

THE STATE OF TEXAS

**COUNTIES OF POTTER
AND RANDALL**

CITY OF AMARILLO

PUBLIC NOTICE OF MEETING

NOTICE is hereby given that the Greenways at Hillside Public Improvement District Advisory Board will meet at 10:00 AM at the Llano Real Estate Group office located at 7639 Hillside Rd., Suite 300, Amarillo, Texas on Tuesday, October 12, 2021. The subjects to be considered at the meeting are shown on the agenda below.

**AGENDA
for
October 12, 2021**

- ITEM 1:** Approval of Minutes from the June 16, 2021 meeting.
- ITEM 2:** Discuss City of Amarillo drainage fee, history of drainage fee charges to the Greenways PID, and consider possible actions related to drainage fees.
- ITEM 3:** Discuss and consider ongoing maintenance and operation of PID improvements.
- ITEM 4:** Discuss future agenda items.
- ITEM 5:** Adjourn meeting.

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On the 16th Day of June, 2021, The Greenways Public Improvement District (PID) Advisory Board met at 10:00 AM by video conference at the Jim Sims Bldg., 808 S Buchanan, Room 203, Amarillo, Texas, with the following people present:

VOTING MEMBERS	MEMBERS PRESENT	TOTAL NO. MEETINGS HELD SINCE APPOINTMENT	TOTAL NO. MEETINGS ATTENDED SINCE APPOINTMENT
Tommy Stafford	Yes	1	1
Stephen Carter	Yes	21	16
Jeff Greenlee	Yes	1	1
Kim Dryden	No	15	10
Seth Thomason	Yes	8	8

CITY OF AMARILLO STAFF:

Kelley Shaw, City of Amarillo
Kim Conley, City of Amarillo
Blair Snow, City of Amarillo

OTHERS IN ATTENDANCE:

Leslie Schmidt, City of Amarillo
Sara Nickson – HOA Manager

ITEM 1: Approval of Minutes from the November 9th, 2020 meeting

Mr. Shaw opened the meeting and established a quorum. Mr. Shaw began the meeting by reviewing the previous meeting briefly. Mr. Seth Thomason motioned to approve the November 9, 2020 minutes and was seconded by Mr. Tommy Stafford. The motion was approved unanimously.

ITEM 2: Discuss ongoing operations and maintenance of PID improvements

Mr. Shaw stated that this item can be used to discuss anything the PID board felt was necessary regarding the maintenance and operations of the PID. Mr. Shaw also stated that the city has received calls from the residents of the Greenways regarding the CVS and problems with landscaping. Mr. Shaw explained that removing the trees due to the bird issue does not exempt the CVS from landscape requirements and that there are ornamental trees that can be planted that will not collect birds. Mr. Shaw also stated that when he drove by the CVS it looked as if the sod had not been watered. Ms. Sara Nickson stated that she drove by, as well, and is not hopeful that the sod will take as it had been left in the heat for two or three days. Mr. Shaw explained that the city had filed charges against them through the municipal court regarding the violations of the landscaping. He stated that multiple violation notices had been sent, so charges were filed in the end of March. He also stated that the CVS would have to put down grass and one tree would be required for every 40 feet of lot frontage.

Mr. Shaw stated that he was aware of a confusion surrounding the Greenways drainage issue and stated that he would get together any information he could regarding the issue, but he was unsure if the issue was centered around water meters or other issues. Mr. Carter discussed minutes from past meetings, and stated that the PID board has had trouble getting answers regarding the city's drainage fees and possible reimbursement. Mr. Carter stated that he received information from Cathleen Collins at City Hall in October of 2014 regarding the drainage fee and that the information she provided stated that the PID is paying \$2.51 per ERU for total of 191.43 ERUs or \$480.48 per month for the drainage fee. Mr. Carter

also stated that the third page of the email lists several addresses being charged to the PID but are outside of the PID boundaries. Mr. Carter asked for the date and the amount that was reimbursed to the PID for these drainage fees. Mr. Shaw stated that the drainage being discussed is drainage that goes into the playa. He stated that the board has had multiple discussions on this issue and that he had discussions with the Public Works and Engineering departments, as well. There are multiple owners of the playa, including the city, and drainage does drain to other facilities, as well. Because of this, it was Public Works' determination that a drainage fee was warranted. Mr. Shaw stated that former city manager Mr. Atkinson stated that he would be in favor of suspending that drainage fee and that was when the drainage fee was suspended. Mr. Shaw explained that there would be quite a bit of work going into finding more information and seeing if drainage fees were still being charged and that he would look into it and provide more concrete answers. Mr. Shaw also stated that he was unaware of any reimbursements being made and he doubted that any had been sent. He explained that if PID funds were being used to pay drainage fees for addresses that were not within the PID boundary, those would need to be reimbursed. He asked Mr. Carter to send him each point that was made so that he could be sure to address all concerns from the board and explained that the city would need 72 hours to post a notice before the next meeting.

Mr. Shaw asked if there were any other discussions regarding improvements or maintenance. Mr. Carter Nickson stated that there is an area on the north side of the Ashlynn cul-de-sac with three cedar trees that always appears wet. Ms. Nickson stated she would look into the area and talk with landscaping. Ms. Nickson also asked how much the PID can spend without having to go to city council for approval. Mr. Shaw stated that he believed the limit was \$25,000 that the purchasing agent can administratively approve. He stated that there would need to be three bids shown on whatever project is being discussed or at least documentation showing that an attempt to get three bids was made. Ms. Nickson stated that there were continual issues due to bad design from when the new park was built and that a new design by Cleve Turner was created. She stated that Green Plains submitted an estimate of around \$15,000 and Mr. Shaw suggested trying to find a couple of other landscaping companies to put a bid on the design.

Ms. Nickson stated that the next big items are for the booster pump and DCA block valve. She stated that it has been difficult getting bids for this project and that Ramirez had submitted a very general bid. She has asked Ramirez to detail the bid and specify parts and labor. Kraus did not want to bid as the project was beyond their scope and Custom Gardens stated that they would follow up but they are still working on a bid.

ITEM 3: Consider for recommendation 2021/22 Budget and 5-Year Service Plan

Mr. Shaw reviewed the 2020/21 column by line item. Mr. Shaw explained that the first column for the 2019/20 is actual numbers with the total expenses at \$846,554. The assessment revenue came to \$643,532 which brings the PID surplus down. Mr. Shaw stated that the 2019/20 budget was approved with an increase to assessments from 575 to 625 to help cover the falling surplus. The current budget for 2020/21 expenses came out to 1,705,283 with the reimbursement issued to the developer. Mr. Shaw explained the process of deciding assessments based off of ratios from B lots. The total assessment revenue was raised to \$671,219, but there was still a decrease in surplus. Mr. Shaw explained that the revised column is based on expenses in the current Fiscal Year so far. The numbers are projected based on what has already been spent. Mr. Tommy Stafford asked why the contract labor column was decreasing and Mr. Shaw explained that Ramirez had been paid through the contract labor line item regardless of what work was being done. The city and Ms. Nickson have since started charging only the monthly fees for normal labor to that line item and other projects are paid through other line items to ensure the budget is being correctly allocated. Ms. Nickson stated that the normal contract labor with Ramirez is approximately \$13,000 per month and other charges go to different accounts. Mr. Shaw stated that, due to these changes the \$156,000 should be able to cover the contract labor.

Mr. Shaw explained that the jump in administrative fees from the 2020/21 fiscal year's budget was due to the city correctly allocating their time and that another large jump like that should not happen again as the city is now using a formula to accurately keep the time spent on the PIDs. Mr. Shaw then stated that the total projected expenses for the 2021/22 fiscal year is \$507,792. He also stated that the developer, Eddie Scott, is requesting the final reimbursement as there were additional expenses from the fall contract from Santana that have not been paid back. Adding this reimbursement would bring total expenses to \$879,013 and with the current amount of lots and assessment rates, the assessments only bring in \$671,219. This would, again, decrease the surplus of the PID. Mr. Shaw stated that by the final year of the service plan, the surplus is negative \$30,000 and that city council cannot approve a budget or five-year service plan that shows a negative fund balance.

Mr. Shaw stated that the board would have to increase assessments or decrease expenses to approve a budget with the developer's requested reimbursement. He stated that the petition filed to create the Greenways stated that the reimbursement does not have to be made until revenue allows so the board could postpone the payment to the developer. The board discussed at length pushing the final developer reimbursement out five years. Ms. Blair Snow stated that she could show a reimbursement of \$35,000 annually for five years, but the change would still put the PID in a negative fund balance in year five. The board also discussed adding a management fee and a line item for that fee. Mr. Stafford stated that the HOA had been compensating Ms. Nickson's work and that the PID would need to reimburse the HOA for those funds. He requested \$15,000 be put in the current budget under contract labor, and an additional \$10,000 annually in 2021/22 and on. The board discussed at length increasing the assessments and suggested again pushing the reimbursement payment out further as 50 new lots will be coming in 2022/23. Mr. Shaw stated that when the new lots are assessed, the revenue coming in would increase from \$671,219 to \$702,469.

The board then discussed spreading the payment out over five years rather than paying one large sum at once. Mr. Shaw explained that since this is such a low amount, there would likely not be a bond issuance like the others and the reimbursement would be paid out with revenue. Mr. Greenlee then asked what the new entry labeled fiscal agent fee was on the spreadsheet. Mr. Shaw explained that that line item is for the city servicing the debt payments for paperwork and administration. Ms. Snow stated that the amount goes to the broker.

The board then discussed various ways to spread out the developer reimbursement. The board added the developer reimbursement of \$35,000 to 2022/23 annually over five years with an increase to \$655 in assessments in 2023/24. This would give the PID an ending fund balance at the end of the five-year plan of \$5,000. The board held a lengthy discussion on raising assessments and stated that the budget could be approved with the current changes and be reevaluated at the next budget meeting for future changes. As the board is required to meet at least once a year to approve a budget and five-year service plan, the board will have the ability to raise the assessments at a later time. Mr. Greenlee motioned to accept the proposed 2021/22 budget and 5-year service plan with the changes discussed. The motion was seconded by Mr. Thomason and the motion was approved unanimously.

ITEM 4: Discuss future agenda items

Mr. Shaw mentioned that the board discussed meeting again in three to four weeks to discuss the drainage issues with the PID. Mr. Greenlee requested the budget be sent to the board.

ITEM 5: Adjourn meeting

There being no further action, the meeting was adjourned.