates at \$750 for type A lots, \$625 for type B lots, \$900 for type D lots, and \$1,875 per acre for commercial property. This will result in assessments totaling \$671,219. This decision was made in order to continue to cover all operating costs as well as build up their operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Greenways PID. Attached is the Greenways Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

K. CONSIDERATION OF ORDINANCE NO. 7936

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Pinnacle Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, which must be approved on an annual basis. The Pinnacle PID Advisory Board met May 21, 2021, to review the proposed FY 2021/22 budget and service plan. The Pinnacle PID budget projects total maintenance and operation expenses for FY 2021/22 to be \$54,800. The Board recommends maintaining property owner assessment rates of \$0.07 per square foot. This will result in assessments totaling \$85,823. This decision was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Pinnacle PID. Attached is the Pinnacle Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

L. CONSIDERATION OF ORDINANCE NO. 7937

(Contact: Kelley Shaw, Development Customer Service Coordinator)

This is a second and final reading to consider an assessment against each parcel of property in the Heritage Hills Public Improvement District (PID), determined by multiplying a cost value per square foot of lot area, must be approved on an annual basis. The Heritage Hills PID Advisory Board met June 16, 2021, to review the proposed FY 2021/22 budget and service plan. The Heritage Hills PID budget projects total maintenance and operation expenses for FY 2021/22 to be \$140,247. The Board recommends maintaining property owner assessment rates of \$0.08 per square foot. This will result in assessments totaling \$427,364. This decision

was made in order to cover all operating costs as well as build up an operating reserve.

A service plan covering a period of at least five years must also be reviewed and approved. This plan defines the annual indebtedness and projected costs for improvements as well as maintenance of improvements within the Heritage Hills PID. Attached is the Heritage Hills Public Improvement District Fiscal Year 2021/22 budget, service plan, and associated ordinance and exhibit.

M. CONSIDERATION OF RESOLUTION 09-28-21-1:

(Contact: Laura Storrs, Assistant City Manager/CFO)

This item considers a resolution by the City of Amarillo, Texas ("city) denying Southwestern Public Service Company's proposed rate increase request in connection with its Statement of Intent submitted on about February 8, 2021; requiring reimbursement of reasonable legal and consultant expenses; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject.

N. CONSIDERATION OF RESOLUTION 09-28-21-2:

(Contact: Chip Orton, Director of Emergency Management)

This item considers a resolution designating Assistant City Manager Laura Storrs as the Authorized Official for FY20 State Homeland Security Program and Criminal Justice grant projects.

O. CONSIDERATION OF RESOLUTION 09-28-21-3:

(Contact: Michael Kashuba, Director of Parks and Recreation)

This item considers a resolution authorizing the City Manager to apply for the Texas Parks and Wildlife Department's Local Grant Program on behalf of the City of Amarillo.

Q. CONSIDER APPROVAL - 2021-2022 INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND POTTER COUNTY:

(Contact: Martin Birkenfeld – Chief of Police)

This item approves the 2021-2022 Interlocal Agreement between the City of Amarillo and Potter County to file joint application with the Motor Vehicle Crime Prevention Authority (MVCPA) of the State of Texas for funding to support the Panhandle Auto Burglary Theft Unit (PABTU).

R. CONSIDER APPROVAL – GOLF CART LEASES:

(Contact: George Priolo, General Manager of Golf Operations)

Award to: Club Car | DLL Financing LLC – \$1,029,873.96

This item approves a 54-month lease to provide the city with two-hundred forty-five (245) Tempo Li Electric Golf Cars, including one (1) Carryall 300 Gasoline Range Car with cage at each golf complex at no charge. The new lease will replace the current golf cars at Ross Rogers (125) cars and Comanche Trail (120). Club Car will accept the city's current models 2018 Tempo Electric Golf Cars as trade-in value applied to the lease.

S. CONSIDER APPROVAL – KRONOS SUPPORT RENEWAL:

(Contact: Rich Gagnon, Managing Director of Information Technology)

Award to: Kronos, Incorporated – \$68,903.34

This item approves a one-year support and maintenance renewal for Kronos hardware and software.

T. CONSIDER APPROVAL – CONTRACT AGREEMENT BETWEEN THE CITY OF AMARILLO AND AREA AGENCY ON AGING OF THE PANHANDLE:

(Contact: Marita Wellage-Reiley, Transit Director)

This item is the consideration of a Contract Agreement between the City of Amarillo and Panhandle Regional Planning Commission (PRPC), Area Agency on Aging of the Panhandle (AAA) to provide Amarillo City Transit (ACT)-Connect service to AAA clients until September 30, 2023.

Voting AYE were Mayor Pro Tem Powell and Councilmembers Stanley, Sauer and Smith; voting NO were none; the motion carried by a 4-0 vote.

Item 2P: Mayor Pro Tem introduced an item to consider the approval of COVID Vaccine Round 4 grant funding. Casie Stoughton, Director of Public Health, presented the item. A motion was made to approve the COVID Vaccine Round 4 grant funding in the amount of \$8,572,024 by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

Voting AYE were Mayor Pro Tem Powell and Councilmembers Sauer and Smith; voting NO was Councilmember Stanley. The motion carried by a 3-1 vote.

ITEM 3 - NON-CONSENT ITEMS:

ITEM 3A Item removed.

ITEM 3B: Mayor Pro Tem Powell introduced Resolution 09-28-21-4 to consider the approval and ratification of the Meet and Confer Labor Agreement between the City of Amarillo and Amarillo Police Officer Association. City Manager Jared Miller presented the item. A motion was made adopt Resolution 09-28-21-4 to approve and ratify the Meet and Confer Labor Agreement between the City of Amarillo and the Amarillo Police Officers Association by Councilmember Sauer, seconded by Councilmember Smith.

RESOLUTION 09-28-21-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: A RESOLUTION RATIFYING THE MEET AND CONFER AGREEMENT WITH THE AMARILLO POLICE OFFICERS ASSOCIATION; PROVIDING FOR AN EFFECTIVE DATE.

Voting AYE were Mayor Pro Tem Powell and Councilmembers Stanley, Sauer and Smith; voting NO were none; the motion carried by a 4-0 vote.

ITEM 3C: Mayor Pro Tem Powell presented the first reading of Resolution 09-28-21-5 to approve the Parks Master Plan. Michael Kashuba, Director of Parks and Recreation gave a presentation on the item. A motion was made to adopt Resolution No. 09-28-21-5 approving the Parks Master Plan as the official document for the Amarillo Parks & Recreation department, its appointed board and city administration as a guideline for future growth, development, and redevelopment of the City of Amarillo's parks system by Councilmember Sauer, seconded by Councilmember Stanley.

RESOLUTION 09-28-21-5

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS APPROVING AND ADOPTING THE AMARILLO PARKS MASTER PLAN; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SAVINGS CLAUSE.

Voting AYE were Mayor Pro Tem Powell and Councilmembers Stanley, Sauer and Smith; voting NO were none; the motion carried by a 4-0 vote.

ITEM 3D: Mayor Pro Tem Powell presented an item to consider a tax abatement agreement. Kevin Carter, President and CEO of Amarillo Economic Development Corporation, gave a presentation on the item. A motion was made to approve the Tax Abatement Agreement between City of Amarillo and Encompass Health Texas Real Estate, LLC, Encompass Health Rehabilitation Hospital of Amarillo, LLC and Parkwest Corporate Center, Ltd. by Councilmember Sauer, seconded by Councilmember Smith.

Voting AYE were Mayor Pro Tem Powell and Councilmembers Stanley, Sauer and Smith; voting NO were none; the motion carried by a 4-0 vote.

ITEM 3E: Mayor Pro Tem Powell presented an item to consider the award of a professional services agreement for engineering services. Kyle Schniederjan, Director of Capital Projects & Development Engineering, gave a presentation on the item. A motion was made to award the contract for engineering services for Phase I of the Partnership for Development Progress project to Kimley Horn and Associates, Inc. in the amount of \$166,400 by Councilmember Smith, seconded by Councilmember Sauer.

Voting AYE were Mayor Pro Tem Powell and Councilmembers Stanley, Sauer and Smith; voting NO were none; the motion carried by a 4-0 vote.

ITEM 4: Mr. McWilliams advised at 4:17 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Section 551.087 – Discuss commercial or financial information received from an existing business or business prospect with which the city is negotiating for the location or retention of a facility or for incentives the city is willing to extend or financial information submitted by the same: Project # 21-04-02 (Manufacturing) and Project #21-09-03 (Manufacturing)

Mr. McWilliams announced that Executive Session was adjourned at 4:42 p.m. and recessed the Regular Meeting.

ATTEST:

Stephanie Coggins, City Secretary

Ginger Nelson, Mayor

Amarillo City Council Agenda Transmittal Memo



B

Meeting Date	October 12, 2021	Council Priority	Civic Pride
Department	Parks and Recreation		
Contact	Michael Kashuba, Director of Parks and Recreation		

Agenda Caption

CONSIDERATION OF RESOLUTION 10-12-21-1
(Contact: Michael Kashuba, Director of Parks and Recreation)

This item considers a resolution approving the Public Arts and Beautification Plan as an official document for the Amarillo Parks and Recreation Department, its appointed boards and City administration as a guideline for Public Arts and Beautification within the City of Amarillo.

Agenda Item Summary

The resolution approves the Public Arts and Beautification Plan as an official document for the Amarillo Parks and Recreation Department, its appointed boards and City administration as a guideline for Public Arts and Beautification within the City of Amarillo.

Requested Action

Council consideration and approval of the resolution.

Funding Summary

N/A

Community Engagement Summary

Bilingual Park and Recreation Survey – 2,368 Participants (4/24/2020 - 5/31/2020)

4/13/2021 - Beautification and Public Arts Advisory Board Update

1/12/2021 - Beautification and Public Arts Advisory Board Update

6/18/2019 – Council approval of a Professional Services Agreement with Moore, Iacofano, Goltsman Inc (MIG, INC) for the Public Arts and Beautification Plan

Staff Recommendation

Staff recommends approval

10/07/2021 _____

RESOLUTION NO. 10-12-21-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS APPROVING AND ADOPTING THE PUBLIC ARTS AND BEAUTIFICATION PLAN; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Amarillo City Council now finds the Public Arts and Beautification Plan is a positive way to promote the public health, safety, and welfare of Amarillo citizens.

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

Section 1. That the Public Arts and Beautification Plan ("Plan") is adopted as shown on the attached document.

Section 2. That the Plan shall be used by the Amarillo Parks and Recreation Department, appointed boards, and the City administration as a guideline for future development for Public Arts and Beautification within the City of Amarillo.

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

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

Section 5. This resolution shall become and be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas on this 12th day of October, 2021.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

Bryan McWilliams, City Attorney

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	October 12, 2021	Council Priority	Civic Pride
Department	Parks and Recreation		
Contact	Michael Kashuba, Director of Parks and Recreation		

Agenda Caption

CONSIDERATION OF RESOLUTION 10-12-21-2
(Contact: Michael Kashuba, Director of Parks and Recreation)

This item considers a resolution approving the Hike and Bike Master Plan as the adopted plan to be used by the Amarillo Parks and Recreation Department, the Amarillo Traffic Engineering Department, its appointed boards and the City administration as a guideline for future development and redevelopment of a Hike and Bike Trail System for the City of Amarillo.

Agenda Item Summary

The resolution approves the Hike and Bike Master Plan as the adopted plan to be used by the Amarillo Parks and Recreation Department, the Amarillo Traffic Engineering Department, its appointed boards and the City administration as a guideline for future development and redevelopment of a Hike and Bike Trail System for the City of Amarillo.

Based on the discussion during the 9/28/2021 Council Meeting, the following changes were made in the Final Hike and Bike Master Plan:

- **Pg. 10 - added** Bureau of Land Management **to action 6d.**
- **Pg. 10 - added** Cross Bar Management Area **to action 6e.**
- **Pg. 11 - changed to coordination with the** Public Works Department

Requested Action

Council consideration and approval of the resolution.

Funding Summary

N/A

Community Engagement Summary

Bilingual Park and Recreation Survey – 2,368 Participants (4/24/2020 - 5/31/2020)

1/14/2021 – Pedestrian and Bicycle Safety Advisory Committee recommends the plan for Approval
8/10/2020 – Pedestrian and Bicycle Safety Advisory Committee
6/18/2019 – Council approval of a Professional Services Agreement with Moore, Iacofano, Goltsman Inc (MIG, INC) for the Hike and Bike Master Plan

Staff Recommendation

Staff recommends approval

10/06/2021_____

RESOLUTION NO. __10-12-21-2_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS APPROVING AND ADOPTING THE HIKE AND BIKE MASTER PLAN; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pedestrian and Bicycle Safety Advisory Committee approved the Hike and Bike Master Plan on January 14, 2021; and

WHEREAS, the Amarillo City Council now finds the Hike and Bike Master Plan is a positive way to promote the public health, safety, and welfare of Amarillo citizens.

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

Section 1. That the Hike and Bike Master is adopted as shown on the attached document.

Section 2. That the Hike and Bike Master Plan shall be used by the Amarillo Parks and Recreation Department, the Amarillo Traffic Engineering Department, appointed boards, and the City administration as a guideline for future development and redevelopment of a Hike and Bike Trail System for the City of Amarillo.

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

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

Section 5. This resolution shall become and be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas on this 12th day of October, 2021.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM

Bryan McWilliams, City Attorney

Amarillo City Council Agenda Transmittal Memo



D

Meeting Date	October 12, 2021	Council Priority	Transportation
Department	Aviation		
Contact	Michael W. Conner, Director of Aviation		

Agenda Caption

CONSIDER APPROVAL –SIGNATORY AIRPORT USE AND LEASE AGREEMENT.
(Contact: Michael W. Conner, Director of Aviation)

This item considers approval of a three-year Signatory Airport Use and Lease Agreement between Allegiant Travel Company and The Rick Husband Amarillo International Airport.

Agenda Item Summary

This agreement is a three-year agreement, ending on September 30, 2024, which outlines Allegiant’s operating parameters at the Airport. The agreement is the same basic signatory agreement that the other airlines are operating under. Allegiant’s actual passenger operations will begin on October 14, 2021.

Requested Action

Please approve this Airport Use and Lease Agreement.

Funding Summary

N/A. This is a revenue agreement.

Community Engagement Summary

N/A

Staff Recommendation

Airport staff recommends approval of this agreement. We have already received their required insurance information.

Amarillo City Council Agenda Transmittal Memo



F

Meeting Date	October 12, 2021	Council Priority	Transportation
Department	Aviation		
Contact	Michael W. Conner, Director of Aviation		

Agenda Caption

CONSIDER APPROVAL – FIRST AMENDMENT TO AIRPORT USE AND LEASE AGREEMENT
(Contact: Michael W. Conner, Director of Aviation)

This item considers approval of a first amendment to the Signatory Airport Use and Lease Agreement between Allegiant Travel Company and the Rick Husband Amarillo International Airport.

Agenda Item Summary

This first amendment to the Allegiant Airport Use and Lease Agreement modifies the definition of “Signatory Airline” and adds a standard paragraph regarding the calculation of terminal rent to the Agreement. This amendment is necessary to ensure the Allegiant Agreement is the same as the other existing airline agreements.

Requested Action

Please approve this First Amendment.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Airport staff recommends approval of this amendment.

Amarillo City Council Agenda Transmittal Memo



F

Meeting Date	October 12, 2021	Council Priority	Transportation Systems
Department	Aviation		
Contact	Michael W. Conner: Director of Aviation		

Agenda Caption

CONSIDER – AWARD OF THE AIRPORT MARKETING AND ADVERTISING CAMPAIGN CONTRACT (RFP No. 18-21) TO MARY COYNE MARKETING COMMUNICATIONS IN THE AMOUNT OF \$90,000.00.

Agenda Item Summary

The Rick Husband Amarillo International Airport solicited for an advertising agency to manage the airport's digital and television advertising and marketing program for the 2021/2022 fiscal year. A panel of 3 City employees ranked the 10 responsive RFP submittals and selected Mary Coyne Marketing Communications based on a combination of their qualifications, experience, understanding of the airport's requirements, and price.

Requested Action

Please award the airport advertising agency contract to Mary Coyne Marketing Communications for \$90,000.00.

Funding Summary

Funding for this contract will be from the airport's FY-21/22 operating budget.

Community Engagement Summary

N/A.

Staff Recommendation

Airport staff recommends award of this contract to Mary Coyne Marketing Communications for \$90,000.00.

Amarillo City Council Agenda Transmittal Memo



Meeting Date	October 12, 2021	Council Priority	Infrastructure
Department	Facilities Department		
Contact	Jerry Danforth, Director of Facilities		

Agenda Caption

CONSIDER AWARD – REMODEL OF THE PUBLIC HEALTH ANNEX LOCATED AT 850 MARTIN ROAD

This item approves a construction project for the remodel of the Public Health Annex located at 850 Martin Road.

Agenda Item Summary

This will be a construction project for the remodel of the Public Health Annex at 850 Martin Road with Tri-State General Contractors in the amount of \$1,081,618

Requested Action

Award/Approval of construction project with Tri-State General Contractors for remodel of Public Health Annex at 850 Martin Road in the amount of \$1,081,618

Funding Summary

acc# 250000 fund total \$1,935,676

Community Engagement Summary

N/A

Staff Recommendation

Award/Approval of project

Amarillo City Council

Agenda Transmittal Memo



Meeting Date	October 12, 2021	Council Priority	N/A
Department	Environmental Health		
Contact	Anthony Spanel, Environmental Health Director		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7983 (UPDATED 9.27.2021)

(Contact: Anthony Spanel, Environmental Health Director)

Consideration of a Variance to distance regulations prohibiting the sale of alcoholic beverages within 300' of a public school. The City Council, as the governing body of the City of Amarillo, Texas and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, may grant a Variance to Section 14-3-5 of the City of Amarillo Municipal Code (enacted pursuant to Section 109.33(a)(1) of the Texas Alcoholic Beverage Code) for alcohol sales at 3420 SW 15th.

Applicant: Marcus Schwartz representing GoBrands Texas LLC
Vicinity 15th and Dixie St

Agenda Item Summary

The applicant GoBrands seeks permission to allow for the operation of a food and alcohol delivery service from 3420 SW 15th Amarillo, TX 79120. The applicant is specifically seeking to use the location as a hub for delivery of food, including beer and wine for off-premise consumption, and other household goods directly to consumers. The location itself will not be open to the public and no alcohol or other food/goods will be sold inside the physical location. The applicant has applied for and was ultimately denied an Alcoholic Beverage License (ABL). Denial of the ABL was based on the fact that the proposed site does not meet the minimum separation distance of 300' that a business selling alcoholic beverages needs to maintain from a public school (AmTech Career Academy 3601 Plains Blvd). The proposed delivery business would be operating in an area zoned General Retail (GR) which allows for the use of a restaurant-type business with on-premise or off-premise alcohol sales. GR would not allow for >50% alcohol facilities (Bars) on the other hand.

As measured, the applicant's site is approximately 62.9' from AmTech Career Academy. Public and Private schools are measured using the "As the Crow Flies" method, in a direct line from the property line of the school to the property line of the proposed location. This method is uniquely different from churches as they are measured using the "Street Front" method, along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. As such, the applicant is now requesting a variance.

The surrounding area currently has eleven (11) legal ABL's, all of which are outside of the 300' setback. Each of the locations can continue to request an ABL moving forward and will be considered "grandfathered" for any subsequent request by another potential tenant. These locations are currently a mixture of On-Premise and Off-Premise business models but once an ABL is issued, the location can switch from Off-Premise to On-Premise and is only subject to zoning restrictions at that point.

There are a couple exceptions to the 300' minimum separation distance which are sales/transfers, renewals of existing licenses (treated as a sale/transfer) or a variance. In this instance, sales/transfers

Amarillo City Council

Agenda Transmittal Memo



and renewal would not apply as this property has not had an Alcoholic Beverage License in the past leaving a Variance as the only option for the applicant. Additionally, Amarillo Independent School District was notified of the requested Variance and the District has stated they are not in opposition support of its issuance. ~~AIISD has a standing policy to not support any alcohol-related requests regardless of the separation distance.~~

City Council may consider allowing a Variance if they find that enforcement of the regulation:

- Is not in the best interest of the public,
- Constitutes waste or inefficient use of land or other resources,
- Creates an undue hardship on an applicant for a license or permit,
- Does not serve its intended purpose,
- Is not effective or necessary, OR,
- Is, for any reason, after consideration of the health, safety, and welfare of the public and the equities of the situation, not in the best interest of the community.

The applicant provided reasoning for requesting the Variance (attached):

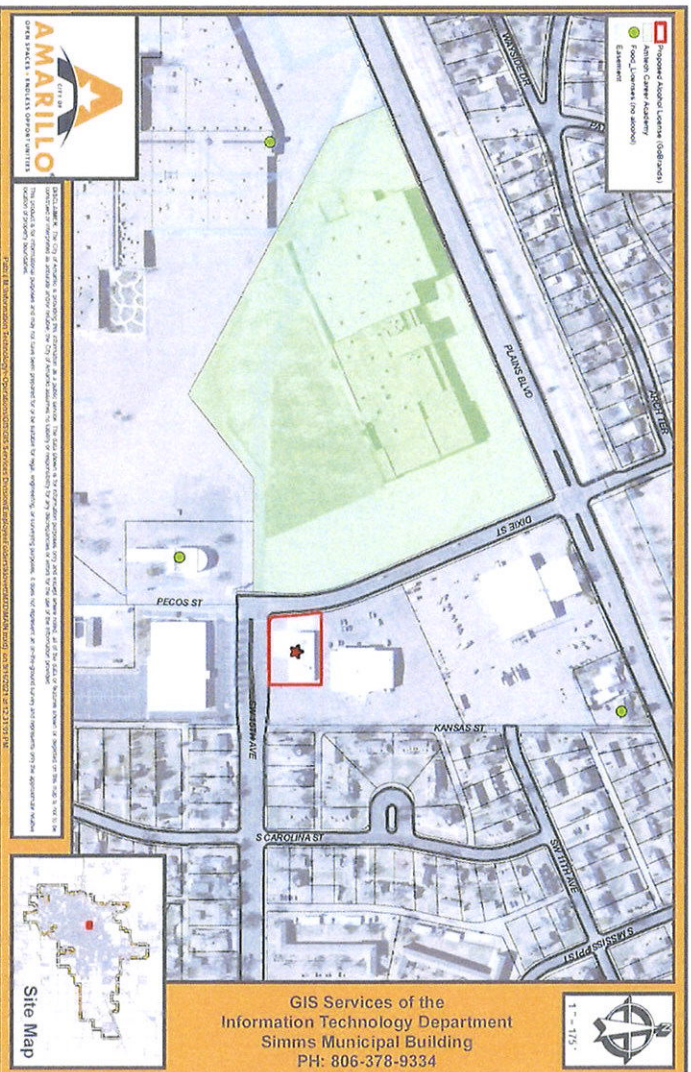
“GoBrands strives to provide a safe and convenient ordering platform for use to its customers and its community. Because this variance is for off-premises consumption and the location will be closed to the public, the likelihood of incidents involving drunkenness, disorderly conduct, or raucous behavior is greatly reduced and will likely be non-existent. The location itself will be run in a safe and sanitary manner if the requested variance is granted. GoBrands will not produce excessive noise, dirt, litter or odors in the location or surrounding area. As such, no disturbance to AmTech Career Academy, surrounding property owners, or the community at large should occur and compliance with all city ordinances and state laws will be followed”.

A map showing the location of the applicant’s site in relation to Amarillo ISD AmTech Career Academy (Appendix A) and businesses who have current legal ABL’s in the area (Appendix B) are shown below:

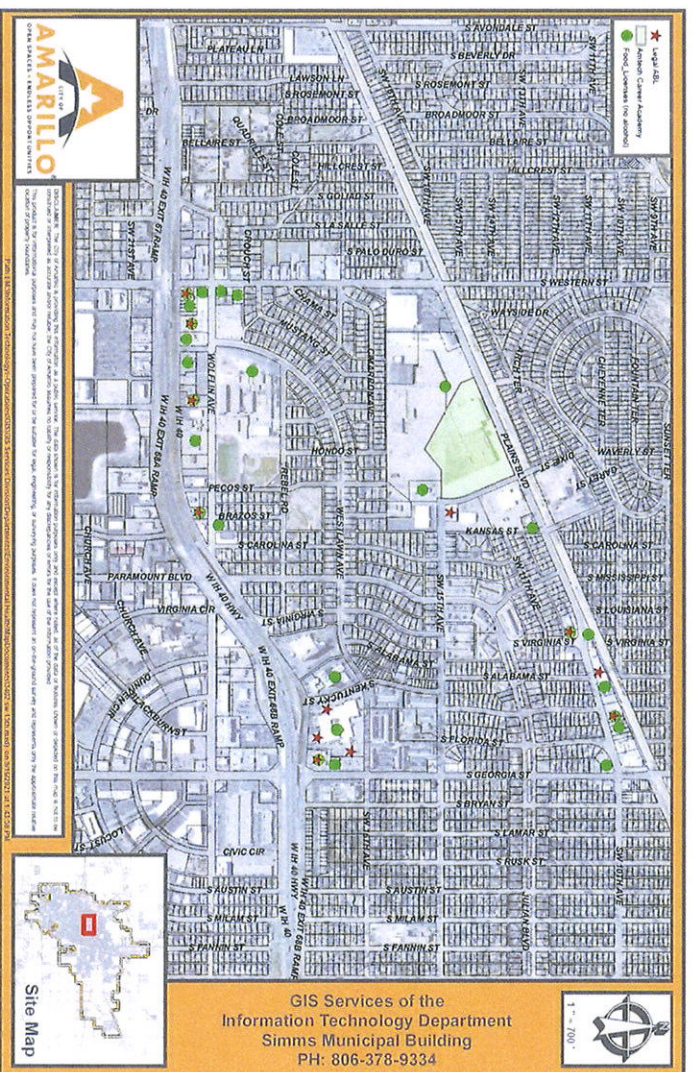
Amarillo City Council Agenda Transmittal Memo



Appendix A



Appendix B



Amarillo City Council Agenda Transmittal Memo



Community Engagement Summary

N/A

Staff Recommendation

N/A

BRACKIN | SCHWARTZ
& ASSOCIATES

Marcus Schwartz
511 W 7th St.
Austin, TX 78701
512-549-8904
marcus@txliquorlaw.com

Amarillo City Council
c/o Environmental Health Department
808 S. Buchanan
Amarillo, TX 79101

VIA OVERNIGHT MAIL

9/10/2021

Re: Alcohol Distance Variance Request for GoBrands Texas LLC - 3420 SW 15th Ave.

Dear Council Members:

I represent, GoBrands Texas LLC (“GoBrands”), as the applicant’s representative, in this its request for a variance from the City of Amarillo to allow for the sale of beer and wine sales for off-premises consumption only at 3420 SW 15th Ave., Amarillo, TX 79102 (the “Location”). This letter requests a variance in relation to alcohol distance prohibitions in City ordinances.

Should you have any questions or require further information or explanation regarding anything found herein, please do not hesitate to contact me at 512-549-8904 or via email at marcus@txliquorlaw.com.

Statement of Variance Request

GoBrands seeks to allow for the operation of a food and alcohol delivery service from the Location. Specifically, GoBrands seeks to use the Location as a hub for the delivery of food, including beer and wine, and other household goods directly to consumers. The Location itself will not be open to the public and no alcohol or other food/goods will be “sold” inside the Location but these items will be located inside the Location. By way of example, think of this location as a convenience store meets an Amazon warehouse. In other words, customers will order goods, whether that includes beer and wine or not, and such goods will then be delivered to their door. Products cannot be picked up from the Location – they will only be delivered to customers away from the Location.

GoBrands Texas LLC currently operates scores of locations within the State of Texas and is rapidly expanding.

This variance request to allow for beer and wine off-premises sales is meant to provide customers of GoBrands the ability to have delivered directly to their door beer and wine products to customers in the area in addition to foods and other goods. GoBrands has some 40 currently operating TABC permitted locations and this location will provide the same appropriate levels of control over the sales of its alcoholic beverage offerings delivered from the Location for the benefit of all its customers and the community. GoBrands takes all necessary measures and exceeds the minimum requirements under the law to ensure alcohol is handled in the most upright manner. A multi-step age verification process has been implemented for all transactions that contain alcohol to properly identify the age of the customer and identify impermissible locations for the sale of alcohol. Additionally, regular training is conducted to

ensure age restricted products, such as alcohol, are handled in accordance with all applicable laws and regulations. GoBrands considers it a privilege to sell restricted products, such as beer and wine, and it will ensure that they are sold in a legal and responsible manner should this variance be granted.

Location Specifics

The Location will be located on northeast corner of Dixie St, and SW 15th Ave. To the immediate west of Location across Dixie St is the AmTech Career Academy which is or will open soon for education. While the front door to front door measurement from AmTech Career Academy to the Location will be well beyond 300 feet, because the property lines between the school and Location are within 300 feet, the Location is within 300 feet of the school per City Ordinance 14-3-5. Attached is a denial letter from the City noting the same. This variance is requested to allow for the sale of beer and wine for off-premises consumption at the Location, notwithstanding its proximity to the school.

Applicant meets the standard of approval for variances pursuant to the ordinances of the City of Amarillo as GoBrands believes the enforcement of the regulation is not in the best interest of the public, does not serve its intended purpose, is not effective or necessary, and/or for any other reason the City of Amarillo may decide. As the Location is not open to the public and alcohol will not be picked up from Location, only delivered away from the Location direct to customers, any harmful effects of alcohol and its sales in proximity to a school will not take place – which is believed to be the justification for the ordinance.

GoBrands Texas LLC will apply for a wine only package store permit (a “Q” permit) from the Texas Alcoholic Beverage Commission (the “TABC”) should this variance request be granted. This is the same TABC permit held by various Wal-Marts and United Supermarkets in Amarillo. The location is not open to the public, it will not sell alcohol by drive-in or drive-through service, and the enforcement of the spacing requirements in this instance does not serve the best interest of the public, the ordinance’s intended purpose and/or is not effective or necessary.

Should the Variance be Granted

Should this variance request be granted, the introduction of beer and wine sales for off-premises consumption will not affect the nearby school or the area. The Location will not be open to the public. Beer and wine would only be delivered from the Location. This will not substantially increase traffic congestion or create overcrowding at the Location or in the immediately surrounding areas.

GoBrands strives to provide a safe and convenient ordering platform for use to its customers and its community. Because this variance is for off-premises consumption and the Location will be closed to the public, the likelihood of incidents involving drunkenness, disorderly conduct, or raucous behavior is greatly reduced and will likely be non-existent. The Location itself will be run in a safe and sanitary manner if the requested variance is granted. GoBrands will not product excessive noise, dirt, litter or odors in the Location or the surrounding area. As such, no disturbance to AmTech Career Academy, surrounding property owners, or the community at large should occur and compliance with all city ordinance and state laws will be followed.

For these reasons, GoBrands respectfully requests approval of a variance for the Location.

Sincerely,


Marcus Schwartz



AMARILLO AREA PUBLIC HEALTH DISTRICT

Cities of Amarillo, Canyon, the Villages of Timbercreek Canyon, Lake Tanglewood, Palisades, the Town of Bishop Hills, and Potter and Randall County
CITY OF AMARILLO, P. O. Box 1971, Amarillo, TX, 79105-1971

August 16, 2021

Go Brands LLC
537 N. 3rd Street
Philadelphia, PA. 19123

Re: Beer Retail Dealer's Off-Premise License, Wine Only Package Store Permit, Local Cartage Permit
GoBrands Texas LLC, 3420 SW 15th Ave, Amarillo, TX. 79102

Dear GoBrands Texas LLC:

Our office processes the "Certificate of City Secretary" portion of TABC Prequalification packets for the City of Amarillo. We are unable to certify your Packet for the 3420 SW 15th Ave location for the following reasons:

Section 14-3-5 of the Amarillo Municipal Code, as amended, prohibits the sale of alcohol within 300 feet of a public school. The above location is within 300 feet of AmTech Career Academy located at 3601 Plains Blvd.

For further information, you may contact Anthony Spanel, Environmental Health Director, at 806-378-9472, option 6.

Sincerely,

Shelly Andrews
Administrative Assistant IV

Approved by:

Brenda Shaw, Interim City Secretary

Amarillo City Council Agenda Transmittal Memo



Meeting Date	October 12, 2021	Council Priority	Economic Development
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Department	City Manager Laura Storrs, Assistant City Manager
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Agenda Caption

RESOLUTION – AUTHORIZING THE PROJECT PLAN FOR THE FIRST INSTALLMENT OF AMERICAN RESCUE PLAN ACT FUNDING
(Contact: Laura Storrs, Assistant City Manager)

This resolution approves the project plan for the first installment of American Rescue Plan Act (ARPA) funding of \$19,838,158.50 in accordance with eligible uses identified in the Interim Final Ruling issued May 17, 2021 and the subsequent FAQs provided by the United States Department of the Treasury.

Agenda Item Summary

This resolution approves the project plan for the first installment of American Rescue Plan Act (ARPA) funding of \$19,838,158.50.

Requested Action

Council consideration and approval of the resolution for the project plan for the first installment of ARPA funding.

Funding Summary

A total of \$39,676,317 has been allocated to the City of Amarillo with the first installment of \$19,838,158.50 received on May 19, 2021. The second installment will not be received until after May 2022. All funds must be spent before December 31, 2024.

Community Engagement Summary

City Council conducted a Community Solutions meeting on the ARPA funding for citizens to attend and voice ideas for use of the funds on May 17, 2021. Staff presented further information on the ARPA funding and an overview of the Community Solutions meeting at the May 25, 2021 Council meeting. Staff presented eligible uses of the funding to Council based on the community feedback and Council input at the August 24, 2021 Council meeting.

Staff Recommendation

Staff recommendation is to approve the resolution.

Amarillo City Council

Agenda Transmittal Memo



C

Meeting Date	October 12, 2021	Council Priority	Economic Development and Redevelopment
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Department	Planning	Contact Person	Andrew Freeman, Assistant City Manager
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Agenda Caption

Second reading to consider an ordinance to rezone 602.85 acres of land in Sections 168, 169, 188, and 189, Block 2, AB&M Survey, Potter County, Texas pertaining to Part 1 of 2 of the North Heights Rezoning Initiative and being further described below and illustrated in the attached Exhibit A:

- A: Rezoning of 346.13 acres consisting of land in University Heights, Miller Heights, North Heights, Amarillo Heights Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District, Multiple-Family District 1, Multiple-Family District 1 with Specific Use Permit 106, and Manufactured Home District to Residential District 2, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- B: Rezoning of 22.82 acres consisting of land in the University Heights, Amarillo Heights, Charlotte Heights, Downing-Highland's, and WM Moore's Additions, including one half of all bounding streets, alleys, and public ways to change from Residential District 3, Manufactured Home District, and Light Industrial District to Multiple Family District 1, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- C: Rezoning of 69.04 acres consisting of land in the University Heights, Miller Heights, Glidden and Sanborn, T&K, Wild Horse Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District, Light Commercial District, Multiple-Family District 1, and Multiple-Family District 1 with Specific Use Permit 100 to General Retail District, in Sections 168, 169, 188, and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- D: Rezoning of 123.99 acres consisting of land in the University Heights, Mathew Hooks Re-Subdivision of Block 49 Miller Heights, Clarence Watley's Subdivision of Wheatley's 5 Acre Tract, Miller Heights, North Heights Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District and Multiple-Family District 1 to Moderate Density District, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- E: Rezoning of 30.28 acres consisting of land in the Miller Heights, University Heights, and North Heights Additions, including one half of all bounding streets, alleys, and public ways to change from Multiple-Family District 1 and Multiple-Family District 1 with Specific Use Permit 85 to Neighborhood Service District, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- F: Rezoning of 10.59 acres consisting of land in the University Heights Addition and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District to Office District 1, in Section 189, Block 2. A.B.&M. Survey, Potter County, Texas

Vicinity: North Heights Neighborhood Plan Area (north half)
 Applicant: City of Amarillo

Agenda Item Summary

Part 1 of the North Heights Rezoning Initiative is a comprehensive rezoning proposal to rezone approximately 600 acres in the vicinity of the northern part of the neighborhood plan area. As a neighborhood plan project, it was prioritized for implementation by the North Heights Advisory Association (NHAA). The goals of the Rezoning Initiative project are as follows:

- Align the North Heights neighborhood zoning pattern with zoning practices consistent throughout the rest of Amarillo including the Neighborhood Unit Concept.

Amarillo City Council

Agenda Transmittal Memo



-
- Implement land use recommendations from the North Heights Neighborhood Plan to address incompatible zoning districts.
 - Encourage reinvestment and redevelopment in a way that is consistent with the neighborhood's original character.

Staff's original recommendation to the Planning and Zoning Commission was based on a comprehensive review and assessment of the plan area and was developed in consultation with a sub-committee from NHAA. The proposal was consistent with the vision and strategies in the North Heights neighborhood plan, consistent with Future Land Maps for the area and met the goal of better aligning North Heights with the Neighborhood Unit Concept.

The Planning and Zoning Commission heard the case on July 19th and modified the proposal resulting in changes to the acreage in the MF-1, GR and R-2 Districts. They recommended approval in a 5-2 vote with the following changes:

- "The area South and West of the railroad tracks and North of Amarillo Boulevard be eliminated from the rezoning initiative;
- The land North of 15th and West of N. Rusk (aka the Chapman land) is eliminated from this initiative;
- The land along Amarillo Boulevard that is currently zoned LC shall remain LC and not be changed to General Retail;
- Any property that will be "down zoned" by this initiative shall be allowed to be used for any use that it is currently zoned for the life of the property. The life of the property shall be defined as any property that does not have water, sewer, and electrical service for 24 constitutive months."

The City Council conducted a public hearing on August 10th to consider the Planning and Zoning Commission's July 19th recommendation. The item was tabled and the Council requested alternatives to the northwest area of the proposal. At the August 24th meeting, the Council recommended to amend and approve the Planning and Zoning Commission's recommendation with the modifications shown on the exhibit labeled Alternate Recommendation and summarized below. It was approved with a 3-2 vote.

Since the first reading, a written protest to Council's August 24th vote has been submitted. A protest is valid if signatures are provided by 20% or more of the owners of land to be rezoned or owners of land extending into the 200 feet notice area. Adjacent right-of-way is included in the calculation of the protest percentage. At the time of this writing, staff is calculating the acreage of the protest. It currently exceeds 20% and staff will provide a final percentage at the October 12th meeting. The City's zoning ordinance requires a favorable vote of three-fourths of the Council members present and voting due to a valid protest being received.

Residential-2 (R-2)

- 346.13 acres rezoned to R-2
- From primarily Light Industrial (I-1), Multiple-Family-1 (MF-1), and Manufactured Home (MH)
- Intent – Remove existing single-family residential land uses from industrial zoning; protect from future incompatible development near homes; encourage infill and reinvestment; and, reduce the number of manufactured homes. Recommended throughout the central core of the plan area and part of the large vacant tract in the northwest corner referred to as "Chapman's land."

Multiple-Family 1 (MF-1)

- 22.82 acres rezoned to MF-1
- From primarily Light Industrial (I-1), Manufactured Home (MH)
- Intent – Buffer commercial uses along corridors from core single family areas. Recommended along Amarillo Blvd.

Moderate Density (MD)

- 123.99 acres rezoned to MD
- From primarily Multiple-Family 1 (MF-1)
- Intent – Buffer from business/retail uses along corridors to provide a transition in intensity of uses to core single family areas; allow "missing middle" housing types like duplexes, triplexes, tiny homes and smaller apartment buildings that provide more housing choice. Recommended along N Hughes St and NW 18th Ave as well adjacent to non-residential proposed in the northwest corner of the plan area.

General Retail (GR)

Amarillo City Council

Agenda Transmittal Memo



-
- 69.04 acres rezoned to GR
 - From primarily Multiple-Family 1 (MF-1) and Light Commercial (LC)
 - Intent – Encourage uses that are more compatible to neighborhood residential along Amarillo Blvd; help Hughes St transition to a small business corridor over time; and to provide options for non-residential zoning in the northwest corner of the plan area that are more consistent with the Neighborhood Unit Concept.

Neighborhood Service (NS)

- 30.28 acres rezoned to NS
- From primarily Multiple-Family 1 (MF-1)
- Intent – Allow both residential (SF, MD housing types) and low-impact businesses; create a walkable mixed-use corridor where services, jobs and amenities are accessible to nearby residential. Recommended on NW 18th Ave and parts of N Hughes St.

Office District 1 (O-1)

- 10.59 acres rezoned to O-1
- From primarily Light Industrial (I-1)
- Intent – To provide options for non-residential zoning in the northwest corner of the plan area that are more consistent with the Neighborhood Unit Concept.

Requested Action/Recommendation

N/A

Funding Summary

N/A

Community Engagement Summary

North Heights Neighborhood Plan process, adopted January 2017
November 2020 NHAA webinar and outreach
November 2020 postcard mailing and City-hosted Zoom informational meeting
March 1st, 2021 P&Z meeting (legal notices and public hearing)
April public workshops (3) and informational mailing
May NHAA postcard and informational meetings (2)
June 14th P&Z (legal notices and public hearing)
July 19th P&Z (legal notices and public hearing)
August 10th City Council (public hearing)

ORDINANCE NO. 7926

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 THE NORTH HEIGHTS NEIGHBORHOOD PLAN AREA (NORTH PORTION), 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 602.85 acres of land in Sections 168, 169, 188, and 189, Block 2, AB&M Survey, Potter County, Texas pertaining to Part 1 of 2 of the North Heights Rezoning Initiative and being further described below and illustrated in the attached Exhibit A:

- A: Rezoning of 346.13 acres consisting of land in University Heights, Miller Heights, North Heights, Amarillo Heights Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District, Multiple-Family District 1, Multiple-Family District 1 with Specific Use Permit 106, and Manufactured Home District to Residential District 2, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.

- B: Rezoning of 22.82 acres consisting of land in the University Heights, Amarillo Heights, Charlotte Heights, Downing-Highland's, and WM Moore's Additions, including one half of all bounding streets, alleys, and public ways to change from Residential District 3, Manufactured Home District, and Light Industrial District to Multiple Family District 1, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- C: Rezoning of 69.04 acres consisting of land in the University Heights, Miller Heights, Glidden and Sanborn, T&K, Wild Horse Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District, Light Commercial District, Multiple-Family District 1, and Multiple-Family District 1 with Specific Use Permit 100 to General Retail District, in Sections 168, 169, 188, and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- D: Rezoning of 123.99 acres consisting of land in the University Heights, Mathew Hooks Re-Subdivision of Block 49 Miller Heights, Clarence Watley's Subdivision of Wheatley's 5 Acre Tract, Miller Heights, North Heights Additions, and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District and Multiple-Family District 1 to Moderate Density District, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- E: Rezoning of 30.28 acres consisting of land in the Miller Heights, University Heights, and North Heights Additions, including one half of all bounding streets, alleys, and public ways to change from Multiple-Family District 1 and Multiple-Family District 1 with Specific Use Permit 85 to Neighborhood Service District, in Section 168 and 189, Block 2, A.B.&M. Survey, Potter County, Texas.
- F: Rezoning of 10.59 acres consisting of land in the University Heights Addition and unplatted land, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District to Office District 1, in Section 189, Block 2. A.B.&M. Survey, Potter County, Texas

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 August, 2021 and **PASSED** on Second and Final Reading on this the 12th day of October, 2021.

Ginger Nelson, Mayor

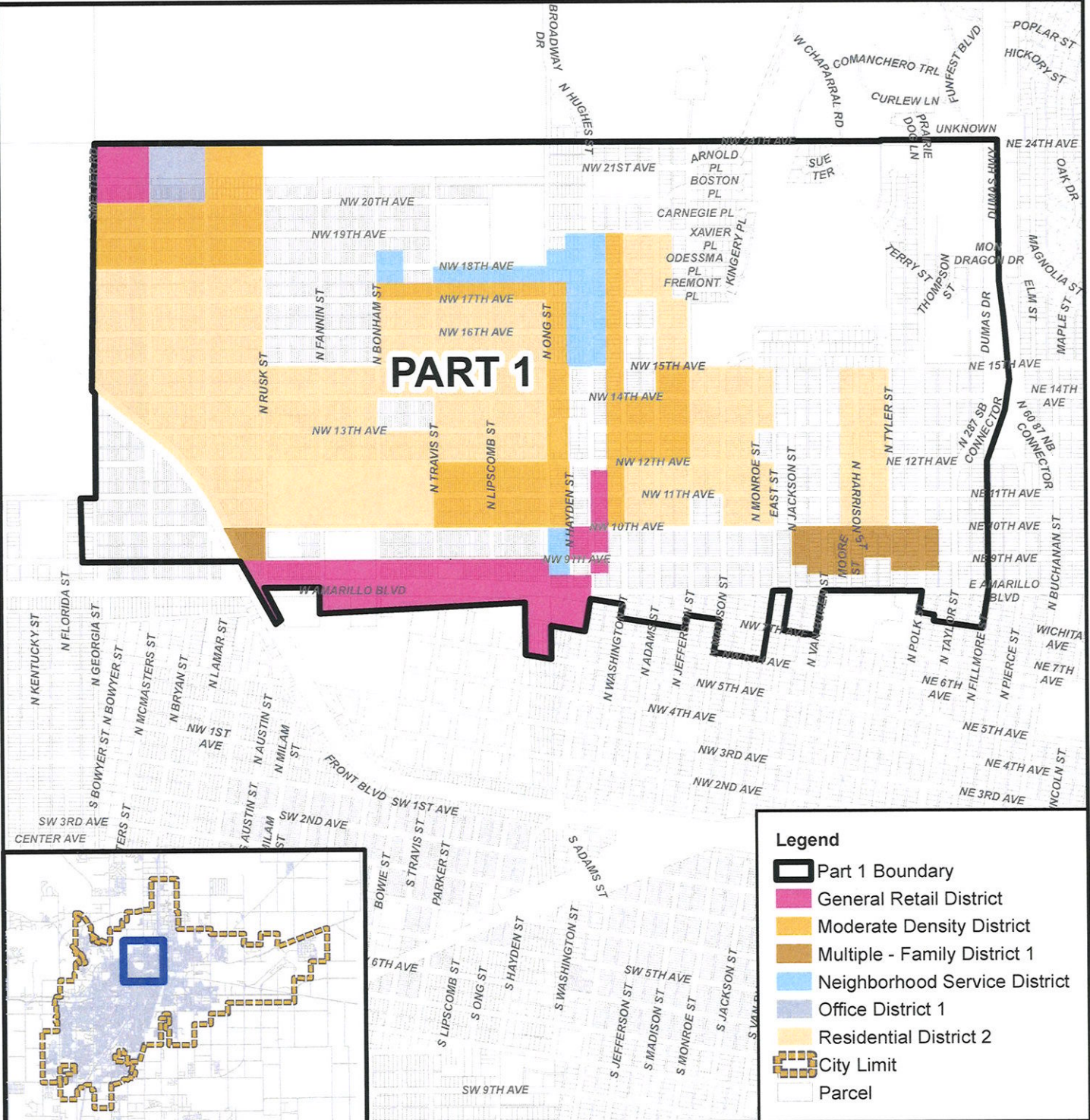
ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

NORTH HEIGHTS REZONING INITIATIVE PART 1 - ALTERNATE RECOMMENDATION (602.85 ACRES)



Legend

- Part 1 Boundary
- General Retail District
- Moderate Density District
- Multiple - Family District 1
- Neighborhood Service District
- Office District 1
- Residential District 2
- City Limit
- Parcel

**CITY OF AMARILLO
PLANNING DEPARTMENT**

North Heights Rezoning Initiative Part 1
 Applicant: City of Amarillo
 Vicinity: North Heights Neighborhood Plan Area (north-portion of Plan Area)
AP: M-10, M-11, N-10, and N-11

Scale: 1 inch = 1,600 feet
 Date: 8/24/2021
 Case No: Z-21-05

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



D

Meeting Date	October 12, 2021	Council Priority	Economic Development and Redevelopment
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Department	Planning	Contact Person	Emily Koller, Assistant Director of Planning
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Agenda Caption

Z-21-12 Rezoning of 168.88 acres of land in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas pertaining to Part 2 of 2 of the North Heights Rezoning Initiative and being further described below and illustrated in the attached Exhibit A:

- A: Rezoning of 56.38 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District and Planned Development Districts 16 and 65 to Heavy Commercial District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.
- B: Rezoning of 15.11 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District to Light Commercial District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.
- C: Rezoning of 17.58 acres consisting of land in the GT Davis Subdivision of Blocks 109 through 112 of the Glidden & Sanborn Addition and Glidden & Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Heavy Commercial District to General Retail District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.
- D: Rezoning of 30.63 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Multiple-Family District 1 and Light Industrial District to Moderate Density District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.
- E: Rezoning of 49.18 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Heavy Commercial District, Light Commercial District, and Light Industrial District to Neighborhood Service District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.

Vicinity: North Heights Neighborhood Plan Area (south half)
Applicant: City of Amarillo

Agenda Item Summary

Part 2 of the North Heights Rezoning Initiative is a comprehensive rezoning proposal to rezone 168.88 acres in the vicinity of the southern part of the neighborhood plan area. As a neighborhood plan project, it was prioritized for implementation by the North Heights Advisory Association (NHAA). It is being processed as a city-initiated case; however, it would not have been brought forward at this time if it had not been prioritized by the neighborhood. The goals of the Rezoning Initiative project are as follows:

- Align the North Heights neighborhood zoning pattern with zoning practices consistent throughout the rest of Amarillo including the Neighborhood Unit Concept.
- Implement land use recommendations from the North Heights Neighborhood Plan to address incompatible zoning districts.
- Encourage reinvestment and redevelopment in a way that is consistent with the neighborhood’s original character.

The proposed changes are summarized below:

Heavy Commercial (HC)

- 56.38 acres rezoned to HC
- From primarily from Light Industrial District (I-1) and Planned Development Districts 16 and 65

Amarillo City Council

Agenda Transmittal Memo



- Intent – Accommodate existing commercial activity and prevent most intensive industrial uses in the future.

Light Commercial (LC)

- 15.11 acres rezoned to MF-1
- From Light Industrial (I-1)
- Intent – Buffer commercial and industrial uses from residential uses.

Moderate Density (MD)

- 30.63 acres rezoned to MD
- From primarily Light Industrial (I-1)
- Intent – Matches existing residential character; envisioned in the original comprehensive proposal (Part 1 and 2 combined) as the appropriate location for a mix of housing types as compared to the area north of Amarillo Blvd, which was planned to be majority single-family.

General Retail (GR)

- 17.58 acres rezoned to GR
- From Heavy Commercial (HC)
- Intent – Transition to a retail corridor that is more compatible with residential uses.

Neighborhood Service (NS)

- 49.18 acres rezoned to NS
- From Heavy Commercial (HC), Light Commercial (LC) and Light Industrial (I-1)
- Intent – Neighborhood services allows both residential (SF, MD types) and low-impact businesses. It is intended to provide a mixed use, more walkable urban neighborhood around the planned St. Anthony's hospital redevelopment.

Part 2 of the North Heights Rezoning Initiative presents a greater challenge in achieving an ideal land use scenario for the southern plan area. While the general perception is that this is a commercial and industrial area, an equal percentage of the area proposed to be rezoned is currently used for residential purposes (37% residential, 39% commercial and 24% vacant). The intent of the rezoning is not to “downzone” existing commercial properties, but to develop a more orderly land use pattern so they may continue to operate in their current location without interference while preventing potentially more intensive industrial uses in the future that would have a detrimental impact on rebuilding the neighborhood.

It is staff's opinion that this particular part of the plan area is at a critical tipping point which will determine the predominant character and development pattern of the area moving forward. Should the proposed zoning pattern be significantly altered, deviated from or not approved altogether, staff believes that further erosion of what was once a thriving business and community center for the North Heights neighborhood will continue.

Staff's original recommendation to approve Part 2 as submitted to the Planning and Zoning Commission was based on the following: 1) the proposal was consistent with the vision and strategies in the North Heights neighborhood plan; 2) it was consistent with Future Land Maps for the area; and 3) it met the goal of better aligning North Heights with the Neighborhood Unit Concept furthering the City's overall objectives of protecting public health, safety and welfare through land use planning.

The Planning and Zoning Commission heard the case on August 16th, tabling it until there was Council action on Part 1. At the September 8th P&Z meeting, a motion to approve as submitted was denied with a 3-4 vote. No other motion was made. There was little discussion at the September 8th meeting, but Commissioners provided additional comments during a work session on September 20th.

The reasons for denial included not agreeing with typical comprehensive rezoning practices where cases are city-initiated. They believed that the changes will result in negative impacts to the uses allowed, as well as values, so property owners should initiate the application. They also believed that the proposal should have changed more throughout the process reflecting their feedback and that of the public. They also disagree with the area being residential in character and do not see it redeveloping as a cohesive neighborhood in the future.

The City's zoning ordinance states that if a zoning change is recommended **not** to be granted, the case can only be forwarded to Council on appeal by the applicant. The City appealed the P&Z decision.

Amarillo City Council Agenda Transmittal Memo



Requested Action/Recommendation

Planning and Zoning commission recommends denial.

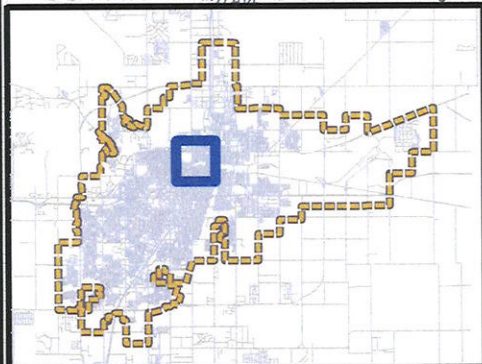
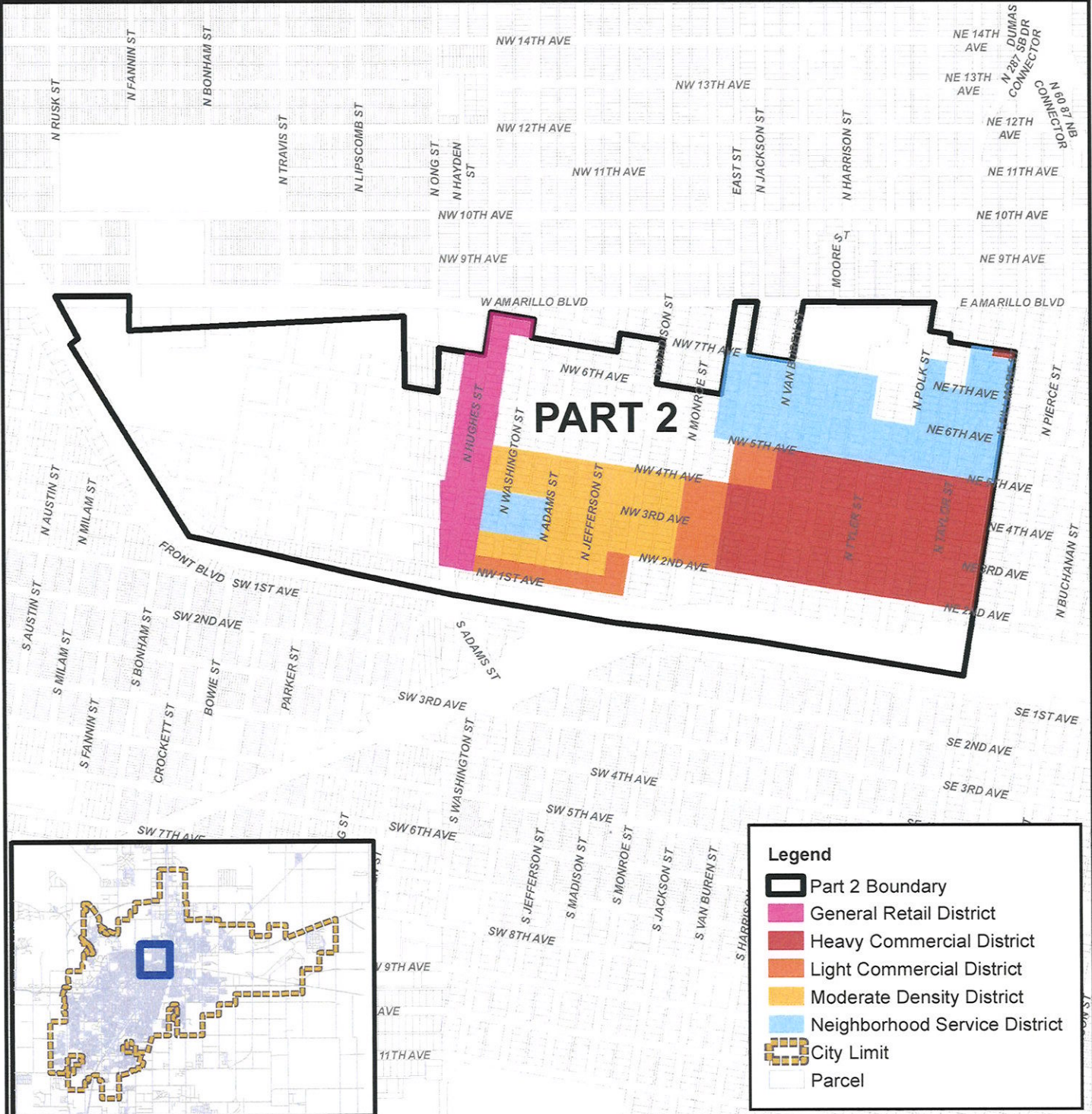
Funding Summary

N/A

Community Engagement Summary

North Heights Neighborhood Plan process, adopted January 2017
November 2020 NHAA webinar and outreach
November 2020 postcard mailing and City-hosted Zoom informational meeting
March 1st, 2021 P&Z meeting (legal notices and public hearing)
April public workshops (3) and informational mailing
May NHAA postcard and informational meetings (2)
August 16th P&Z (legal notices and public hearing)
September 8th P&Z (no public hearing)

EXHIBIT A: NORTH HEIGHTS REZONING INITIATIVE PART 2



CITY OF AMARILLO PLANNING DEPARTMENT

North Heights Rezoning Initiative Part 2
 Applicant: City of Amarillo
 Vicinity: North Heights Neighborhood Plan Area (south-portion of Plan Area)

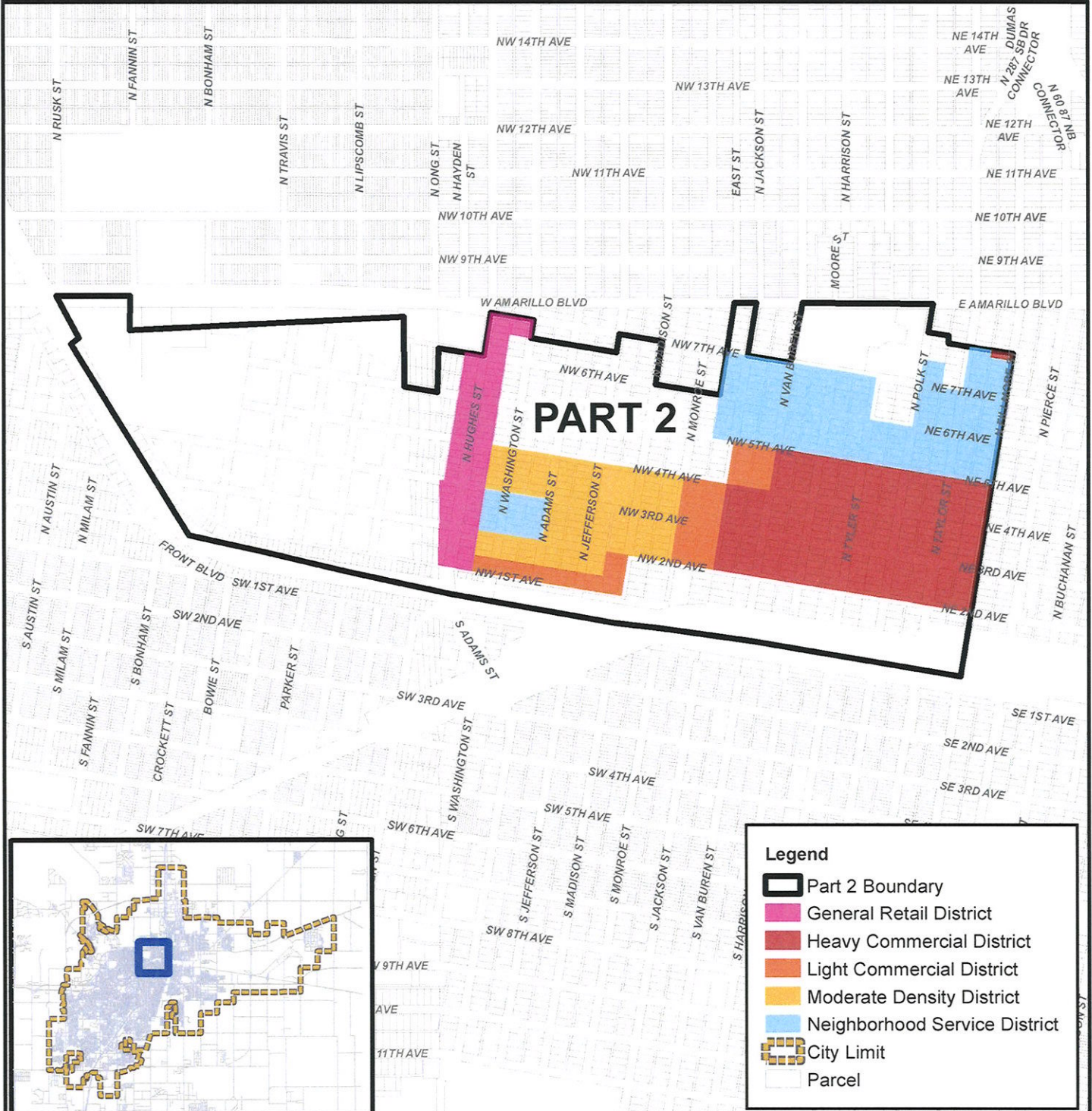
Scale: 1 inch = 1,200 feet
 Date: 10/06/2021
 Case No: Z-21-12



AP: M-10, M-11, N-10, and N-11

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.

NORTH HEIGHTS REZONING INITIATIVE PART 2



Legend	
	Part 2 Boundary
	General Retail District
	Heavy Commercial District
	Light Commercial District
	Moderate Density District
	Neighborhood Service District
	City Limit
	Parcel

CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 1,200 feet
Date: 10/06/2021
Case No: Z-21-12



North Heights Rezoning Initiative Part 2

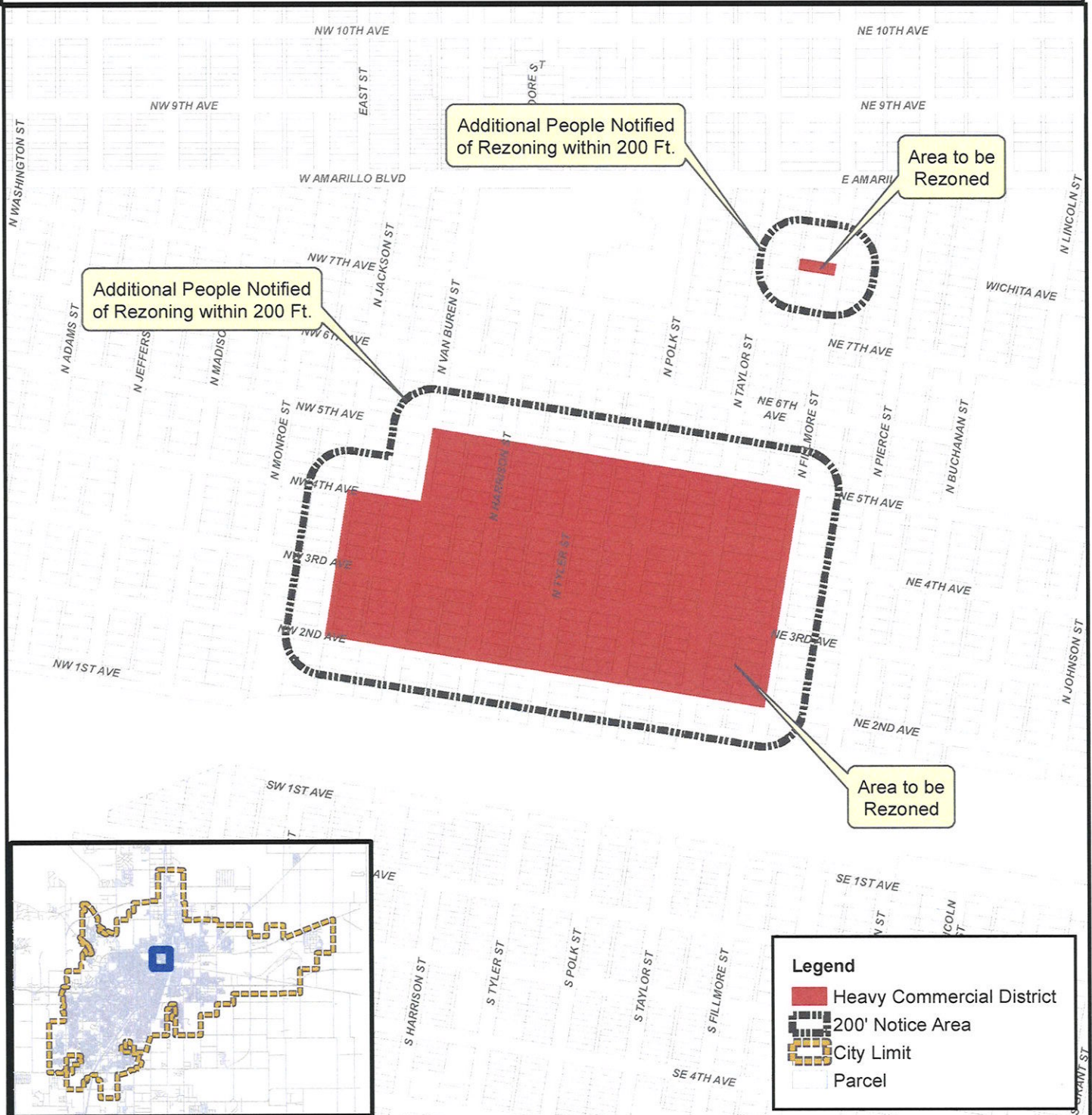
Applicant: City of Amarillo

Vicinity: North Heights Neighborhood Plan Area (south-portion of Plan Area)

AP: M-10, M-11, N-10, and N-11

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REZONING TO HEAVY COMMERCIAL DISTRICT



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 700 feet
 Date: 7/29/2021
 Case No: Z-21-12



Rezoning of 56.38 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District and Planned Development Districts 16 and 65 to Heavy Commercial District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas

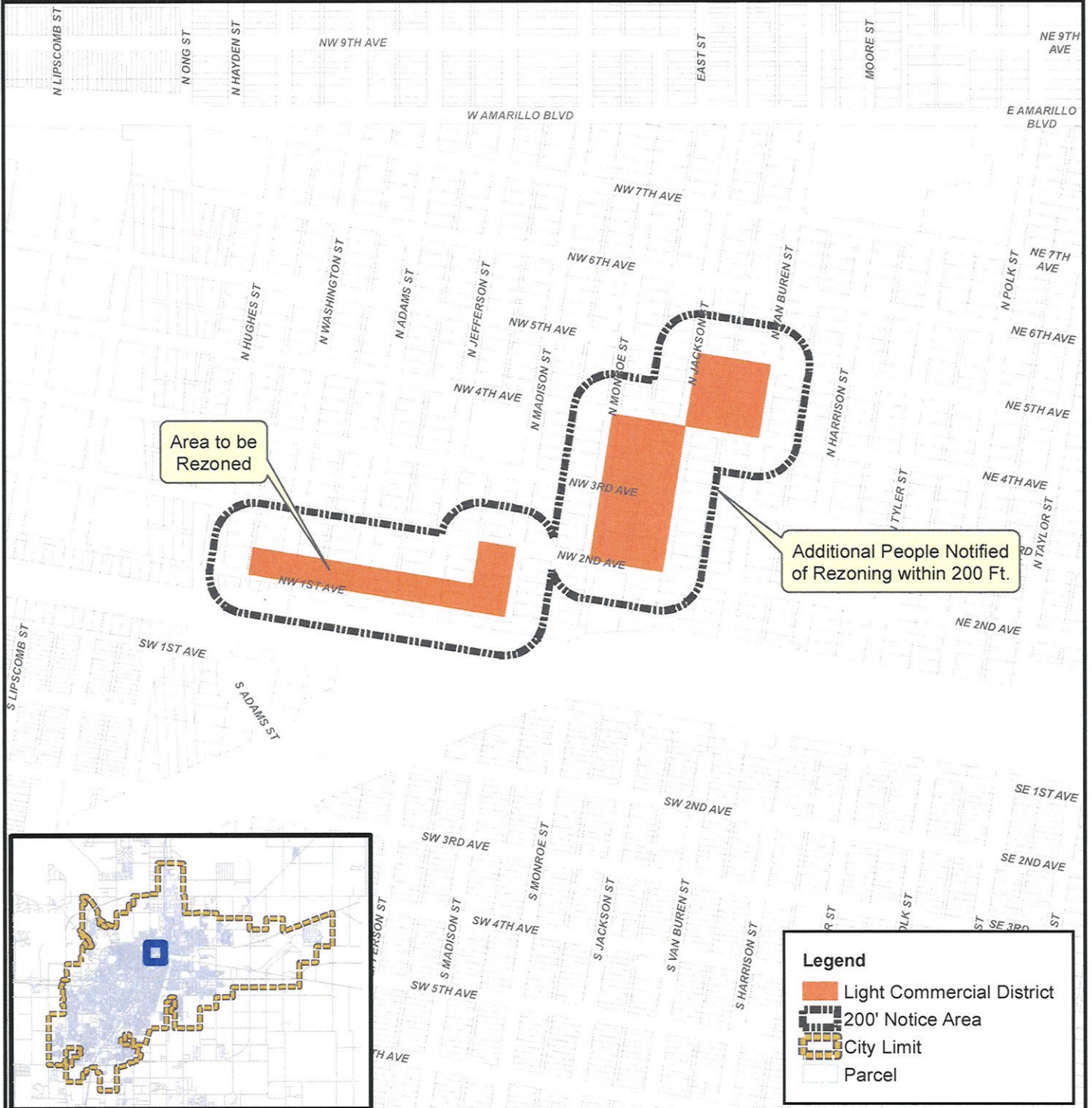
Applicant: City of Amarillo

Vicinity: North Heights Neighborhood Plan Area (south-portion of Plan Area)

AP: M-10, M-11, N-10, and N-11

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REZONING TO LIGHT COMMERCIAL DISTRICT



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 700 feet
 Date: 7/29/2021
 Case No: Z-21-12



Rezoning of 15.11 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District to Light Commercial District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas

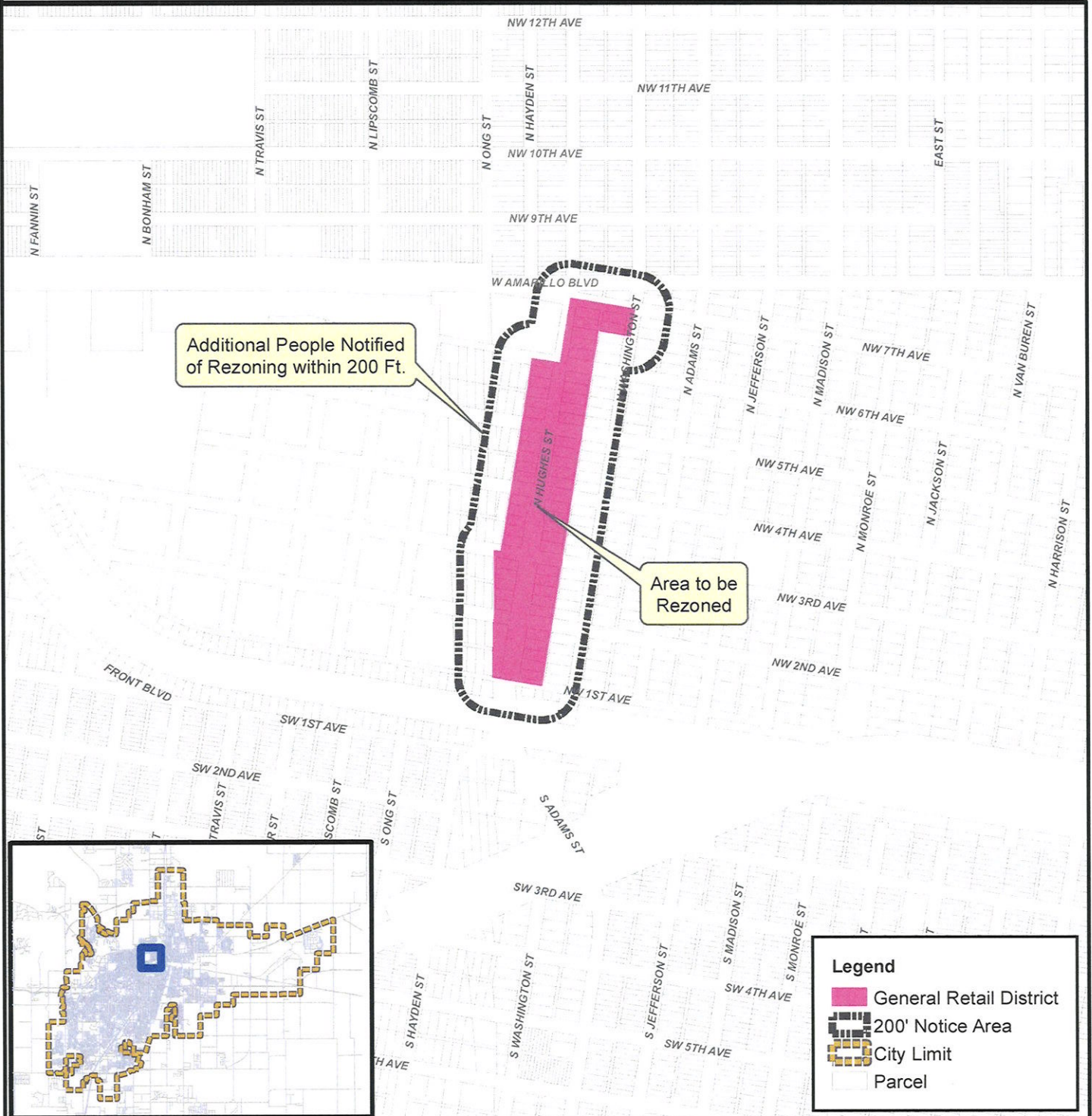
Applicant: City of Amarillo

Vicinity: North Heights Neighborhood Plan Area (south-portion of Plan Area)

AP: M-10, M-11, N-10, and N-11

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REZONING TO GENERAL RETAIL DISTRICT



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 800 feet
Date: 7/29/2021
Case No: Z-21-12



Rezoning of 17.58 acres consisting of land in the GT Davis Subdivision of Blocks 109 through 112 of the Glidden & Sanborn Addition and Glidden & Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Heavy Commercial District to General Retail District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas

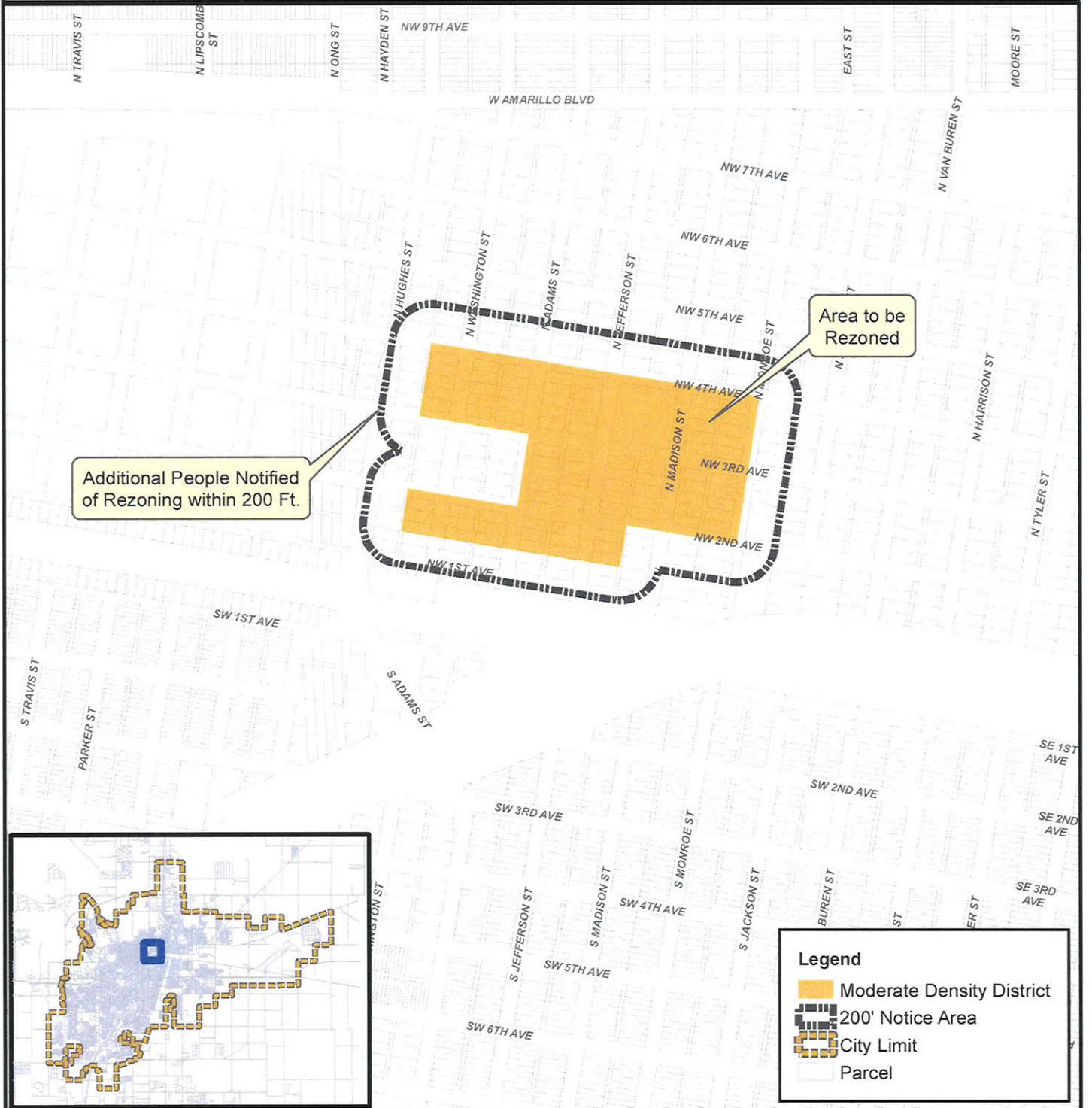
Applicant: City of Amarillo

Vicinity: North Heights Neighborhood Plan Area (south-portion of Plan Area)

AP: M-10, M-11, N-10, and N-11

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REZONING TO MODERATE DENSITY DISTRICT



Additional People Notified of Rezoning within 200 Ft.

Area to be Rezoned

Legend

- Moderate Density District
- 200' Notice Area
- City Limit
- Parcel

CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 700 feet
 Date: 7/29/2021
 Case No: Z-21-12



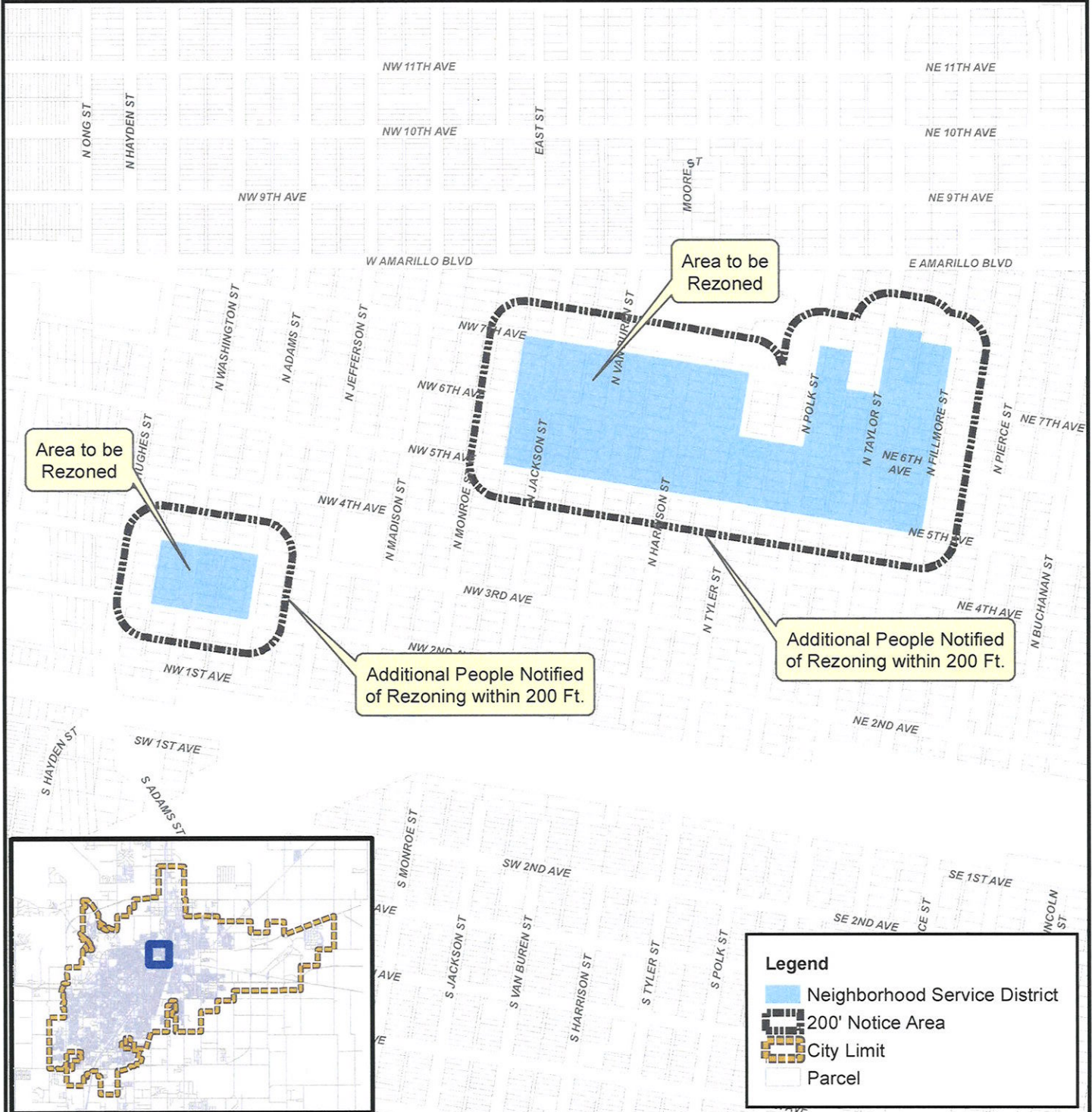
Rezoning of 30.63 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public way to change from Multiple-Family District 1 and Light Industrial District to Moderate Density District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas

Applicant: City of Amarillo
 Vicinity: North Heights Neighborhood Plan Area (south-portion of Plan Area)

AP: M-10, M-11, N-10, and N-11

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REZONING TO NEIGHBORHOOD SERVICE DISTRICT



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 800 feet
 Date: 7/29/2021
 Case No: Z-21-12



Rezoning of 49.18 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Heavy Commercial District, Light Commercial District, and Light Industrial District to Neighborhood Service District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas

Applicant: City of Amarillo

Vicinity: North Heights Neighborhood Plan Area (south-portion of Plan Area)

AP: M-10, M-11, N-10, and N-11

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ORDINANCE NO. 7939

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 THE NORTH HEIGHTS NEIGHBORHOOD PLAN AREA (SOUTH PORTION), 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:

Z-21-12 Rezoning of 168.88 acres of land in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas pertaining to Part 2 of 2 of the North Heights Rezoning Initiative and being further described below and illustrated in the attached Exhibit A:

- A: Rezoning of 56.38 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District and Planned Development Districts 16 and 65 to Heavy Commercial District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.
- B: Rezoning of 15.11 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Light Industrial District to Light Commercial District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.
- C: Rezoning of 17.58 acres consisting of land in the GT Davis Subdivision of Blocks 109 through 112 of the Glidden & Sanborn Addition and Glidden & Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Heavy

Commercial District to General Retail District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.

- D: Rezoning of 30.63 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Multiple-Family District 1 and Light Industrial District to Moderate Density District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.
- E: Rezoning of 49.18 acres consisting of land in the Glidden and Sanborn Addition, including one half of all bounding streets, alleys, and public ways to change from Heavy Commercial District, Light Commercial District, and Light Industrial District to Neighborhood Service District, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas.

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 12th day of October, 2021 and **PASSED** on Second and Final Reading on this the 26th day of October, 2021.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

Amarillo City Council Agenda Transmittal Memo



E

Meeting Date	October 12, 2021	Council Priority	
Department	City Secretary		
Contact	Stephanie Coggins, City Secretary		

Agenda Caption

CONSIDERATION OF RESOLUTION 10-12-21-4
(Contact: Stephanie Coggins, City Secretary)

This item considers a resolution providing nominations for upcoming vacancies. The Potter-Randall Appraisal District (PRAD) has ten (10) upcoming vacancies on the individual Potter and Randall County Appraisal Districts' Board of Directors. Upon the receipt of these nominations, the Appraisal Districts will schedule an election for governmental entities in Potter and Randall County to vote on these vacant positions, as established by State law requirements.

Agenda Item Summary

Each of PRAD's individual Potter and Randall Board of Directors is made up of five (5) directors. As a taxing district with voting entitlements, the City may nominate, by resolution, one to five candidates for these the boards.

Requested Action

Consider nomination of citizens to be added to the list of candidates for potential election to PRAD's individual Potter and Randall Board of Directors.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of the resolution to make nominations to fill vacancies on the Board of Directors of PRAD.

Amarillo City Council

Agenda Transmittal Memo



F

Meeting Date	October 12, 2021	Council Priority	Transportation Systems
Department	Amarillo City Transit (ACT)		
Contact	Marita Wellage-Reiley, Transit Director		

Agenda Caption

CONDUCT PUBLIC HEARING AND CONSIDER ACCEPTANCE OF FEDERAL GRANTS FOR THE CONSTRUCTION OF A MULTIMODAL PASSENGER TERMINAL FOR AMARILLO CITY TRANSIT
(Contact: Marita Wellage-Reiley, Transit Director)

This item is the consideration of acceptance of two Federal grants totaling \$ 7,300,987 to support the design and construction of a passenger terminal to serve Amarillo City Transit, Greyhound, and other local transportation providers.

Agenda Item Summary

This item is a public hearing and resolution authorizing the City Manager to accept fiscal year 2020 5307 grant funds in the amount of \$3,809,941 and fiscal year 2021 5307 grant funds in the amount of \$3,491,036 for the design and construction of a passenger terminal to serve multiple transportation service providers including Amarillo City Transit, Greyhound and Panhandle Community Transit. Federal matching funds for these grants include \$1,200,000 from the Amarillo Economic Development Commission (AEDC) and the value of land donated by the Downtown Amarillo Inc. (DAI).

Requested Action

- Conduct a public hearing in consideration of the resolution.
- Approve the resolution authorizing the City Manager to accept Federal Grants totaling \$7,300, 987

Funding Summary

Two 5307 federal grants will be used in combination with these local funding from AEDC and city owned land donated by DAI to design and construct a multimodal passenger terminal.

Community Engagement Summary

Amarillo City Transit published notice of the public hearing and made information regarding this application for review online and at the Transit Operations Facility located at 801 S.E. 23rd Ave. on the ACT Route 30.

Staff Recommendation

Staff recommends approval of the Resolution to accept these grants to support the construction of a Multimodal Terminal.

NOTICE OF PUBLIC HEARING

REQUEST AUTHORITY TO ACCEPT A GRANT – AMARILLO CITY TRANSIT (ACT)

The City of Amarillo in fulfillment of the requirements to receive financial assistance from the Federal Transit Administration, the Amarillo City Transit system is notifying the public that interested parties request information on line at <https://www.amarillo.gov/departments/community-services/transit> or visit the Transit Office located at 801 S.E 23rd Ave., Amarillo, TX 79105 between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday.

The City of Amarillo, Texas is requesting authorization to accept two 5307 Capital Grants in the amount of Three Million, Four Hundred Ninety-One Thousand, and Forty-Six Dollars (\$3,491,046) and Three Million, Eight Hundred Nine Thousand, and Nine Hundred Forty-One Dollars (\$3,809,941) with the Federal Transit Administration to aid in the financing of Amarillo City Transit Multimodal Terminal.

A regular meeting of the Amarillo City Council to be held on Tuesday, October 12, 2021 at 1:00 p.m., City Hall, 601 South Buchanan Street, Council Chamber on the third floor of City Hall, Amarillo, Texas.

Title VI Notice

The City of Amarillo, Texas

Amarillo City Transit

The City of Amarillo operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Amarillo.

For more information on the City of Amarillo's civil rights program and the procedures to file a complaint contact, Marita Wellage-Reiley at 806-378-6842, (TTY call 711), email marita.wellage-reiley@amarillo.gov or visit the administrative offices at 801 SE 23rd Street, Amarillo, Texas 79105. The Transit Department offices are located on Route 30 with a bus stop at the front door of the office.

The City of Amarillo - Amarillo City Transit hereby certifies that, as a condition of receiving Federal financial assistance, it will ensure that: No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil rights, Attention: Title VI Program Coordinator, East Building, 5th Floor – TCR, 1200 New Jersey Ave., SE, Washington DC 20590.

Limited English Proficiency

If information is needed in another language, contact 806-378-6842. This information is available free of any charge. You will also find Title VI information in other languages at www.amarillo.gov. Amarillo City Transit has a limited English Proficiency Plan where Amarillo City Transits information in other languages is made available at no cost. Should you desire this information, you may contact Marita Wellage-Reiley at (806) 378-6842 or marita.wellage-reiley@amarillo.gov.

Si requiere que se le proporcione información en un idioma distinto al inglés, contacte al 806-378-6842. Esta información está disponible libre de cualquier cargo. También podrá encontrar información del Título VI en otros idiomas en www.amarillo.gov. El Sistema de Tránsito de Amarillo City tiene un plan de asistencia para personas con limitaciones en el idioma inglés por medio del cual el Departamento de Tránsito de la Ciudad de Amarillo proporciona información

en otros idiomas sin costo alguno. Si desea más información, contacte con Marita Wellage-Reiley al (806) 378-6842 o a marita.wellage-reiley@amarillo.gov.

Nếu cần thông tin bằng một ngôn ngữ khác, vui lòng liên hệ 806-378-6842 Thông tin này hoàn toàn miễn phí. Bạn cũng có thể tìm thấy thông tin về điều luật số VI tại trang web:www.amarillo.gov. Công ty Vận Tải Nội Thành Amarillo có Chương Trình dành cho Người Không Thông Thạo Tiếng Anh, trong đó thông tin miễn phí về Công ty Vận Tải Nội Thành Amarillo bằng các ngôn ngữ khác Nếu cần thông tin, bạn có thể liên hệ với Marita Wellage-Reiley số (806) 378-6842 hoặc email marita.wellage-reiley@amarillo.gov.

Accessibility Statement

Individuals with disabilities who require special accommodations for language interpreter must make a request with the City Secretary two business days before the meeting, by telephoning 378-3013, or the City TDD telephone number at 378-4229.

RESOLUTION NO. ___10-12-21-5_____

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS CONDUCTING A PUBLIC HEARING ON THE AMARILLO CITY TRANSIT CAPITAL PROJECT; AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE FEDERAL TRANSIT ADMINISTRATION FOR GRANTS UNDER THE FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST) OF 2015, AS AMENDED;

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation program of projects and budget; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application under for FY2020 and FY2021 5307 Capital and Operating formula grants to fund the Construction of a Multimodal Terminal gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprises be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum feasible opportunity to compete when the applicant procures construction contracts, supplies, equipment contracts, or consultant and other services; and,

WHEREAS, the Amarillo City Council has on this date conducted a public hearing, after advertising same, on the construction of a Multimodal Terminal for the Amarillo transit system;

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

SECTION 1. That the City Council has conducted and now concludes the public hearing, and finds a continuing need and necessity for public mass transportation in Amarillo, Texas that will be met by the proposed Program of Projects;

SECTION 2. That the City Manager is authorized to execute and accept an award for FY2020 funds in the amount of THREE MILLION, EIGHT HUNDRED NINE THOUSAND, AND NINE HUNDRED FORTY ONE DOLLARS (\$3,809,941) and FY2021 funds in the amount of THREE MILLION, FOUR HUNDRED NINETY ONE THOUSAND, AND FORTY SIX DOLLARS (\$3,491,046) from the Federal Transit Administration to aid in the financing of the capital assistance project pursuant to Section 5307 of the Fixing America's Surface Transportation Act of 2015 on behalf of the City of Amarillo, Texas.

SECTION 3. That the City Manager is authorized to furnish such additional information as the Federal Transit Administration may require in connection with the application or project.

SECTION 4. That the City Manager is authorized to execute all necessary grant contract agreements and other forms on behalf of the City of Amarillo, Texas, with the Federal Transit Administration for aid in the financing of the capital project.

SECTION 5. To the extent that this resolution or any part of it conflicts with a prior resolution, then such prior resolution is repealed to the extent of such conflict.

SECTION 6. If any part of this resolution is determined to be invalid, such invalidity shall not affect any other part(s) of this resolution.

SECTION 7. This resolution is effective on and from the date of adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this _____ day of _____ 2021.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Brian McWilliams, City Attorney