

AGENDA

FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, DECEMBER 14, 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: Blake Clevenger, Hillside Christian Church

PROCLAMATION: "Arbor Day"
"Older Driver Safety Awareness Week"

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. Updates from Councilmembers serving on outside boards and commissions:
 - a. Amarillo Local Government Corporation
 - b. Pedestrian and Bicycle Safety Advisory Committee
 - c. Beautification and Public Arts Advisory Board
 - d. Convention and Visitors Bureau
- C. Discuss Neighborhood Empowerment Zones;
- D. Discuss Onsite Clinic Provider Services;
- E. Discuss Wellness Plan Administrative Services;
- F. Discuss Downtown Parking Management; and
- G. 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 November 9, 2021.

B. CONSIDERATION OF ORDINANCE NO. 7940:

(Contact: Kashion Smith, Executive Director, Convention and Visitors Bureau)

This is the second and final reading of an ordinance to amend the Convention and Visitors Bureau (CVB) 2021/2022 Budget.

C. **CONSIDERATION OF ORDINANCE NO. 7941:**
(Contact: Brady Kendrick, Planner II)

This is the second and final reading of an ordinance to approve rezoning of a 4.84-acre tract of unplatted land in Section 183, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 397 for a Self-Storage Facility with General Retail District Development Standards, in the vicinity of Georgia St. and Farmers Ave.

D. **CONSIDER APPROVAL - TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP) GRANT AGREEMENT FOR THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT**
(Contact: Michael W. Conner, Director of Aviation)

This item considers approval of the 2021 TXDOT RAMP Grant agreement for Rick Husband International Airport. This grant will match funds, at 50%, up to \$100,000.00 of total project costs. Projects and services are selected based on Airport needs and evaluated for funding eligibility under the General Maintenance guidelines in this grant agreement.

E. **CONSIDER AWARD - DEMOLITION OF THREE STRUCTURES AT THE RICK HUSBAND INTERNATIONAL AIRPORT**
(Contact: Michael W. Conner, Director of Aviation)
Award to: Lloyd D. Nabors Demolition, LLC. - \$117,700.00

This item considers award of a contract for demolition of two buildings, 95 and 101 N. Pullman Road and demolition of a structure located at 11151 Airport Boulevard. All three structures are located on Airport property.

F. **CONSIDER AWARD - ROOF REPAIR AND REPLACEMENT CHANGE ORDER FOR THE CITY OF AMARILLO SERVICE CENTER NORTH BUILDING AND ROOF REPLACEMENT FOR THE CITY OF AMARILLO AUCTION BUILDING**
(Contact: Jerry Danforth, Director of Facilities)
Vendor: Red Oak Roofing DBA Top Notch Foam

Original Contract Amount	\$674,000.00
Change Order	<u>\$ 92,380.00</u>
Revised Contract Amount	\$766,380.00

This item considers award of a change order for the roof repair and replacement for the City of Amarillo Service Center North Building located at 2100 N. Spruce Amarillo, Texas, and additional roof replacement for the City of Amarillo Auction Building located at 2006 S. Garfield St. Amarillo, Texas.

G. **CONSIDERATION OF RESOLUTION NO. 12-14-21-1**
(Contact: Stephanie Coggins, City Secretary)

This item considers amending Resolution No. 04-05-16-2 to provide for administrative changes to membership titles of the Audit Committee.

H. **CONSIDER AWARD - HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT SITE AMENITIES IMPROVEMENT PROJECT**
(Contact: Kelley Shaw, Development Services Customer Service Coordinator)
Award to: Tri-State General Contracting - \$595,313.00

This item considers the award of a construction contract related to Heritage Hills Public Improvement District (PID) improvements within the Heritage Hills

subdivision. The proposed improvements are to be constructed along Heritage Hills Parkway, west of the initial Phase 1 improvements along the same thoroughfare. Improvements include landscaping, sod, concrete walking trails, and specialty lighting. All improvements will be constructed to applicable City standards.

I. **CONSIDER AWARD - ANNUAL CONTRACT FOR WATER AND SEWER TAPS**

(Contact: Jonathan Gresham, Director of Utilities)

Award to: Amarillo Utility Contractors (AUC) - Not to exceed \$200,000.00

This item considers approval of an annual contract for services to provide water and sewer taps to assist City of Amarillo Water Distribution and Wastewater Collection divisions.

J. **CONSIDER AWARD - STOP LOSS INSURANCE ANNUAL CONTRACT**

(Contact: Sandy Elliott, Benefits Manager)

Award to: Stealth Partner Group, LLC - \$464,240.64

This item considers the award of RFP #01-22 for a one-year Stop Loss Insurance coverage contract for calendar year 2022.

K. **CONSIDER AWARD - VACCINE ANNUAL CONTRACT**

(Contact: Casie Stoughton, Director of Public Health)

Award to: Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) - \$300,000.00

This item considers award of an annual contract to provide medical supplies needed for clinical services to patients and to fulfill grant deliverables.

L. **CONSIDER APPROVAL - FIRST AMENDMENT TO AMENDED AND RESTATED ECONOMIC DEVELOPMENT AGREEMENT BETWEEN SUPREME BRIGHT AMARILLO II, LLC, AND THE CITY OF AMARILLO**

(Contact: Andrew Freeman, Assistant City Manager)

This item considers approval of minor amendments to the existing economic development agreement with Supreme Bright Amarillo II, LLC, before it is assigned to Summit Hotel properties.

M. **CONSIDER APPROVAL - ASSIGNMENT AND ASSUMPTION OF INCENTIVE AGREEMENT FOR THE EMBASSY SUITES HOTEL BETWEEN SUPREME BRIGHT AMARILLO II, LLC, AND SUMMIT HOTEL TRS 178, LLC**

(Contact: Andrew Freeman, Assistant City Manager)

This item considers approval of Supreme Bright Amarillo II, LLC assigning their incentive agreement related to the development and operation of the city-owned hotel located in Downtown Amarillo. The assignment would be to Summit Hotel TRS 178, LLC.

N. **CONSIDER APPROVAL - GROUND LESSOR'S ESTOPPEL CERTIFICATE TO SUMMIT NCI JV 178, LLC AND SUMMIT HOTEL TRS 178, LLC**

(Contact: Andrew Freeman, Assistant City Manager)

This item considers approval of an estoppel certificate to Summit NCI JV 178, LLC and Summit Hotel TRS 178, LLC. As part of the assignment process for Summit Hospitality's purchase agreement with Supreme Bright Amarillo, II, LLC, the new assignee has requested a ground lessor's estoppel certificate which covers the material terms of the agreement for verification purposes.

O. CONSIDER APPROVAL - ASSIGNMENT AND ASSUMPTION OF TIRZ #1 AGREEMENT FOR THE EMBASSY SUITES HOTEL BETWEEN SUPREME BRIGHT AMARILLO II, LLC, AND SUMMIT NCI JV 178, LLC

(Contact: Andrew Freeman, Assistant City Manager)

This item considers approval of Supreme Bright Amarillo II, LLC assigning their TIRZ #1 incentive agreement related to the development of the city-owned hotel located in Downtown Amarillo. The assignment would be to Summit NCI JV 178, LLC.

P. CONSIDER APPROVAL - ASSIGNMENT AND ASSUMPTION OF TIRZ #1 AGREEMENT FOR THE COURTYARD MARRIOTT HOTEL BETWEEN AMARILLO HOSPITALITY, LLC, AND SUMMIT NCI JV 177, LLC

(Contact: Andrew Freeman, Assistant City Manager)

This item considers approval of Supreme Bright Amarillo II, LLC assigning their TIRZ #1 incentive agreement related to the development of the city-owned hotel located in Downtown Amarillo. The assignment would be to Summit NCI JV 177, LLC.

Q. CONSIDER APPROVAL - PURCHASE OF TWO PUMPER STYLE FIRE TRUCKS

(Contact: Donny Hooper, Director of Public Works)

Award to: Lone Star Emergency Group - \$1,235,546.00 (HGAC Contract #FS12-19LC03)

This item considers approval to purchase two (2) pumper style fire trucks for the scheduled replacement of units 7125 and 7126, both of which have reached or exceeded their useable life cycle.

R. CONSIDER APPROVAL - PURCHASE OF TWO STREET SWEEPERS

(Contact: Donny Hooper, Director of Public Works)

Award to: Heil of Texas - \$627,420.00 (HGAC Contract #SW04-20)

This item considers approval to purchase two (2) street sweepers for the scheduled replacement of units 7792 and 7921, both of which have reached or exceeded their useable life cycle.

S. CONSIDER AWARD - RENEWAL OF ESRI ANNUAL SOFTWARE MAINTENANCE

(Contact: Rich Gagnon, Managing Director of IT)

Award to: Environmental Systems Research Institute - \$52,210.48

This item considers award of a one-year support and maintenance renewal for software provided by ESRI.

T. CONSIDER AWARD - ANNUAL AVAYA PBX MAINTENANCE CONTRACT

(Contact: Rich Gagnon, Managing Director of IT)

Award to: ConvergeOne - \$86,806.32

This item considers awarding a one-year renewal of the Avaya PBX maintenance contract.

U. CONSIDER APPROVAL - CHANGE ORDER No. 3 FOR BID #6975/PROJECT #462156 - FY 20/21 STREET MAINTENANCE COMMUNITY INVESTMENT PROGRAM, PROPOSITION 1

(Contact: Matthew Thomas, City Engineer)

Vendor: Intermountain Slurry Seal Inc.

Original Contract Amount \$ 5,654,176.08

Previous Change Orders \$ 958,420.95

Current Change Order \$ (152,358.81)

Total Revised Contract \$ 6,460,238.22

This item considers approval of Change Order No. 3 to the construction contract for the FY 20/21 Street Maintenance project.

V. CONSIDER AWARD –DIRECT AND REMOTE WATER METERS SUPPLY AGREEMENT

(Contact: Trent Davis, Purchasing Agent)

Award to: Core & Main - \$ 78,911.50
Zenner USA - \$ 2,566.80
Total Award: \$ 81,478.30

This item considers the award of Bid # 7119 for a Direct and Remote Water Meters Supply Agreement.

W. CONSIDER AWARD – PLUMBING AND MECHANICAL SUPPLIES ANNUAL CONTRACT

(Contact: Trent Davis, Purchasing Agent)

Award to: Morrison Supply Company - Not to exceed \$200,000.00 (BuyBoard Purchasing Cooperative Contract #657-21)

This item considers the award of a contract for the purchase of plumbing and mechanical supplies used by various departments.

X. CONSIDER AWARD – PROMOTIONAL PRODUCTS ANNUAL CONTRACT

(Contact: Trent Davis, Purchasing Agent)

Award to: ColorArt LLC. - not to exceed \$60,000.00

This item considers award of an annual contract for promotional products to be used by various city departments.

Y. CONSIDER APPROVAL - PROFESSIONAL SERVICES AGREEMENT FOR FY 2017-2021 COMMUNITY INVESTMENT PROGRAM: HOLLYWOOD RD WASTEWATER RECLAMATION FACILITY (WRF) TERTIARY FILTER REHABILITATION

(Contact: Matthew Thomas, City Engineer)

Award to: KSA Engineers, Inc. - \$543,000.00

This item considers approval of a professional services agreement with KSA Engineers, Inc., which includes engineering design, resident project representative/inspection, construction, and warranty phase services.

Z. CONSIDER AWARD - OUTDOOR WARNING SIRENS

(Contact: Chip Orton, Emergency Management Coordinator)

Award to: Federal Sign Corporation - \$68,091.63

This item considers approval to purchase three (3) Federal Signal 508 outdoor warning sirens on behalf of Randall County for use in the Amarillo Area Office of Emergency Management Outdoor Warning System. Randall County will cover the cost of this purchase.

AA. CONSIDER AWARD - TEMPORARY EMPLOYMENT STAFFING SERVICES

(Contact: Erin Palacio, HR Manager)

Award to:

Lot1: Express Employment Professionals - Not to exceed \$ 400,000.00
Lot 2: KT Black Services, LLC - Not to exceed \$ 100,000.00
Total Award - Not to exceed \$ 500,000.00

This item considers the award of a contract for temporary employment service to address staffing shortages or special project staffing needs.

BB. CONSIDER APPROVAL - LIFEPAK-15 CARDIAC MONITOR / DEFIBRILLATORS

(Contact: Sam Baucom, Deputy Fire Chief)

Award to: Stryker Medical - \$211,995.50 (GSA Contract #36F79721D0021)

This item considers approval to purchase five (5) LIFEPAK-15 cardiac monitor/defibrillators with accessories to be used by the Amarillo Fire Department to provide advanced life support medical procedures.

CC. CONSIDERATION OF RESOLUTION NO. 12-14-21-2

(Contact: Bryan McWilliams, City Attorney)

This item considers a Resolution that would approve a 60-day extension to the final extended term for the permit issued to American Medical Response, Inc. to operate an ambulance service within the City to finalize and complete the negotiation of a new permit.

DD. CONSIDER APPROVAL - AVIATION CLEAR ZONE EASEMENT - SOUTH GEORGIA BUSINESS PARK UNIT NO. 1

(Contact: Brady Kendrick, Planner II)

This item considers approval of an Aviation Clear Zone Easement, being 4,700 feet above mean sea level above the plat of South Georgia Business Park Unit No. 1, an addition to the City of Amarillo, being an unplatted tract of land in Section 182, Block 2, A.B.&M. Survey, Randall County, Texas. (VICINITY: Georgia Street and Farmers Avenue; APPLICANT/S: Amarillo Economic Development Corporation)

EE. CONSIDER APPROVAL - AVIATION CLEAR ZONE EASEMENT - DREMMELE ADDITION UNIT NO. 3

(Contact: Brady Kendrick, Planner II)

This item considers approval of an Aviation Clear Zone Easement, being 4,450 feet above mean sea level above the plat of Dremmel Addition Unit No. 3, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 152, Block 2, A.B.&M. Survey, Randall County, Texas. (VICINITY: Tradewind Street and S.E. 46th Avenue; APPLICANTS: Brent Williamson, Amarillo Economic Development Corporation)

FF. CONSIDER APPROVAL - AVIATION CLEAR ZONE EASEMENT - I.H. 40 EAST INDUSTRIAL PARK UNIT NO. 9

(Contact: Brady Kendrick, Planner II)

This item considers approval of an Aviation Clear Zone Easement, being 3,750 feet above mean sea level above the plat of I.H. 40 East Industrial Park Unit No. 9, an addition to the City of Amarillo, being a replat of Lots 1 and 2, Block 1, I.H. 40 East Industrial Park Unit No. 9, plus an unplatted tract of land, in Section 90, Block 2, A.B.&M. Survey, Potter County, Texas. (VICINITY: Interstate 40 and Whitaker Road; APPLICANT: ATC Realty Investment, LLC)

GG. CONSIDER APPROVAL - AVIATION CLEAR ZONE EASEMENT - O-16 UNIT NO. 1

(Contact: Brady Kendrick, Planner II)

This item considers approval of an Aviation Clear Zone Easement, being 4,400 feet above mean sea level above the plat of O-16 Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 151, Block 2, A.B.&M. Survey, Randall County, Texas. (VICINITY: Tradewind Street and S.E. 58th Avenue; APPLICANT: Ivan Gonzalez)

HH. CONSIDERATION OF RESOLUTION NO. 12-14-21-3

(Contact: Bryan McWilliams, City Attorney)

This item considers a Resolution authorizing administration of the Regional Real Time Crime Center (RRTCC) grant program and designating the assistant city manager to act as the authorized official in all matters pertaining to the city's participation in the program.

II. CONSIDER APPROVAL - PURCHASE OF TWENTY-FOUR (24) 12-YARD ROLL-OFF CONTAINERS

(Contact: Donny Hooper, Director of Public Works)

Award to: Roll-Off USA - \$120,135.00 (Buy Board Contract # 559.19)

This item considers approval to purchase twenty-four (24) 12-yard Roll-Off containers to be used for the "Residential Roll-Off" program being implemented to help reduce illegal dumping.

JJ. CONSIDER APPROVAL – BROADBAND NETWORK AND RADIO EQUIPMENT

(Contact: Rich Gagnon, Managing Director of IT)

Award to: Dell Technologies - \$410,449.05 (DIR Contract #DIR-TSO-3763)

The item considers the approval to purchase network and radio equipment for the Broadband project. This purchase will be funded by the American Rescue Plan Act (ARPA) federal funds.

3. NON-CONSENT ITEM:

A. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7942

(Contact: Brady Kendrick, Planner II)

This item is a public hearing and first reading of an ordinance to consider rezoning a 30.89-acre tract of unplatted land, in Section 65, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential 3 District. (Vicinity: Westin Dr. and Legacy Pkwy.)

B. CONSIDERATION OF ORDINANCE NO. 7943

(Victoria Medley, Animal Management and Welfare Director)

This item is a first reading of an ordinance to consider amendments to the Amarillo Municipal Code, Chapter 8-2, Articles I and II, Sec. 8-2-4, 8-2-12, 8-2-55, 8-2-57.

C. DISCUSS AND CONSIDER FUNDING OPTIONS FOR RENOVATING AMARILLO HARDWARE AS CITY HALL

(Contact: Laura Storrs, Assistant City Manager)

This item is to discuss and consider funding options to renovate Amarillo Hardware, an existing City-owned building, as City Hall, in conjunction with agenda item Nos. 3-D, 3-E, and 3-F that provide for possible consideration by Council on the various funding options to be discussed.

D. DISCUSSION - CALLING A MUNICIPAL BOND ELECTION

(Contact: Laura Storrs, Assistant City Manager)

This item is the discussion of calling a municipal bond election for May 7, 2022, to place on the ballot funding for renovations of an existing City-owned building. This is presented as one of the funding options available to Council in conjunction with the discussion in Agenda Item No. 3-C.

E. CONSIDERATION OF RESOLUTION NO. 12-14-12-4

(Contact: Laura Storrs, Assistant City Manager)

This item considers of all matters incident and related to approving and authorizing publication of notice of intention to issue certificates of obligation, including the adoption of a resolution pertaining thereto. This item is presented as one of the funding options available to Council in conjunction with the discussion in Agenda Item No. 3-C.

F. CONSIDERATION OF ORDINANCE NO. 7944

(Contact: Laura Storrs, Assistant City Manager)

This item is for discussion and consideration of an ordinance authorizing the issuance of the City of Amarillo, Texas Combination Tax and Revenue Notes, Series 2022 resolving other matters incident and related thereto including the approval of a paying agent/registrant agreement and a purchase contract. This item is presented as one of the funding options available to Council in conjunction with the discussion in Agenda Item No. 3-C.

G. CONSIDER APPROVAL - CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT BETWEEN THE CITY OF AMARILLO AND AMARILLO LTACH, LLC

(Contact: Andrew Freeman, Assistant City Manager)

This item considers approval of a Chapter 380 Economic Development Program Agreement between the City of Amarillo and Amarillo LTACH, LLC for the rehabilitation of an existing building located at 1540 Research Drive to be utilized as a long-term acute care hospital.

H. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7945

(Contact: Kevin Carter, President and CEO, Amarillo Economic Development Corporation)

This item is a public hearing and first reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 15 for commercial and industrial tax abatement. The zone is approximately 77 acres in the vicinity of Centerport Boulevard and Folsom Road.

4. EXECUTIVE SESSION:

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

- A. Sec. 551.087 - Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect:
 - a. Project # 20-03-02 (Manufacturing)
 - b. Project # 21-02-04 (Manufacturing)
 - c. Project # 21-04-02 (Manufacturing)
 - d. Project # 21-10-03 (Manufacturing)
 - e. Project # 21-11-01 (Transportation)
 - f. Economic development incentive request in the vicinity of East Interstate 40 and Airport Boulevard
- B. Sec. 551.072 – Discussion regarding the purchase, exchange, lease or value of real property:
 - a. Purchase of real property located in the Northeast quadrant of the City of Amarillo.
 - b. Sale of real property located in the Northeast quadrant of the City of Amarillo

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 S. 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.

Watch the meeting live: <http://amarillo.gov/city-hall/city-government/view-city-council-meetings>.

I certify that the above notice of meeting was posted on the electronic bulletin board in City Hall, 601 S. Buchanan, Amarillo, Texas and the City website (www.amarillo.gov) on or before the 10th day of December 2021, at 5:00 p.m. in accordance with the Open Meetings Laws of the State of Texas, Chapter 551, Texas Government Code.


Stephanie Coggins, City Secretary

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 9th of November 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:

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

Joining the meeting late was Mayor Ginger Nelson. Absent were none Also in attendance were the following administrative officials:

FLOYD HARTMAN	ACTING 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 Larry Miles of Trinity Fellowship Church. Mayor pro tem Powell led the Pledge of Allegiance.

A Proclamation was presented for "WRCA World Championship Ranch Rodeo Week".

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, of Amarillo, Texas spoke on agenda items 1C, 1E, 2M and Public Address. There were no further comments.

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. Report on San Jacinto Arts Project

At this time, Mayor Pro Tem Powell turned the meeting over to Mayor Nelson.

An announcement was made regarding the award of a grant from the Texas Department of Transportation for the Barrio Streetscape Improvement Grant.

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

- C. Discuss Parks and Recreation Service Adjustments to Include Potential Future Park Closures
- D. Updates from Councilmembers serving on outside boards and commissions:
 - a. Amarillo Local Government Corporation
 - b. Bicycle and Pedestrian Safety Task Force
 - c. Environmental Task Force
- E. Discuss Renovation/Construction Costs for City Hall; and
- F. Request future agenda items and reports from City Manager.

ITEM 2 – CONSENT ACTION ITEMS:

Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Councilmember Smith asked that Item No. 2D be pulled and considered separately. Motion was made to approve the consent agenda with the exception of Item No. 2D by Councilmember Powell, seconded by Councilmember Sauer.

A. CONSIDER APPROVAL - MINUTES:

Approval of the City Council minutes for the regular meeting held on October 26, 2021.

B. CONSIDERATION OF RESOLUTION NO. 11-09-21-1:

(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution to approve and adopt the opioid settlement proceeds set forth in the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet.

C. CONSIDERATION OF RESOLUTION NO. 11-09-21-2:

(Contact: Bryan McWilliams, City Attorney)

This item considers a resolution authorizing the City Manager to execute a contingent fee legal services contract, subject to the approval of the City Attorney and the Texas Attorney General and the requirements of State law.

E. CONSIDER PURCHASE - TOP DRESS SAND:

(Contact: Brad Nalley, Park Maintenance)

Award to: Rogers Group - \$81,000

This item is to consider the purchase of top dress sand for athletic and golf turf finish areas for safety and playability.

F. CONSIDER LEASE - LANDFILL COMPACTOR:

(Contact: Donny Hooper, Director of Public Works)

Awarded using Buy Board Contract #517-19 to: Warren Cat/Caterpillar Financial - \$16,427.40 per month

Total award based on 60-month lease: \$ 985,644.00

Purchase option at end of lease: \$ 193,200.00

Total obligation if option exercised: \$1,178,844.00

This item is to consider the scheduled lease replacement of unit 8882, 2016 Caterpillar Compactor. New equipment will be leased for a sixty (60) month period with full-service factory recommended service and all repairs under normal usage, including full machine 5yr - 10,000 hour warranty. Lease does not include fuel. Equipment will be used at City of Amarillo Landfill for daily operational requirements under TCEQ permits.

G. CONSIDER PURCHASE - TOWABLE BRUSH CHIPPERS:

(Contact: Donny Hooper, Director of Public Works)

Award to: Vermeer Texas-Louisiana - \$182,000.00 (thru Buyboard Contract 597-19)

This item is to consider the purchase of four towable brush chippers to expand Solid Waste daily operations to maintain City of Amarillo right of ways and alley ways.

H. CONSIDER AWARD - EXTENSION OF LANDFILL ENGINEERING PROFESSIONAL SERVICES AGREEMENT:

(Contact: Donny Hooper, Director of Public Works)

Award to Parkhill, Smith & Cooper - \$392,490.00

This item is to consider the award of a two-year extension to the agreement approved with Parkhill, Smith & Cooper, Inc. for Landfill Professional Services and Operational Review, for an amount not-to-exceed \$392,490.00. Services include Groundwater Monitoring; Landfill Gas Reporting & Oversight; Drone Surveying and Airspace Calculations; Quarterly & Annual TCEQ MSW Reporting; ADC Permitting, Oversight and Reporting; and other miscellaneous on-call services.

I. CONSIDER PURCHASE - DRIVE CARRIAGE AND RAKE ASSEMBLIES:

(Contact: Jonathan Gresham, Director of Utilities)

Award to: WSG & Solutions - \$166,500.00

This item is to consider approval of purchase requisition #46345 for two bar screen rake assemblies to replace existing equipment at the River Road Water Reclamation Plant to WSG & Solutions, Inc for \$166,500.00.

J. CONSIDER AWARD - INSTALLATION OF DIGITAL CLOSED CIRCUIT TELEVISION SYSTEM:

(Contact: Donna Knight, Court Administrator)

Award to: Lakeway Security, LLC - \$120,407.40

This item is to consider the award of Bid No. RFP 23-21 - Installation of a digital closed circuit television security system at the Police Department and Municipal Court Building located at 200 SE 3rd Avenue.

K. CONSIDER AWARD - AMMUNITION FOR POLICE RANGE, SWAT, NARCOTICS, AIRPORT POLICE:

(Contact: Trent Davis, Director of Purchasing)

Award to: GT Distributors - \$212,552.24

This award consists of the purchase of ammunition for the Amarillo Police Department Range, SWAT, Narcotics, and Rick Husband International Airport Police Department.

L. CONSIDER AWARD - HEXAGON COMPUTER-AIDED DISPATCH (CAD) MAINTENANCE CONTRACT:

(Contact: Lieutenant Chaz Williams & Captain Jeremy Hill)

Award to: Intergraph Cooperation - \$211,601.64

This item is to consider the award of an annual contract for the maintenance of the CAD system at the Amarillo Emergency Communications Center (AECC).

M. CONSIDER AWARD - SSC SIGNS AND LIGHTING CONTRACT FOR SIGN MAKING SERVICES RELATED TO THE DOWNTOWN WAYSHOWING/WAYFINDING PLAN:

(Contact: Emily Koller, Assistant Director of Planning)

Award to: SSC Signs - \$799,626.45

This item is to consider the award of a contract for sign making services for the manufacturing and installation of a system of wayshowing/wayfinding signs for the downtown district. This item has been recommended for Council approval by the TIRZ #1 Board, and will be funded with TIRZ #1 budgeted funding, including a \$75,000 grant received through Center City, Inc. from the Texas Commission on the Arts for the Amarillo Culture District.

N. CONSIDER APPROVAL - AGREEMENT-IN-PRINCIPLE (AIP) CONTRACT NO. CP22003:

(Contact: Chip Orton, Emergency Management Coordinator)

This item is to consider approval of Contract No. CP22003 between the City of Amarillo, Texas and the Texas Comptroller of Public Accounts: State Energy Conservation Office (Agreement-In-Principle Program).

O. CONSIDER APPROVAL – PROPERTY SALE:
(Contact: Laura Storrs, Assistant City Manager)

This item is to consider authorizing Potter County, as the Trustee, to sell the property located at 1309 N Harrison St. The County is requesting authorization of the property sale from all taxing entities. The property sale process provides for the taxing entities, depending on the amount of bids/sale amount, to recoup all or a portion of delinquent taxes.

P. CONSIDER ACCEPTANCE - SHUTTERED VENUE OPERATORS GRANT:
(Contact: Sherman Bass, Civic Center Manager)
Grant Amount: up to \$1,578,994.37
Grantor: Small Business Administration (SBA)

This item is to consider acceptance of a Shuttered Venue Operators Grant (SVOG) to recover expenses incurred from May 2020 thru June 2021 due to the closures and loss of business at the Amarillo Civic Center Complex related to the COVID-19 pandemic.

Q. CONSIDER APPROVAL - INTERLOCAL AGREEMENT WITH RANDALL COUNTY FOR COOPERATIVE USE OF FIRE TRAINING FACILITIES:
(Contact: Sam Baucom, Deputy Fire Chief)

This item is to consider approval of an Interlocal Agreement with Randall County Fire Department (RCFD) for their use of the City of Amarillo's Fire Department Training Facilities located at 12400 NE 8th Ave. Amarillo, TX 79111; and for AFD's use of the Randall County Fire Department Training Facilities located at 1111 South Loop 335 East and other RCFD training locations, when available.

R. CONSIDER APPROVAL - INTERLOCAL AGREEMENT WITH THE CITY OF RICHARDSON FOR FIRE DEPARTMENT CLASS "A" UNIFORM PURCHASE:
(Contact: Trent Davis, Director of Purchasing)

This item is to consider authorizing the City Manager to execute an interlocal agreement with the City of Richardson establishing a cooperative purchasing program per Subchapter F, Chapter 271, Tex. Local Govt Code between the City of Amarillo and the City of Richardson authorizing the purchase of Fire Department Class A Uniforms by the City of Richardson on a contract competitively procured by the City of Amarillo for such uniforms. (CLASS "A" Uniform Jacket and Pants per Bid Specification FD-206, issuance Dated 03/05/2021.)

S. CONSIDER APPROVAL - PURCHASE OF AUTO PHYSICAL DAMAGE INSURANCE POLICY:
(Contact: Wesley Hall, Risk Management Director)
Award to: USI Southwest - \$59,454

This item is to consider approving the purchase of an Auto Physical Damage Insurance policy for Amarillo Fire Department's High-Value equipment.

T. CONSIDER APPROVAL - AGREEMENT FOR DESIGN SERVICES FOR ATHLETIC FACILITIES WITHIN CITY OF AMARILLO PARKS:
(Contact: Michael Kashuba, Director of Parks and Recreation)
Award to: Parkhill - \$99,500.00

This item is to consider approving an agreement for design services for a project consisting of a concept study for redevelopment of five sports complexes within existing parks in Amarillo, Texas (Martin Road Park, John Stiff Memorial Park, Southeast Park, Rick Klein Park, River Road Park and Thompson Park). Proposed development will include lighted baseball/softball

fields, parking, restroom/concession buildings, playgrounds, and other miscellaneous facilities appropriate to a regional sports complex.

U. CONSIDER APPROVAL - PROFESSIONAL SERVICES AGREEMENT FOR POLK ST. STREETScape IMPROVEMENTS:

(Contact: Kyle Schniederjan, Director of Capital Projects & Development Engineering)

Award to: Parkhill - Not to exceed \$165,000.00

This item is to consider approval of the professional engineering services agreement for the public engagement, conceptual development, and preliminary design phase services related to the construction of Polk St. Streetscape Improvements.

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

ITEM 2D: Mayor Nelson introduced an item to consider award of a professional services agreement. Floyd Hartman, Assistant City Manager, and Matthew Thomas, City Engineer, presented the item and answered questions. Motion was made to approve the professional engineering services agreement for the design and construction phase services related to the construction of Georgia Street widening from Stardust Lane to Loop 335, RFQ 06-21, Job 462011 to KSA Engineers in the amount of \$1,552,000 by Councilmember Powell, seconded by Councilmember Smith.

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

ITEM 3 - NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson introduced an item for a public hearing and consideration of a "Route 66" Emblem on the Independence water tower. Emily Koller, Assistant Planning Manager, presented the item. Mayor Nelson opened a public hearing. Dipak Patel, of Amarillo spoke on the item. Kashion Smith, Executive Director of the Convention Visitors Bureau, spoke for the item. There were no further comments. Mayor Nelson closed the public hearing. A motion was made to waive the application fee and approve the addition of a "Route 66" emblem on the Independence water tower located in the vicinity of S. Independence Street and S.W. 6th Avenue by Councilmember Powell, seconded by Councilmember Sauer.

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

ITEM 3B: Mayor Nelson introduced the first reading of Ordinance No. 7940 to amend the Convention and Visitors Bureau (CVB) 2021/2022 Budget. The item was presented by Kashion Smith, Executive Director of CVB. A motion was made to approve Ordinance No. 7940 to amend the CVB 2021/2022 Budget by Councilmember Powell, seconded by Councilmember Smith.

ORDINANCE NO. 7940

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO ADOPTING A BUDGET AMENDMENT TO MODIFY THE ADOPTED BUDGET FOR FISCAL YEAR 2021-2022 AND APPROVING THE AMENDED APPROPRIATION OF FUNDS FOR THE CONVENTION AND VISITOR BUREAU BUDGET IN THE FISCAL YEAR 2021-2022; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 3C: Mayor Nelson introduced a public hearing and first reading of Ordinance No. 7941 to rezone a 4.84-acre tract of unplatted land in Section 183, Block 2. Brady Kendrick, Planner II presented the item. Mayor Nelson opened a public hearing on the item. Michael Postar, applicant, spoke for the item. There were no further comments. Mayor Nelson closed the public hearing. A motion was made to approve rezoning of a 4.84 acre tract of unplatted land in Section 183, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 397 for a Self-Storage Facility with General Retail District Development Standards, in the vicinity of Georgia St. and Farmers Ave by Councilmember Powell, seconded by Councilmember Smith.

ORDINANCE NO. 7941

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 GEORGIA STREET AND FARMERS AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 3D: Mayor Nelson introduced Resolution No. 11-09-21-3 to canvass the returns of the November 2, 2021 special election and declare the results. Stephanie Coggins, City Secretary, presented the item. A motion was made to canvass the returns and declare the results of the special election held on November 2, 2021 by Councilmember Powell, seconded by Councilmember Stanley.

RESOLUTION NO. 11-09-21-3

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE VOTER-APPROVAL TAX RATE ELECTION (VARTE) SPECIAL ELECTION HELD NOVEMBER 2, 2021.

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

ITEM 3E: Mayor Nelson introduced Resolution No. 11-09-21-4 to cast votes for the Potter County Appraisal District Board of Directors. Stephanie Coggins, City Secretary, presented the item. A motion was made to cast 665 votes divided equally among the five candidates presented, including John Coffee, Kay Ledbetter, Zachary Plummer, Cindy Spanel, and Mitzi Wade by Councilmember Powell, seconded by Councilmember Smith.

RESOLUTION NO. 11-09-21-4

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS CASTING VOTES FOR THE MEMBERS OF THE BOARD OF DIRECTORS OF POTTER COUNTY APPRAISAL DISTRICT.

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

ITEM 3F: Mayor Nelson introduced Resolution No. 11-09-21-4 to cast votes for the Randall County Appraisal District Board of Directors. Stephanie Coggins, City Secretary, presented the item. A motion was made to cast 214 votes for Misty Clements, 213 votes for Landon Moreland, and 213 votes for Joe Shehan by Councilmember Powell, seconded by Councilmember Smith.

RESOLUTION NO. 11-09-21-5

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS CASTING VOTES FOR THE MEMBERS OF THE BOARD OF DIRECTORS OF RANDALL COUNTY APPRAISAL DISTRICT.

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

ITEM 3G: Mayor Nelson introduced an item to consider a list of appointees to the Partners for Development Progress (PDP) advisory committee. A motion was made to approve the Partners for Development Process citizens advisory committee to guide the review and evaluation of the City's development policies with a focus on long range vision, planning, process efficiency and funding of public improvements by Councilmember Powell, seconded by Councilmember Smith.

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

ITEM 3H: Mayor Nelson introduced an item to consider appointments to the City's boards and commissions. Ms. Coggins presented each board and commission.

A motion was made to reappoint Scott Bentley to the Amarillo Economic Development Corporation for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Adrian Meander to the Amarillo Economic Development Corporation for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Robert Altman to the Parks and Recreation Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Shelby Massey to the Parks and Recreation Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Councilmember Stanley to the Amarillo Local Government Corporation for a for a three-year term beginning January 1, 2022, by Councilmember Sauer, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Gary Jennings to the Amarillo Local Government Corporation for a for a three-year term beginning January 1, 2022, by Councilmember Sauer, seconded by Councilmember Powell. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Councilmember Smith to the Amarillo Local Government Corporation for a for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Alfonso Zambrano to the Amarillo Local Government Corporation for a for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Tom Scherlen to the Amarillo Local Government Corporation to fill Paul Matney's unexpired term beginning immediately and ending December 31, 2023, by Councilmember Stanley. The motion died for lack of a second.

A motion was made to appoint Megan Zanchettin to the Amarillo Local Government Corporation to fill Paul Matney's unexpired term beginning immediately and ending December 31, 2023, by Mayor Nelson, seconded by Councilmember Powell. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Cindi Bulla to the Planning and Zoning Commission for a for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Jason Ault to the Planning and Zoning Commission for a for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Jeff Perkins to the Planning and Zoning Commission for a for a three-year term beginning January 1, 2022, by Councilmember Sauer, seconded by Councilmember Stanley. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint William Biggs to the Amarillo Hospital District Board of Managers for a for a two-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Dean Frigo to the Amarillo Hospital District Board of Managers for a for a two-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Weston Wright to the Amarillo Hospital District Board of Managers for a for a two-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Rodney Young to the Amarillo Hospital District Board of Managers for a for a two-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Alison Ramos Pierce to the Advisory Committee for People with Disabilities for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint James Clemmer to the Advisory Committee for People with Disabilities for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Teri Guengerich to the Advisory Committee for People with Disabilities for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Kevin Hawkins to the Amarillo Area Public Health Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Dipak Patel to the Amarillo–Potter Events Venue District for a two-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Vance Reed to the Amarillo–Potter Events Venue District for a two-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Alberto Rios to the Amarillo–Potter Events Venue District for a two-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Charlie Sanchez to the Animal Management and Welfare Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Councilmember Sauer to the Animal Management and Welfare Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Christopher Wrampelmeier to the Animal Management and Welfare Advisory Board for a three-year term beginning January 1, 2022, by Mayor Nelson, seconded by Councilmember Powell. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint David Martinez to the Animal Management and Welfare Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Stephanie Jung to the Beautification and Public Arts Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Lauren Hall to the Beautification and Public Arts Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Matt Morgan to the Beautification and Public Arts Advisory Board for an unfilled term beginning immediately and expiring December 31, 2022, by Councilmember Sauer, seconded by Mayor Nelson. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Cindi Bulla to the Board of Review for Landmarks, Historic Districts and Downtown Design for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Gary Jennings to the Board of Review for Landmarks, Historic Districts and Downtown Design for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Gregg Bliss to the Board of Review for Landmarks, Historic Districts and Downtown Design for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Wesley Knapp to the Board of Review for Landmarks, Historic Districts and Downtown Design for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Thomas Warren III to the Board of Review for Landmarks, Historic Districts and Downtown Design for a three-year term beginning January 1, 2022, by Councilmember Stanley, seconded by Mayor Nelson. It was determined Mr. Warren III was not qualified for the open seat, and therefore the motion died on the table.

A motion was made to appoint Devin Savage to the Board of Review for Landmarks, Historic Districts and Downtown Design for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Stephanie Daggett as an alternate member to the Board of Review for Landmarks, Historic Districts and Downtown Design for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Mike Ritter to the Board of Review for Landmarks, Historic Districts and Downtown Design for a three-year term beginning January 1, 2022, by Councilmember Stanley, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Roy Urrutia to the Canadian River Municipal Water Authority for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Joseph Peterson to the Center City Tax Increment Reinvestment Zone #1 Board of Directors for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were

Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Gary Jennings to the Center City Tax Increment Reinvestment Zone #1 Board of Directors for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Jim Banes to the Construction Advisory and Appeals Commission for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint George Cumming to the Construction Advisory and Appeals Commission for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Ryan Huseman to the Construction Advisory and Appeals Commission for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Tom Roller to the Construction Advisory and Appeals Commission for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Cecil Price to the Construction Advisory and Appeals Commission for a three-year term beginning January 1, 2022, by Councilmember Stanley, seconded by Mayor Nelson. It was determined Mr. Price was not qualified for the open seat, and therefore the motion died on the table.

A motion was made to appoint Gary Ward to the Construction Advisory and Appeals Commission for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Jim Banes to the Condemnation Appeals Commission for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint George Cumming as an alternate member to the Condemnation Appeals Commission for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Tom Roller to the Condemnation Appeals Commission for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Ryan Huseman to the Condemnation Appeals Commission for a two-year term beginning on January 1, 2022, by Councilmember

Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to name Dean Frigo as Chairman of the Board for the Center City Tax Increment Reinvestment Zone #1 Board of Directors by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Angela Knapp to the Convention and Visitors Bureau for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Payal Nathu to the Convention and Visitors Bureau for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Alpesh Patel to a hotelier seat on the Convention and Visitors Bureau for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Councilmember Powell to the Council Audit Committee for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Jared Miller to the Council Audit Committee for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Eddy Sauer to the Council Audit Committee for a three-year term beginning January 1, 2022, by Mayor Nelson, seconded by Councilmember Powell. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Laura Street to the Council Audit Committee for a three-year term beginning January 1, 2022, by Councilmember Sauer, seconded by Councilmember Stanley. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Laura Storrs to fill the Assistant City Manager vacancy on the Council Audit Committee for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint John Attebury to the East Gateway Tax Increment Reinvestment Zone #2 Board of Directors for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to name John Attebury as Chairman of the Board for the East Gateway Tax Increment Reinvestment Zone #2 Board of Directors by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and

Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Tim Dillon to the Environmental Task Force for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Roger Gloe to the Environmental Task Force for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint David Moody to the Environmental Task Force for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Councilmember Smith to the Environmental Task Force for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Adam Schaer to the Environmental Task Force for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Dan Ferguson to the Environmental Task Force for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Christopher Podzemeny as an ex officio to the Environmental Task Force for a one-year term beginning on January 1, 2022, by Councilmember Powell. Councilmember Powell amended the motion to appoint Donny Hooper as ex officio, and Councilmember Sauer seconded the amended motion. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Brian Fleming to the First Responders' Excellence and Innovation Fund for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Jared Miller to the First Responders' Excellence and Innovation Fund for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Mayor Nelson to the First Responders' Excellence and Innovation Fund for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Councilmember Smith to the First Responders' Excellence and Innovation Fund for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor

Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Chief Martin Birkenfeld to the police chief's seat of the First Responders' Excellence and Innovation Fund for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Chief Jason Mays to the fire chief's seat of the First Responders' Excellence and Innovation Fund for a one-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Stanley. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Tim Williams to an at-large seat on the First Responders' Excellence and Innovation Fund for a one-year term beginning on January 1, 2022, by Councilmember Stanley, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Olga McAllister to the Library Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell. Councilmember Powell amended her motion to reappoint Monica Hart. The amended motion was seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Lil Withrow to the Library Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Mayor Nelson. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Steve Rogers to the Traffic Advisory Board for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Adam Schaer to the Traffic Advisory Board for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Terri Guengerich to the Pedestrian and Bicycle Safety Advisory Committee for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Chris Podzemny to the Pedestrian and Bicycle Safety Advisory Committee for a three-year term beginning January 1, 2022, by Councilmember Smith, seconded by Councilmember Powell. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Thomas Warren III to replace Alonzo Everhart on the Traffic Advisory Board for a term beginning immediately and expiring December 31, 2022, by Mayor Nelson, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Claudia Stewart to the Zoning Board of Adjustment for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by

Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Rodney Ramirez as an alternate member to the Zoning Board of Adjustment for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Dick Ford as an alternate member to the Zoning Board of Adjustment for a two-year term beginning on January 1, 2022, by Councilmember Stanley, seconded by Councilmember Smith. Voting AYE were Councilmembers Smith and Stanley; voting NO were Mayor Nelson and Councilmembers Powell and Sauer; the motion died by a 2-3 vote.

A motion was made to appoint Jason Burr as an alternate member to the Zoning Board of Adjustment for a two-year term beginning on January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer and Smith; voting NO was Councilmember Stanley; the motion carried by a 4-1 vote.

A motion was made to appoint Dayton Fe Tipton as an alternate member to the Zoning Board of Adjustment for a two-year term beginning on January 1, 2022, by Mayor Nelson, seconded by Councilmember Powell. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Jason Burr to the Colonies Public Improvement District (PID) Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Tracy Byars to the Colonies PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Clark Damon to a Developer recommended seat on the Colonies PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Josh Langham to a Homeowner seat on the Colonies PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Stanley. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Allyson Flaming to an Owner recommended seat on the Colonies PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint James Bentley to the Heritage Hills Public Improvement District (PID) Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Aaron Johnson to the Heritage Hills PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Perry Williams to the Heritage Hills PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Stanley. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Seth Williams to the Heritage Hills PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Kevin Persons to the Heritage Hills PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Wendell Davies to the Pinnacle Public Improvement District (PID) Advisory Board for a one-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Marc Franklin to the Pinnacle PID Advisory Board for a one-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Stanley. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Cleve Turner to the Pinnacle PID Advisory Board for a one-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Amanda Allen to the Point West Public Improvement District (PID) Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Alkesh Patel to the Point West PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Michael Gonzales to a Homeowner seat on the Point West PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Mayor Nelson. Councilmember Powell amended the motion to appoint Nathan Morrow, and Councilmember Sauer seconded the amended motion. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Kevin Carter to a Homeowner seat on the Point West PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Trena Santee to a Homeowner seat on the Quail Creek Public Improvement District (PID) Advisory Board for a three-year term beginning January

1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Kevin Golden, Tiffany Hooker, Chris Rhynehart, Noah Williams, and Seth Williams to the Town Square Public Improvement District Advisory Board, each for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Kathryn Clift and Cheryl Orman to the Tutbury Public Improvement District (PID) Advisory Board, each for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Sauer. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to appoint Richard Drake to a Homeowner seat on the Tutbury PID Advisory Board for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Smith. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote.

A motion was made to reappoint Jason Henry, Kent Meyer, Thomas Nielsen, Tom Nielsen, Jr., and Larry Teague to the Vineyards Public Improvement District Advisory Board, each for a three-year term beginning January 1, 2022, by Councilmember Powell, seconded by Councilmember Stanley. Voting AYE were Mayor Nelson and Councilmembers Powell, Sauer, Smith and Stanley; voting NO were none; the motion carried by a 5-0 vote

ITEM 4: Mr. McWilliams advised at 7:00 p.m. that the City Council would convene in Executive Session per Texas Government Code:

- A. Sec. 551.087 - Discuss commercial or financial information received from an existing business or business prospect that the city is negotiating for a location or retention of a facility or for incentives the city is willing to extend, and financial information submitted by the same:
 - a. Economic development incentive request in the vicinity of Research St. and Outlook Dr.
 - b. Economic development incentive request in the vicinity of East Interstate 40 and Airport Boulevard

Mr. McWilliams announced that Executive Session was adjourned at 7:46 p.m. and recessed the Regular Meeting.

ATTEST:

Stephanie Coggins, City Secretary

Ginger Nelson, Mayor

Amarillo City Council Agenda Transmittal Memo



Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility
Department	City Manager		
Contact	Kashion Smith, Executive Director – Convention Visitors Bureau		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7940
(Contact: Kashion Smith, Executive Director CVB)

This is the second and final reading of an ordinance to amend the Convention and Visitor Bureau (CVB) 2021/2022 Budget.

Agenda Item Summary

This is the second and final reading of an ordinance to amend the CVB 2021/2022 Budget. This CVB Budget Amendment specifically amends the 2021/2022 fiscal year budget for the following and will fund the additional expenditures from \$100,000 in American Rescue Plan Act (ARPA) funding and \$250,000 from excess reserves:

- Admin - Payroll- \$30,000
- Admin - Sales Incentives - \$10,000
- Hardware - Computer Rotation - \$10,000
- Arts - Marketing Grants - \$80,000
- Marketing - Partner Coop Program - \$50,000
- Marketing - Meltwater, Site Improv - \$45,000
- All - Staff Travel Budgets (Shows and education) - \$50,000
- Tourism – Travel Mindset Media Campaigns - \$30,000
- Servicing - Promotional Items - \$10,000
- Tourism Development - Great Outdoors Fund - \$25,000
- Executive - Travel and hosting expenses - \$10,000

Requested Action

Approval of the ordinance to amend the CVB 2021/2022 Budget.

Funding Summary

The \$350,000 in additional expenditures outlined in the budget amendment will be funded with \$100,000 in ARPA funding and \$250,000 from excess reserves.

Community Engagement Summary

The CVB Board met on October 27, 2021 and voted to recommend approval of the above funding from the ARPA funds and excess reserves which will require a budget amendment.

Staff Recommendation

Staff recommendation is to approve the 2021/2022 fiscal year budget amendment.

ORDINANCE NO. 7940

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO ADOPTING A BUDGET AMENDMENT TO MODIFY THE ADOPTED BUDGET FOR FISCAL YEAR 2021-2022 AND APPROVING THE AMENDED APPROPRIATION OF FUNDS FOR THE CONVENTION AND VISITOR BUREAU BUDGET IN THE FISCAL YEAR 2021-2022; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted an Annual Budget for the Amarillo Convention and Visitors Bureau (“CVB”) for the Fiscal Year 2021-2022 on September 14, 2021.

WHEREAS, the City of Amarillo Ordinance requires City Council to approve such budget and any amendments, and upon approval, such amendment shall become an attachment to the original budget; and

WHEREAS, a budget amendment has been prepared for certain appropriations and expenditures in the 2021-2022 budget and submitted to the City Council for approval and a true and correct copy is attached hereto as Exhibit “A”.

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

SECTION 1. Pursuant to the City Ordinance, a budget amendment for the CVB is hereby authorized and approved for the fiscal year 2021-2022 and is attached and incorporated by reference as Exhibit “A”.

SECTION 2. 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 3. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the 9th day of November 2021; and PASSED on Second and Final Reading the 14th day of December 2021.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

EXHIBIT "A"

Admin - Payroll	\$ 30,000.00
Admin - Sales Incentives	\$ 10,000.00
Hardware - Computer Rotation	\$ 10,000.00
Arts - Marketing Grants	\$ 80,000.00
Marketing - Partner Coop Program	\$ 50,000.00
Marketing - Meltwater, Site Improv	\$ 45,000.00
All - Staff Travel Budgets (Shows and education)	\$ 50,000.00
Tourism – Travel Mindset Media Campaigns	\$ 30,000.00
Servicing - Promotional Items	\$ 10,000.00
Tourism Development - Great Outdoors Fund	\$ 25,000.00
Executive - Travel and hosting expenses	\$ 10,000.00

Amarillo City Council

Agenda Transmittal Memo



C

Meeting Date	December 14, 2021	Council Priority	Economic Development and Redevelopment
Department	Planning and Development Services		
Contact	Brady Kendrick, Planner II		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7941

Z-21-13: Rezoning of a 4.84-acre tract of unplatted land in Section 183, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 397 for a Self-Storage Facility with General Retail District Development Standards.

Vicinity: Georgia St. and Farmers Ave.

Applicant/s: Rick Betenbough and Michael Postar for 87th Street Partners LLC

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consists of Agricultural District to the north and east, land outside the City Limits to the west, and Multiple-Family District 1 to the south.

Adjacent land uses consist of an apartment complex that is under construction to the south and undeveloped land in all other directions.

Analysis

The applicant is requesting a change in zoning in order to construct a Self-Storage Facility.

The initial zoning designation request submitted to the Planning and Zoning Commission was to zone the property to Light Commercial District, which is the first district that allows for a Self-Storage Facility. Staff recommended denial of the request for Light Commercial zoning and the Planning and Zoning Commission agreed with Staff’s analysis that Light Commercial was not an appropriate request based on the following:

Based on the location of the applicant’s tract, the request would not conform with the City’s Adopted Comprehensive Plan regarding the Neighborhood Unit Concept of Development or the Future Land Use and Character Map.

The request would not be a logical continuation of existing zoning or development patterns in the immediate area or along the Georgia Street corridor between Farmers Avenue and 46th Avenue which does not feature Light Commercial Zoning (General Retail is the most intense category found).

The Planning and Zoning Commission was of the opinion that the request could set a precedent for future request for commercial zoning along a corridor that such would be out of character and also would feature uses that would be incompatible with the area (examples being bars, cabinet shops, industrial laundry plans, truck stops, sign manufacturing).

The request based on the above could be considered spot zoning.

Although the Planning and Zoning Commission was in agreement with staff’s recommendation to as just mentioned, Commissioners believed that Planned Development zoning that allows General Retail uses, and the Self-storage facility was appropriate. in this instance as the following conditions for a Planned Development were met in this instance:

As such, Commissioners recommended the applicant provide a site plan that conforms to typical development standards for General Retail District (landscaping, setbacks, screening, lot coverage, etc.) as part of the Planned Development Zoning.

The Neighborhood Unit Concept of Development, the Neighborhood Unit Concept calls for more intensive uses such as retail, office, and multi-family development to be located at or near Section Line Arterial Intersections with intensity of use and/or zoning decreasing inward towards the center/middle of a section.

The location of the applicant's tract in relation to the intersection of Georgia Street and Farmers Avenue while 650 north of the intersection, is still within an area that such a request is considered appropriate per the Neighborhood Unit Concept in the Planning and Zoning Commission's opinion as land to the north of this tract would be the point at which the intensity would start transitioning to a lower intensity.

The Planning and Zoning Commission also noted that similar zoning and development patterns were seen at intersections to the north of Farmers along Georgia which can be seen in the following example (58th and Georgia).



Regarding the Future Land Use and Character Map, the recommended development type is 'Suburban Residential'. The Suburban Residential category calls for detached residential dwellings, attached residential dwellings (when incorporated with Planned Developments), parks/public spaces, and public/institutional as the primary development types recommended within this category with a suburban character being the desired development pattern.

While the applicant's tract would not conform with the just mentioned category, the Planning and Zoning Commission believed a departure in this instance was appropriate as if strictly followed, the Future Land Use Map shows the Suburban Residential Category extending throughout the entire south-half of this Section, including the property at the intersection. Such a development pattern if followed would feature Single-Family residents at and near a heavily traveled intersection where higher intensity uses such as retail/multi-family/office would be more appropriate and would serve as a buffer for single-family homes within the interior of the intersection.

Additionally, it is noted that this intersection and the immediate area is underserved by low impact uses (retail and Self-storage) that would be beneficial to surrounding residents (such as the applicant's proposed use). The closest such zoning is located approximately ¾ of a mile away from this intersection.

Considering the just mentioned information, the Planning and Zoning Commission is of the opinion that Planned Development for Self-Storage Facility with General Retail District as its base for land use and standards is not out of character with existing zoning and development patterns seen in the immediate area and along the Georgia Street corridor and if approved, would not result in any detrimental impacts to the surrounding area.

Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet regarding this proposed rezoning. As of this writing, there have been no comments received regarding the request.

Considering the above, the Planning and Zoning Commission recommends **APPROVAL** as presented.

ORDINANCE NO. 7941

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 GEORGIA STREET AND FARMERS AVENUE, RANDALL 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, TEXAS:

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

SECTION 2. The zoning map of the City of Amarillo adopted by Section 4-10 of the Amarillo Municipal Code and on file in the office of the Planning Director is hereby amended to reflect the following zoning use changes:

Rezoning of a 4.84 acre tract of unplatted land in Section 183, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 397 for a Self-Storage Facility with General Retail District Development Standards being further described below and site plan attached and incorporated herein as Exhibit A:

A 4.84 acre tract out of a 217.22 acre tract located in Section 183, Block 2, A.B.&M. Survey, Randall County, Texas and being described in Instrument No. 2016014173 of the Official Public Records of Randall County, Texas, said tract being further described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rebar, found in the East line of a 10-foot wide tract of land as conveyed to the City of Amarillo for Right-of-Way as described in Instrument No. 2009010006, same being the most West Northwest corner of that certain 19.15 acre tract as described in Instrument No. 2019019254 of the Official Public Records of Randall County, Texas;

THENCE N. 00°02'16" E., along the East line of said 10-foot wide tract, a distance of 295.98 feet to a 5/8 inch iron rebar with cap stamped "CEC 10194378", set, from whence

a 1/2 inch iron rebar, found for the Northwest corner of said 217.22 acre tract bears N. 00°02'16" E., 1864.36 feet;

THENCE S. 89°58'27" E., 738.00 feet to a 5/8 inch iron rebar with cap stamped "CEC 10194378", set;

THENCE S. 00°02'16" W., 286.00 feet to a 5/8 inch iron rebar with cap stamped "CEC 10194378", set in the North line of said 19.15 acre tract, from whence the Northeast corner of said 19.15 acre tract bears S. 89°58'27" E., 420.38 feet;

THENCE N. 89°58'27" W., 728.01 feet to a 1/2 inch iron rebar, found for the most North Northwest of said 19.15 acre tract;

THENCE S. 45°02'45" W., 14.12 feet to the POINT OF BEGINNING and containing 4.84 acres (211,129.85 sq. ft.) more or less.

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 the 9th day of November, 2021 and **PASSED** on Second and Final Reading the 14th day of December, 2021.

Ginger Nelson, Mayor

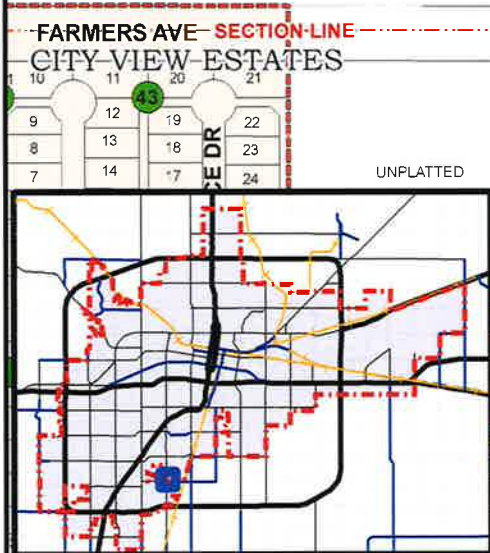
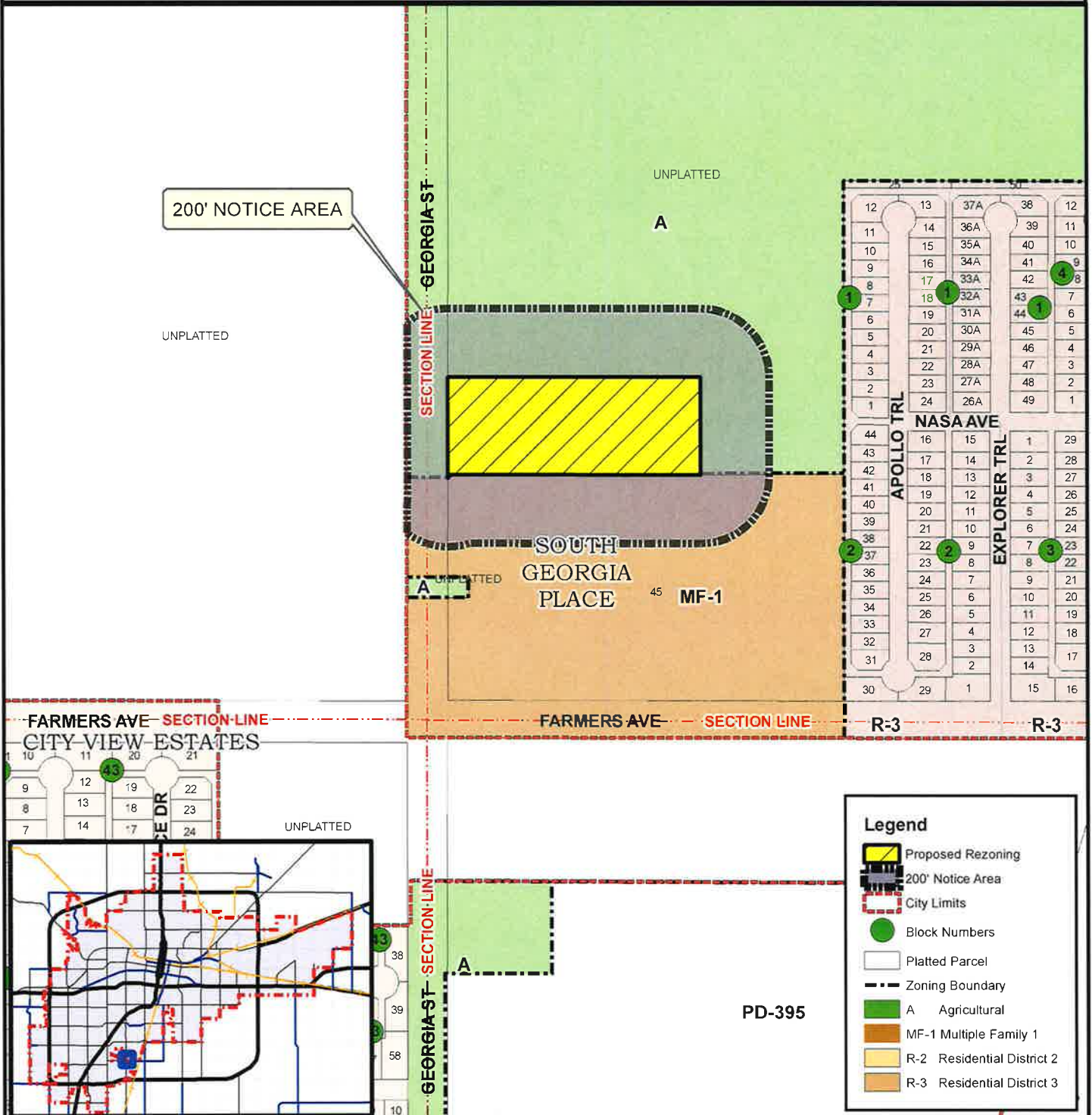
ATTEST:

Stephanie Coggins,
City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

REZONING FROM A TO PD-397

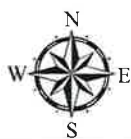


Legend

- Proposed Rezoning
- 200' Notice Area
- City Limits
- Block Numbers
- Platted Parcel
- Zoning Boundary
- A Agricultural
- MF-1 Multiple Family 1
- R-2 Residential District 2
- R-3 Residential District 3

CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 400 feet
 Date: 10/4/2021
 Case No: Z-21-13



Z-21-13 Rezoning of a 4.84 acre tract of unplatted land in Section 183, Block 2, A.B.&M. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 397 for a Self-Storage Facility with General Retail District Development Standards.

VICINITY: Georgia St. and Farmers Ave.
 APPLICANT/S: Rick Betenbough and Michael Postar for 87th Street Partners LLC

AP: M-16

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	December 14, 2021	Council Priority	Transportation
Department	Aviation		
Contact	Michael W. Conner, Director of Aviation		

Agenda Caption

CONSIDER APPROVAL - TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP) GRANT AGREEMENT FOR THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT

Agenda Item Summary

Rick Husband Amarillo International Airport is a recipient of the TxDOT Ramp Grant due to its classification as a non-hub primary airport. The scope of the grant is to aid state airports with the funding needed for operations/maintenance task throughout the year. The Department of Aviation is seeking approval of the 2021 RAMP Grant agreement. This grant will match funds, at 50%, up to \$100,000.00 of total project costs. Projects and services are selected based on Airport needs and evaluated for funding eligibility under the General Maintenance guidelines in this grant agreement.

Requested Action

Approve the Texas Department of Transportation RAMP Grant, TxDOT CSJ No.: M2204AMRI.

Funding Summary

The City's 50% match will come from the FY 21/22 Airport O&M Budget.

Community Engagement Summary

Level 1 – Modest impact on selected area and/ or community group.

Staff Recommendation

Department staff recommend the approval of TxDOT CSJ No.: M2204AMRI.

Amarillo City Council

Agenda Transmittal Memo



E

Meeting Date	December 14, 2021	Council Priority	Transportation Systems
Department	Aviation		
Contact	Michael W. Conner – Director of Aviation		

Agenda Caption

CONSIDER: AWARD BID NO. 7117 FOR THE DEMOLITION OF THREE (3) STRUCTURES AT THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT.

Award to: Lloyd D. Nabors Demolition, LLC - \$117,700.00

Agenda Item Summary

This project involves demolition of two (2) buildings, 95 and 101 N. Pullman Road respectively. Those two buildings have been tested and do not contain asbestos. It also includes the demolition of a structure located at 11151 Airport Boulevard in which no asbestos remains after abatement. All three (3) structures are located on airport property.

Requested Action

Award bid No. 7117 in the amount of \$117,700.00 to Lloyd D. Nabors Demolition, LLC.

Funding Summary

This demolition contract is funded within the Airport's approved CIP.

Community Engagement Summary

Level 1 – Modest impact on selected area and/or community group.

Staff Recommendation

Airport staff recommends award of bid no. 7117 in the amount of \$117,700.00 to Lloyd D. Nabors Demolition, LLC.

Amarillo City Council

Agenda Transmittal Memo



F

Meeting Date	December 14, 2021	Council Priority	Infrastructure
Department	Facilities Department		
Contact	Jerry Danforth, Facilities Director		

Agenda Caption

CONSIDER AWARD – ROOF REPAIR AND REPLACEMENT CHANGE ORDER FOR THE CITY OF AMARILLO SERVICE CENTER NORTH BUILDING AND ROOF REPLACEMENT FOR THE CITY OF AMARILLO AUCTION BUILDING

(Contact: Jerry Danforth, Facilities Director)

Vendor: Red Oak Roofing DBA Top Notch Foam

Original Contract Amount \$674,000.00

Change Order \$ 92,380.00

Revised Contract Amount \$766,380.00

This item considers award of a change order for the roof repair and replacement for the City of Amarillo Service Center North Building located at 2100 N. Spruce Amarillo, Texas, and additional roof replacement for the City of Amarillo Auction Building located at 2006 S. Garfield St. Amarillo, Texas.

Agenda Item Summary

This award is for the roofing change order to Red Oak Roofing DBA Top Notch Foam for the roof repair and replacement for the City of Amarillo Service Center North Building located at 2100 N. Spruce Amarillo, Texas, and additional roof replacement for the City of Amarillo Auction Building located at 2006 S Garfield St. Amarillo, Texas.

Original Budget: \$800,000.00

Original Contract Sum: \$674,000.00

Change Order: \$ 92,380.00

New Contract Sum: \$ 766,380.00

THE CONTRACT IS CHANGED AS FOLLOWS:

Total of Increases: \$162,100.00

Total of Credits: \$129,000.00

Total Change: \$ 33,100.00

AUCTION BUILDING ROOF REPLACEMENT:

Total of Increases: \$ 59,280.00

Requested Action

Approval and award of the roofing change order to Red Oak Roofing DBA Top Notch Foam in the amount of \$92,380.00.

Funding Summary

City Job # 411525.17400.1060

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of change order award to Red Oak Roofing DBA Top Notch Foam for the repair and replacement of the roof on the City of Amarillo Service Center North building and additional roof replacement for the City of Amarillo Auction Building located at 2006 S Garfield St. Amarillo, Texas.

Amarillo City Council Agenda Transmittal Memo



G

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility
Department	City Secretary's Office		
Contact	Stephanie Coggins, City Secretary		

Agenda Caption

CONSIDERATION OF RESOLUTION NO. 12-14-21-1
(Contact: Stephanie Coggins, City Secretary)

This item considers amending Resolution No. 04-05-16-2 to provide for administrative changes to membership titles of the Audit Committee.

Agenda Item Summary

This item considers amending Resolution No. 04-05-16-2 to provide administrative changes to membership titles of the city's Audit Committee necessary due to changes in the Assistant City Manager position title to include "Chief Financial Officer".

Requested Action

Consideration of Resolution No. 12-14-21-1 by Council.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of Resolution No. 12-14-21-1 as presented.

RESOLUTION NO. 12-14-21-1

A RESOLUTION OF THE CITY OF AMARILLO, TEXAS CREATING AN AUDIT COMMITTEE AS AN ADVISORY COMMITTEE TO THE CITY COUNCIL REGARDING FINANCIAL INFORMATION, FINANCIAL REPORTS AND COMMUNICATIONS WITH THE CITY'S INDEPENDENT AUDITORS.

WHEREAS, the Audit Committee was established by Resolution No. 04-05-16-2 on April 5, 2016 to serve as an advisory committee to the City Council regarding financial information, financial reports and communications with the City's independent auditors; and

WHEREAS, the Council desires to revise Section 2 of Resolution No. 04-05-16-2 in order to accurately reflect the members' titles to serve on the Audit Committee.

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

Section 2 of Resolution No. 04-05-16-2 is amended by deleting Section 2 in its entirety and substituting in its place the following new Section 2:

- Section 2.** The Audit Committee shall consist of the following members:
- a. Two members of the City Council, to be appointed by the City Council;
 - b. A member of one of the following, to be appointed by the City Council: Amarillo Economic Development Corporation, Amarillo Hospital District, Amarillo Potter Event Venue District or the Amarillo Local Government Corporation;
 - c. The City Manager; and
 - d. The Chief Financial Officer.

This Resolution shall become effective from and after its passage.

PASSED AND APPROVED this 14th day of December 2021

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

Amarillo City Council Agenda Transmittal Memo



H

Meeting Date	December 14, 2021	Council Priority	Development-Quality of Life
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Department	Development Services
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Agenda Caption

CONSIDER AWARD – BID NO. 7106, HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT SITE AMENITIES IMPROVEMENT PROJECT
(Contact: Kelley Shaw, Development Services Customer Service Coordinator)
Award to: Tri-State General Contracting - \$595,313.00

Agenda Item Summary

This item is to consider award of the construction contract related to Heritage Hills Public Improvement District (PID) improvements within the Heritage Hills subdivision. The proposed improvements are to be constructed along Heritage Hills Parkway, west of the initial Phase 1 improvements along the same thoroughfare. Improvements include landscaping, sod, concrete walking trails, and specialty lighting. All improvements will be constructed to applicable City standards.

Requested Action

Consider approval and award to Tri-State General Contracting for \$595,313.00.

Funding Summary

Although funding for construction and maintenance for this project will ultimately be funded by PID assessment revenue, immediate funding for this construction project will be provided directly by the developer of the Heritage Hills subdivision with the Heritage Hills PID reimbursing the developer at a date to be determined. The City of Amarillo will not be responsible for any funding of this project.

Community Engagement Summary

The overall project was discussed at the Heritage Hills Public Improvement District Advisory Board's meeting on November 22, 2021. There were no negative comments or concerns received and the Board recommended moving forward with the award of the improvement project.

Staff Recommendation

Development Services and Purchasing staff are recommending approval and award of Tri-State General Contracting's bid.

Amarillo City Council

Agenda Transmittal Memo



I

Meeting Date	December 14, 2021	Council Priority	Infrastructure
Department	Water Utilities – Director of Utilities		
Contact	Jonathan Gresham, Director of Utilities		

Agenda Caption

CONSIDER AWARD – ANNUAL CONTRACT FOR WATER AND SEWER TAPS
Award to: Amarillo Utility Contractors (AUC) - Not to exceed \$200,000

This item considers approval of an annual contract for services to provide water and sewer taps to assist City of Amarillo Water Distribution and Wastewater Collection Divisions.

Agenda Item Summary

Consider Approval

This contract will assist City of Amarillo Water Distribution and Wastewater Collection Divisions. Over the past year the pandemic and shortages in staffing has led to a backlog of taps for these divisions. This backlog is creating longer than normal wait times for customers receiving water and sewer services.

Requested Action

Utilities staff requests the approval of a not to exceed contract for Water and Sewer taps, as needed (project 523521), for \$200,000 to Amarillo Utility Contractors.

Funding Summary

This purchase will be funded from 523521.17400.1040. This account has a current balance of \$2,100,000.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

Amarillo City Council Agenda Transmittal Memo



J

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility
Department	Human Resources		
Contact	Sandy Elliott, Benefits Manager		

Agenda Caption

CONSIDER AWARD – STOP LOSS INSURANCE ANNUAL CONTRACT
Award to: Stealth Partner Group, LLC - \$464,240.64

This item considers the award of RFP #01-22 for a one-year Stop Loss Insurance coverage contract for calendar year 2022.

Agenda Item Summary

This is to award the City's Major Medical (Medical /Rx) Stop Loss Insurance to Stealth Partner Group for Plan Year 2022.

Requested Action

Requesting approval of a one-year contract (CY2022) for stop loss insurance coverage for \$464,240.64 with Stealth Partner Group.

Funding Summary

1340/71100: General Fund/Health Plan Administration/Insurance & Bonds

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends awarding the City's Major Medical (Medical /Rx) Stop Loss Insurance coverage to Stealth Partner Group for Plan Year 2022.

Amarillo City Council Agenda Transmittal Memo



K

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility
Department	Public Health		
Contact	Casie Stoughton, Director of Public Health		

Agenda Caption

CONSIDER AWARD – VACCINE ANNUAL CONTRACT

Award to: Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) - \$300,000.00

This item considers award of an annual contract to provide medical supplies needed for clinical services to patients and to fulfill grant deliverables.

Agenda Item Summary

This is to award the Vaccine Annual Contract – Bid 7153 to Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP). Medical supplies needed for clinical services to patients and to fulfill grant deliverables.

Requested Action

Consider for award the Vaccine Annual Contract – Bid 7153 to MMCAP.

Funding Summary

Various funding

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends award of this contract.

Amarillo City Council

Agenda Transmittal Memo



L

Meeting Date	December 14, 2021	Council Priority	Economic Development/Redevelopment
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Department	City Manager's Office	Contact Person	Andrew Freeman, Assistant City Manager
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Agenda Caption

CONSIDER FIRST AMENDMENT TO AMENDED AND RESTATED ECONOMIC DEVELOPMENT AGREEMENT BETWEEN SUPREME BRIGHT AMARILLO II, LLC, AND THE CITY OF AMARILLO

This item is for City Council to consider approval of minor amendments to the existing economic development agreement with Supreme Bright Amarillo II, LLC, before it is assigned to Summit Hotel properties.

Agenda Item Summary

On November 3, 2021, NewcrestImage (Supreme Bright Amarillo II, LLC) entered into a purchase agreement for Summit Hotel Properties to acquire a 27-hotel portfolio totaling 3,709 guestrooms, two parking structures and various financial incentives. The lease agreement and accompanying incentives for the Embassy Suites were included as part of this deal.

While reviewing the proposed acquisition by a real estate investment trust, it was determined that the original criteria of the economic development incentives did not anticipate this structure. The changes proposed in the first amendment will (i) clarify that the Hotel Project Financing may include the allocation of certain parent company indebtedness related to the Hotel Project and may not be secured by a lien on the Hotel Project, (ii) permit payments of City Pledged Revenues to be paid to Developer on the Monthly Transfer Date, and (iii) clarify that the City Pledged Revenues will be paid until the applicable statutory time limit on the maximum period for pledge and payment of City Pledged Revenues.

The overall process related to this acquisition by Summit Hotel Properties will include the following considerations by different boards and City Council:

- Assignment and assumption of Lease and Development Agreement (approved by Local Government Corporation)
- Approval of Ground Lessor's Estoppel Certificate (approved by Local Government Corporation and City Council)
- Assignment and assumption of Incentive Agreement (approved by City Council)
- Assignment and assumption of TIRZ #1 Developer Agreement (approved by TIRZ #1 and City Council)

Requested Action

Approval of the amendment

Funding Summary

N/A

Community Engagement Summary

The Local Government Corporation approved an accompanying assignment of the lease agreement ground lessor's estoppel during their December 1st Board meeting. The TIRZ #1 Board will consider approval of their development agreement assignment during their December 13th Board meeting.

Staff Recommendation

Staff recommends approval as presented.

Amarillo City Council Agenda Transmittal Memo



M

Meeting Date	December 14, 2021	Council Priority	Economic Development/Redevelopment
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Department	City Manager's Office	Contact Person	Andrew Freeman, Assistant City Manager
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Agenda Caption

CONSIDER ASSIGNMENT AND ASSUMPTION OF INCENTIVE AGREEMENT FOR THE EMBASSY SUITES HOTEL BETWEEN SUPREME BRIGHT AMARILLO II, LLC, AND SUMMIT HOTEL TRS 178, LLC

This item is for City Council to consider approval of Supreme Bright Amarillo II, LLC assigning their incentive agreement related to the development and operation of the city-owned hotel located in Downtown Amarillo. The assignment would be to Summit Hotel TRS 178, LLC.

Agenda Item Summary

On November 3, 2021, NewcrestImage (Supreme Bright Amarillo II, LLC) entered into a purchase agreement for Summit Hotel Properties to acquire a 27-hotel portfolio totaling 3,709 guestrooms, two parking structures and various financial incentives. The lease agreement and accompanying incentives for the Embassy Suites were included as part of this deal.

As part of the agreement(s), assignments were anticipated in the future since the lease was for 80 years. The assignment of the economic incentive agreement can take place with City Council's consent. The new assignee shall be bound to the terms, conditions, duties, rights, limitations, and all other provisions set forth in the agreement.

The overall process related to this acquisition by Summit Hotel Properties will include the following considerations by different boards and City Council:

- Assignment and assumption of Lease and Development Agreement (approved by Local Government Corporation)
- Approval of Ground Lessor's Estoppel Certificate (approved by Local Government Corporation and City Council)
- Assignment and assumption of Incentive Agreement (approved by City Council)
- Assignment and assumption of TIRZ #1 Developer Agreement (approved by TIRZ #1 and City Council)

Requested Action

Approval of the assignment

Funding Summary

N/A

Community Engagement Summary

The Local Government Corporation approved an accompanying assignment of the lease agreement ground lessor's estoppel during their December 1st Board meeting. The TIRZ #1 Board will consider approval of their development agreement assignment during their December 13th Board meeting.

Staff Recommendation

Staff recommends approval as presented.

Amarillo City Council

Agenda Transmittal Memo



N

Meeting Date	December 14, 2021	Council Priority	Economic Development/Redevelopment
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Department	City Manager's Office	Contact Person	Andrew Freeman, Assistant City Manager
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Agenda Caption

CONSIDERATION OF GROUND LESSOR'S ESTOPPEL CERTIFICATE TO SUMMIT NCI JV 178, LLC AND SUMMIT HOTEL TRS 178, LLC

As part of the assignment process for Summit Hospitality's purchase agreement with Supreme Bright Amarillo, II, LLC, the new assignee has requested a ground lessor's estoppel certificate which covers the material terms of the agreement for verification purposes.

Agenda Item Summary

On November 3, 2021, NewcrestImage (Supreme Bright Amarillo II, LLC) entered into a purchase agreement for Summit Hotel Properties to acquire a 27-hotel portfolio totaling 3,709 guestrooms, two parking structures and various financial incentives. The lease agreement and accompanying incentives for the Embassy Suites were included as part of this deal.

As part of the process, the new assignee has requested a ground lessor's estoppel certificate which covers the material terms of the agreement for verification purposes.

The overall process related to this acquisition by Summit Hotel Properties will include the following considerations by different boards and City Council:

- Assignment and assumption of Lease and Development Agreement (approved by Local Government Corporation)
- Approval of Ground Lessor's Estoppel Certificate (approved by Local Government Corporation and City Council)
- Assignment and assumption of Incentive Agreement (approved by City Council)
- Assignment and assumption of TIRZ #1 Developer Agreement (approved by TIRZ #1 and City Council)

Requested Action

Approval of the estoppel certificate

Funding Summary

N/A

Community Engagement Summary

The Local Government Corporation approved an accompanying assignment of the lease agreement ground lessor's estoppel during their December 1st Board meeting. The TIRZ #1 Board will consider approval of their development agreement assignment during their December 13th Board meeting.

Staff Recommendation

Staff recommends approval as presented

Amarillo City Council

Agenda Transmittal Memo



0

Meeting Date	December 14, 2021	Council Priority	Economic Development/Redevelopment
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Department	City Manager's Office	Contact Person	Andrew Freeman, Assistant City Manager
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Agenda Caption

CONSIDER ASSIGNMENT AND ASSUMPTION OF TIRZ #1 AGREEMENT FOR THE EMBASSY SUITES HOTEL BETWEEN SUPREME BRIGHT AMARILLO II, LLC, and SUMMIT NCI JV 178, LLC:

This item is for City Council to consider approval of Supreme Bright Amarillo II, LLC assigning their TIRZ #1 incentive agreement related to the development of the city-owned hotel located in Downtown Amarillo. The assignment would be to Summit NCI JV 178, LLC.

Agenda Item Summary

On November 3, 2021, NewcrestImage (Supreme Bright Amarillo II, LLC) entered into a purchase agreement for Summit Hotel Properties to acquire a 27-hotel portfolio totaling 3,709 guestrooms, two parking structures and various financial incentives. The lease agreement and accompanying incentives for the Embassy Suites were included as part of this deal.

This item will assign the current TIRZ #1 Development Agreement to Summit Hotel Properties, which is a 90% property tax rebate annually for 20 years that started after the certificate of occupancy was issued. First payment was made in 2018.

The overall process related to this acquisition by Summit Hotel Properties will include the following considerations by different boards and City Council:

- Assignment and assumption of Lease and Development Agreement (approved by Local Government Corporation)
- Approval of Ground Lessor's Estoppel Certificate (approved by Local Government Corporation and City Council)
- Assignment and assumption of Incentive Agreement (approved by City Council)
- Assignment and assumption of TIRZ #1 Developer Agreement (approved by TIRZ #1 and City Council)

Requested Action

Approval of the assignment

Funding Summary

N/A

Community Engagement Summary

The Local Government Corporation approved an accompanying assignment of the lease agreement ground lessor's estoppel during their December 1st Board meeting. The TIRZ #1 Board will consider approval of their development agreement assignment during their December 13th Board meeting.

Staff Recommendation

Staff recommends approval as presented

Amarillo City Council Agenda Transmittal Memo



P

Meeting Date	December 14, 2021	Council Priority	Economic Development/Redevelopment
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Department	City Manager's Office	Contact Person	Andrew Freeman, Assistant City Manager
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Agenda Caption

CONSIDER ASSIGNMENT AND ASSUMPTION OF TIRZ #1 AGREEMENT FOR THE COURTYARD MARRIOTT HOTEL BETWEEN AMARILLO HOSPITALITY, LLC, and SUMMIT NCI JV 177, LLC:

This item is for City Council to consider approval of Supreme Bright Amarillo II, LLC assigning their TIRZ #1 incentive agreement related to the development of the city-owned hotel located in Downtown Amarillo. The assignment would be to Summit NCI JV 177, LLC.

Agenda Item Summary

On November 3, 2021, NewcrestImage (Amarillo Hospitality, LLC) entered into a purchase agreement for Summit Hotel Properties to acquire a 27-hotel portfolio totaling 3,709 guestrooms, two parking structures and various financial incentives. This included the Courtyard by Marriott located in Downtown Amarillo.

This item will assign the current TIRZ #1 Development Agreement to Summit Hotel Properties, which is a 90% property tax rebate annually for 20 years that started after the certificate of occupancy was issued. It also has a cap of \$1,657,716 included in the agreement. First payment was made in 2011.

The overall process related to this acquisition by Summit Hotel Properties will include the following considerations by different boards and City Council:

- Assignment and assumption of Lease and Development Agreement (approved by Local Government Corporation)
- Approval of Ground Lessor's Estoppel Certificate (approved by Local Government Corporation and City Council)
- Assignment and assumption of Incentive Agreement (approved by City Council)
- Assignment and assumption of TIRZ #1 Developer Agreement for Embassy Suites (approved by TIRZ #1 and City Council)
- Assignment and assumption of TIRZ #1 Developer Agreement for Courtyard by Marriott (approved by TIRZ #1 and City Council)

Requested Action

Approval of the assignment

Funding Summary

N/A

Community Engagement Summary

The Local Government Corporation approved an accompanying assignment of the lease agreement ground lessor's estoppel during their December 1st Board meeting. The TIRZ #1 Board will consider approval of their development agreement assignment during their December 13th Board meeting.

Staff Recommendation

Staff recommends approval as presented

Amarillo City Council Agenda Transmittal Memo



Q

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility, Best Practices, Customer Service
Department	Public Works - Fleet Services Division		
Contact	Donny Hooper, Public Works Director		

Agenda Caption

CONSIDER APPROVAL - PURCHASE OF TWO PUMPER STYLE FIRE TRUCKS

Award to: Lone Star Emergency Group - \$1,235,546.00 (HGAC Contract #FS12-19LC03)

This item considers approval to purchase two (2) pumper style fire trucks for the scheduled replacement of units 7125 and 7126, both of which have reached or exceeded their useable life cycle.

Agenda Item Summary

Scheduled replacement of units 7125 & 7126, 2009 Ferrara Fire Truck/Pumper Style. New Fire Trucks will be used for daily operational requirements. Vehicles 7125 & 7126 have reached or exceeded their useable life cycle.

Requested Action

Recommend approval of Fire Truck/Pumper Style purchased through Lone Star Emergency Group. This is a HGAC Contract Purchase using contract number FS12-19LC03.

Funding Summary

Funding for this purchase will be from 61120.84100, Fleet Services Rolling Stock.
Cost \$617,773.00 each

Community Engagement Summary

N/A

Staff Recommendation

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

Amarillo City Council Agenda Transmittal Memo



R

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility, Best Practices, Customer Service
Department	Public Works / Fleet Services Division		
Contact	Donny Hooper, Director of Public Works		

Agenda Caption

CONSIDER APPROVAL - PURCHASE OF TWO STREET SWEEPERS
Award to: Heil of Texas - \$627,420.00 (HGAC Contract #SW04-20)

This item considers approval to purchase two (2) street sweepers for the scheduled replacement of units 7792 and 7921, both of which have reached or exceeded their useable life cycle.

Agenda Item Summary

Scheduled replacement of units 7792, 2014 Freightliner/Tymco Street Sweeper, 7921, 2014 Schwarze Sweeper. Equipment used by the Drainage Utility Division for daily operational requirements. These units have reached their useable life cycle.

Requested Action

Recommend purchase for 2021 Schwarze Sweeper
This purchase will be on HGAC contract #SW04-20. Contract assures discounted governmental pricing and quicker delivery schedules, uniformity of fleet to assist in maintenance and operations training. Contract purchase allows for best value evaluation and vendor support.

Funding Summary

Funding for this purchase will be from 61120.84100 Fleet Services Auto Rolling Stock & Equipment.

Community Engagement Summary

N/A.

Staff Recommendation

Staff Recommends Council approval of purchase.

Amarillo City Council Agenda Transmittal Memo



Meeting Date	December 14, 2021	Council Priority	N/A
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Department	Information Technology – Rich Gagnon
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Agenda Caption

CONSIDER AWARD – RENEWAL OF ESRI ANNUAL SOFTWARE MAINTENANCE
Award to: Environmental Systems Research Institute - \$52,210.48

This item considers award of a one-year support and maintenance renewal for software provided by ESRI.

Agenda Item Summary

This item represents a one-year support and maintenance renewal for software provided by ESRI.

Requested Action

Approval of award to ESRI Inc in the amount of \$52,210.48.

Funding Summary

Funding is available in 62024.69300 and 54110.62010.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

Amarillo City Council Agenda Transmittal Memo



T

Meeting Date	December 14, 2021	Council Priority	N/A
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Department	Information Technology – Rich Gagnon
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Agenda Caption

CONSIDER AWARD – ANNUAL AVAYA PBX MAINTENANCE CONTRACT:
Award to: ConvergeOne - \$86,806.32

This item considers awarding a one-year renewal of the Avaya PBX maintenance contract.

Agenda Item Summary

This purchase will renew the Avaya PBX maintenance for the phones system that is in operation for 1 year.

Requested Action

Approval of award to ConvergeOne in the amount of \$86,806.32.

Funding Summary

This purchase will be funded from 62033.68670, Telecom Hardware.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

Amarillo City Council

Agenda Transmittal Memo



U

Meeting Date	December 14, 2021	Council Priority	Transportation
Department	Capital Projects & Development Engineering		
Contact	Matthew Thomas, City Engineer		

Agenda Caption

CONSIDER APPROVAL – CHANGE ORDER No. 3 FOR BID #6975/PROJECT #462156 – FY 20/21 STREET MAINTENANCE COMMUNITY INVESTMENT PROGRAM, PROPOSITION 1
Original Contract Amount \$5,654,176.08
Previous Change Orders \$ 958,420.95
Current Change Order \$ (152,358.81)
Total Revised Contract \$6,460,238.22

This item considers approval of Change Order No. 3 to the construction contract for the FY 20/21 Street Maintenance project to: Intermountain Slurry Seal Inc. in the amount of \$(152,358.81).

Agenda Item Summary

The purpose of this Change Order 3 is to adjust estimated plan quantities to reflect actual installed quantities. Minor changes in unit quantities are the result of field adjustments to do what is best for each roadway.

Requested Action

Consider approval of the change order for execution by City Manager.

Funding Summary

Funding for this change order will be available in the Project Budget Number 462156. Funding for this project was approved in the FY 16/17 – FY 20/21 Community Investment Program Budget. The construction expenses for this project are funded from the Proposition 1 Bonds.

Community Engagement Summary

The impact of this change order is negligible. The construction of this project is complete, and the maintenance efforts have been successful. City staff updated the public with a public meeting, as well as press releases, public announcements, and an interactive web-based project status page during construction.

Staff Recommendation

City Staff is recommending approval and award of the change order.

Amarillo City Council Agenda Transmittal Memo



V

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility
Department	Central Stores		
Contact	Trent Davis, Purchasing Agent		

Agenda Caption

CONSIDER AWARD –DIRECT AND REMOTE WATER METERS SUPPLY AGREEMENT
Award to: Core & Main - \$78,911.50
Zenner USA - \$ 2,566.80
Total Award: \$81,478.30

This item considers the award of Bid # 7119 for a Direct and Remote Water Meters Supply Agreement.

Agenda Item Summary

Bid #7119
These items are to consider for award of the Direct and Remote Water Meters Supply Agreement.

Requested Action

Consider approval of the award for the Direct and Remote Water Meters Supply Agreement.

Funding Summary

Funding is available in inventory account 1000.15400

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval of award

Amarillo City Council Agenda Transmittal Memo



W

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility
Department	Various		
Contact	Trent Davis, Purchasing Agent		

Agenda Caption

CONSIDER AWARD - PLUMBING AND MECHANICAL SUPPLIES ANNUAL CONTRACT
Award to: Morrison Supply Company - Not to exceed \$200,000.00 (BuyBoard Purchasing Cooperative Contract #657-21)

This item considers the award of a contract for the purchase of plumbing and mechanical supplies used by various departments.

Agenda Item Summary

Award of Plumbing and Mechanical Supplies Annual Contract to be used by various City department.

Requested Action

Consider approval and award for the Plumbing and Mechanical Supplies Annual Contract.

Funding Summary

Funding for this award is available in department's R&M Improvement Accounts: Facilities 1252.68100; Park Maintenance 1861-68100; Golf Operations 1811.68400; Surface Water 52200.68100; Airport 54110.68101; Hollywood Road 52270.68300; and River Road 52260.68300.

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval and award of this contract.

Amarillo City Council Agenda Transmittal Memo



X

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility
Department	Purchasing		
Contact	Trent Davis, Purchasing Agent		

Agenda Caption

AWARD – PROMOTIONAL PRODUCTS ANNUAL CONTRACT
Award to: ColorArt LLC. - not to exceed \$60,000.00

This item considers award of an annual contract for promotional products to be used by various city departments.

Agenda Item Summary

Award of Promotional Products Annual Contract to be used by various City Departments.

Requested Action

Consider approval and award of Promotional Products Annual Contract.

Funding Summary

Funding for this award is available in various departmental accounts.

Community Engagement Summary

N/A

Staff Recommendation

City Staff recommends approval and award of this contract.

Amarillo City Council Agenda Transmittal Memo



Y

Meeting Date	December 14, 2021	Council Priority	Infrastructure Initiative
Department	Capital Projects & Development Engineering		
Contact	Matthew Thomas, City Engineer		

Agenda Caption

CONSIDER APPROVAL - PROFESSIONAL SERVICES AGREEMENT FOR FY 2017-2021 COMMUNITY INVESTMENT PROGRAM: HOLLYWOOD RD WASTEWATER RECLAMATION FACILITY (WRF) TERTIARY FILTER REHABILITATION
Award to: KSA Engineers, Inc. - \$543,000.00

Agenda Item Summary

This item is to consider approval of the professional services agreement with KSA Engineers, Inc., which includes engineering design, resident project representative/inspection, construction, and warranty phase services. KSA was selected under RFQ 14-17 of prequalified Professional Services Contracts per City of Amarillo Purchasing Procedures for the preliminary engineering report/study phase of this project.

Requested Action

Consider approval of agreement with KSA Engineers, Inc. in the amount of \$543,000.00 for execution by the City Manager.

Funding Summary

Funding for this project is available in Project Budget Number 530018. This project was approved in the FY 17/18 Community Investment Program. This project is funded with water and sewer revenue bonds.

Community Engagement Summary

The work is located within the boundaries of the Hollywood Road Wastewater Reclamation Facility. As the project progresses through design and construction, coordination will occur with Hollywood Road WRF personnel.

Staff Recommendation

City Staff is recommending approval of the contract.

Amarillo City Council

Agenda Transmittal Memo



Z

Meeting Date	December 14, 2021	Council Pillar	Infrastructure
Department	Office of Emergency Management		
Contact	Chip Orton, Emergency Management Coordinator		

Agenda Caption

CONSIDER APPROVAL – OUTDOOR WARNING SIRENS
Award to: Federal Sign Corporation - \$68,091.63

This item considers approval to purchase three (3) Federal Signal 508 outdoor warning sirens on behalf of Randall County for use in the Amarillo Area Office of Emergency Management Outdoor Warning System. Randall County will cover the cost of this purchase.

Agenda Item Summary

This purchase is to replace three (3) older sirens on behalf of Randall County Amarillo Area Office of Emergency Management Outdoor Warning System.

Requested Action

The Office of Emergency Management recommends that the City Council authorize the purchase of three (3) sirens in the amount of \$68,091.63.

Funding Summary

This funding is from Randall County and was requested and approved by Judge Christy Dyer.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this purchase.

Amarillo City Council Agenda Transmittal Memo



AA

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility
Department	Human Resources		
Contact	Erin Palacio, HR Manager		

Agenda Caption

CONSIDER AWARD – TEMPORARY EMPLOYMENT SERVICES CONTRACT

Award to:

Lot1: Express Employment Professionals – Not to exceed \$ 400,000.00

Lot 2: KT Black Services, LLC - Not to exceed \$ 100,000.00

Total Award: Not to exceed \$ 500,000.00

This item considers the award of a contract for temporary employment service to address staffing shortages or special project staffing needs.

Agenda Item Summary

Award temporary employment contract to Lot 1 – Express Employment, Lot 2 – KT Black.

Requested Action

Consider award of the contracted temporary employment service to address staffing shortfalls or special project staffing needs.

Funding Summary

Number of temporary employees requested will determine expense. The bid estimate is an estimated annual spend of \$500,000.

Community Engagement Summary

N/A.

Staff Recommendation

Staff recommends approval of the award of the contracted temporary employment.

Amarillo City Council Agenda Transmittal Memo



BB

Meeting Date	December 14, 2021	Council Priority	Public Safety
Department	Amarillo Fire Department		
Contact	Sam Baucom, Deputy Fire Chief		

Agenda Caption

CONSIDER APPROVAL – LIFEPAK-15 CARDIAC MONITOR/DEFIBRILLATORS
(Contact: Sam Baucom, Deputy Fire Chief)
Award to: Stryker Medical - \$211,995.50 (GSA Contract #36F79721D0021)

This item considers approval to purchase five (5) LIFEPAK-15 cardiac monitor/defibrillators with accessories to be used by the Amarillo Fire Department to provide advanced life support medical procedures.

Agenda Item Summary

The purchase and deployment to paramedic fire engines of five (5) LIFEPAK-15 cardiac monitors/defibrillators will enhance the capabilities of the Amarillo Fire Department to provide advanced life support medical procedures. COVID-19 and other respiratory diseases have made the deployment of these types of monitors a critical enhancement to patients for prehospital, emergency medicine. For the next 5 years, the AMS ambulance service will loan the AFD these type/brand cardiac monitors for use on some of our fire trucks. AMS and BSA ambulances both use this type/brand of cardiac monitor, which enhances the continuity of patient care from the first responder all the way through transport to the hospital.

Requested Action

To approve the purchase of 5 LIFEPAK-15 cardiac monitor/defibrillators with accessories in the amount of \$211,995.50 from Stryker Medical.

Funding Summary

The purchase is being funded through American Rescue Plan (ARP) Act of 2021 funding, business unit 411749.17400.1040 *Lifepacks*. Purchase is awarded to Stryker Medical in the amount of \$211,995.50 for five (5) LIFEPAK-15 cardiac monitor/defibrillators with accessories.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of the purchase of five (5) LIFEPAK-15 cardiac monitor/defibrillators with accessories in the amount of \$211,995.50 from Stryker Medical, authorizing the City Manager to complete the purchase.

Amarillo City Council Agenda Transmittal Memo



CC

Meeting Date	December 14, 2021	Council Priority	Public Safety
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Department	Legal	Contact Person	Bryan McWilliams, City Attorney
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Agenda Caption

CONSIDERATION OF RESOLUTION NO. 12-14-21-2

This item considers a Resolution that would approve a 60-day extension to the final extended term for the permit issued to American Medical Response, Inc. to operate an ambulance service within the City to finalize and complete the negotiation of a new permit.

Agenda Item Summary

The Permit issued to AMR in 2010, to operate an Ambulance Service in and for the City of Amarillo that was set to expire on January 1, 2022 shall be extended 60 days, to be effective and continuing until March 2, 2022, whereupon the AMR Permit shall expire. This 60-day extension is expressly made subject to and in accordance with the terms and conditions contained in the 2010 Permit and all corresponding amendments and operating addendums.

Requested Action

Approval of the resolution.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval as presented.

RESOLUTION NO. 12-14-21-2
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: APPROVING A 60-DAY EXTENSION TO THE FINAL EXTENDED TERM FOR THE PERMIT ISSUED TO AMERICAN MEDICAL RESPONSE, INC. TO OPERATE AN AMBULANCE SERVICE WITHIN THE CITY; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

WHEREAS, pursuant to Article II, Chapter 16-4, of the Amarillo Municipal Code of Ordinances and that certain Resolution No. 1-5-10-1 (with Addendum) enacted on January 5, 2010, the City Council authorized a Permit to American Medical Response, Inc. (hereafter, "AMR") to operate an Ambulance Service ("Permit") within the city limits and, such Permit has been renewed and extended for two additional two-year terms under which AMR is now operating until it expires on January 1, 2022; and,

WHEREAS, the City and AMR are currently negotiating a new permit and it is in the best business interests and efficiency of both the City and AMR to extend the current permit term 60 days to finalize and complete the negotiation of a new permit; and,

WHEREAS, section 16-4-20 of the Amarillo Municipal Code of Ordinances provides that when considering the renewal of an existing Permit it shall be presumed, in the absence of evidence to the contrary, that a Public Convenience and Necessity exists and that the applicant is fit, able and willing to render Ambulance Service; and,

WHEREAS, the City Council now finds that it continues to be in the best public interest to have a viable Ambulance Service, and that AMR is able and willing to do so for the duration of the of the Permit issued in 2010 including this 60-day extension;

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

SECTION 1. The Permit issued to AMR in 2010, to operate an Ambulance Service in and for the City of Amarillo that was set to expire on January 1, 2022, shall be extended 60 days, to be effective and continuing until March 2, 2022, whereupon the AMR Permit shall expire. This 60-day extension is expressly made subject to and in accordance with the terms and conditions contained in the 2010 Permit and all corresponding amendments and operating addendums.

SECTION 2. Not later than the fifth (5th) business days after the City Council approval of this Resolution, an authorized officer of AMR shall sign and file with the City Secretary a copy of this Resolution, indicating AMR's acceptance of the terms of the 60 day extension as stated in this Resolution, and a place for such signature and purpose is here provided:

AMERICAN MEDICAL RESPONSE, INC. (AMR)
d/b/a AMARILLO MEDICAL SERVICE

By: _____

Title: _____

Date: _____

SECTION 3. Should any part of this resolution conflict with any other resolution, then such other resolution is repealed to the extent of the conflict with this resolution.

SECTION 4. Should any word, phrase, or part of this resolution be found to be invalid or

unconstitutional, such finding shall not affect any other word, phrase, or part of the resolution and such remainder text shall be and continue in effect.

SECTION 5. This resolution is effective immediately upon passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 14th day of December 2021.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan S. McWilliams, City Attorney

Amarillo City Council Agenda Transmittal Memo



DD

Meeting Date	December 14, 2021	Council Priority	Economic Development and Redevelopment
Department	Planning and Development Services		
Contact	Brady Kendrick – Planner II		

Agenda Caption

CONSIDERATION OF AN AVIATION CLEAR ZONE EASEMENT, BEING 4,700 FEET ABOVE MEAN SEA LEVEL ABOVE THE PLAT OF SOUTH GEORGIA BUSINESS PARK UNIT NO. 1, AN ADDITION TO THE CITY OF AMARILLO, BEING AN UNPLATTED TRACT OF LAND IN SECTION 182, BLOCK 2, A.B.&M. SURVEY, RANDALL COUNTY, TEXAS.

VICINITY: Georgia Street and Farmers Avenue

APPLICANT/S: Amarillo Economic Development Corporation.

Agenda Item Summary

The above referenced Aviation Clear Zone (ACZ) Easement is being requested by the City of Amarillo and is associated with the plat South Georgia Business Park Unit No. 1.

To ensure safety of operation and protection of air traffic operating into and out of the airport, future physical development around the airport needs to be regulated. In 1981, the Texas Legislature enacted the Airport Zoning Act, cited as Chapter 241 of the Local Government Code, which authorized cities in the state to establish and administer regulations pertaining to the height of structures and compatible land uses in the vicinity of the airport. One of the tools established in the Amarillo Code of Ordinances that allows the City of Amarillo to regulate this type of development is the Airport Height Hazard and Zoning Regulations (Chapter 4-9) which establishes minimum requirements to control the height and use of structures that may develop in the vicinity of the airport.

The ACZ Easement document is established during the platting of a tract of land to set the height regulations for noting on the associated plat, and the legal document is signed by the owner/developer of the tract. The placement of the note on the plat ensures that the height regulation is easily found by any future owner of the tract of land. Each ACZ Easement has an associated height regulation that is determined by the tract’s proximity and location around the airport. For example, areas at the end of the runway will likely have a lower height regulation that ones at the same distance that are located adjacent to the length of the runway. The reason for this is because aircraft taking off or landing will need to be at a lower altitude during its approach or departure portion of the traffic pattern for the each associated runway.

This ACZ Easement is establishing a height regulation of 4,700 feet above mean sea level for the plat of South Georgia Business Park Unit No. 1.

Requested Action

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

Funding Summary

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

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this Aviation Clear Zone Easement.

AVIATION CLEAR ZONE EASEMENT

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF RANDALL §

WHEREAS, Amarillo Economic Development Corporation, hereinafter called "GRANTOR," whether one or more, individual or corporate, partnership or association, is the owner in fee of that certain parcel or parcels of land being described as follows:

Aviation Clear Zone Easement being 4,700 feet above mean sea level above the plat of South Georgia Business Park Unit No. 1, an addition to the City of Amarillo, being an unplatted tract of land, in Section 182, Block 2, A.B.&M. Survey, Randall County, Texas.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR does for himself, his successors and assigns, GRANT, BARGAIN, SELL AND CONVEY unto the City of Amarillo, Texas, hereinafter called GRANTEE, its successors and assigns, for the use and benefit of the public, and easement and right-of-way appurtenant to Rick Husband Amarillo International Airport for the unobstructed passage of all aircraft, "aircraft" being defined for the purpose of this instrument as any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, by whomsoever owned or operated, in the airspace above GRANTOR'S above-described property; together with the right to cause in all airspace such noise, vibration, fumes, dust, fuel particulates and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at, on, over the above described property; and GRANTOR, his successors, executors, heirs or assigns, does hereby fully waive, remise and release any right, cause of action, and damage which it may now have or which it may have in the future against GRANTEE, its successors and assigns, due to such noise, vibrations, fumes, dust, fuel particulates and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating near or on Rick Husband Amarillo International Airport or over the described property.

GRANTOR, for itself, its successors and assigns, does hereby covenant and agree that it will not hereafter erect, or permit the erection or growth of, any structure, tree or other object on the above described property to any height in excess of 4,700 feet above mean sea level. GRANTOR does hereby GRANT and CONVEY to GRANTEE a continuing right of ingress and egress via passage easement on and across the above-described property for the purpose of taking any action necessary to remove any structure, tree or other object in the airspace to any elevation greater than 4,700 feet above mean sea level.

TO HAVE AND TO HOLD said aviation clear zone easement, passage easement, and rights-of-way, and all rights appertaining thereto unto the GRANTEE, its successors and assigns, until Rick Husband Amarillo International Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and

that these covenants and agreements shall run with the land, and that for the purposes of this instrument, this easement shall be considered the dominant estate on the above-referenced property.

IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 9th day of August, 2021.

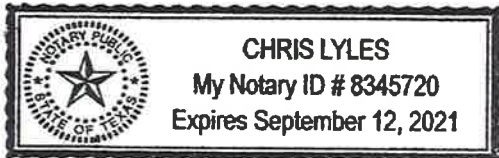
GRANTOR


Amarillo Economic Development Corporation

By: 
Doug Nelson, Senior Vice President of
Financial Services

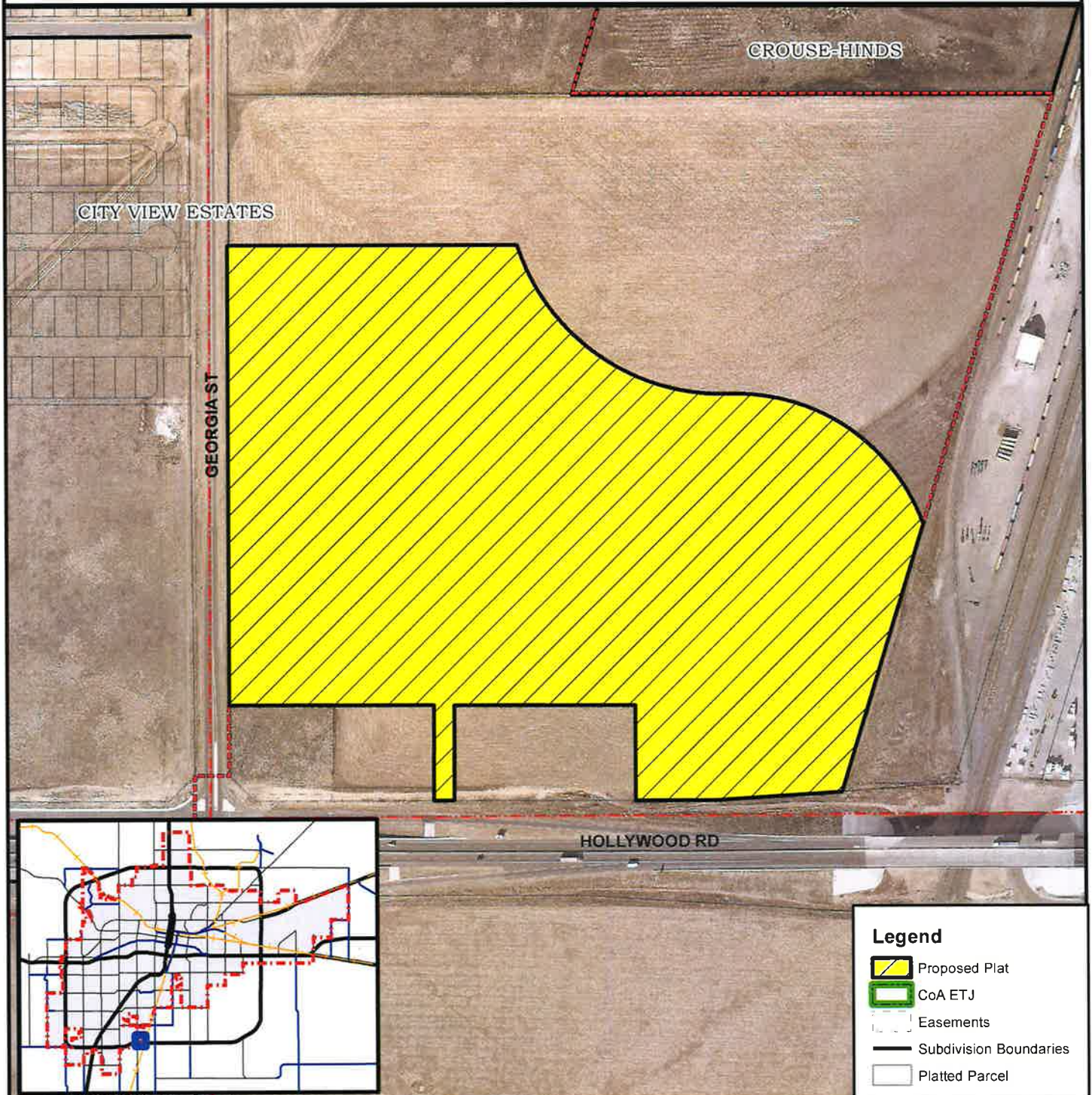
THE STATE OF Texas §
COUNTY OF Potter §

This instrument was acknowledged before me on this the 9th day of August, 2021,
by Doug Nelson.




Notary Public, State of Texas

AVIATION CLEAR ZONE EASEMENT



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 400 feet
 Date: 6/16/2021
 Case No: P-21-69



Aviation Clear Zone Easement being 4,700 feet above mean sea level above the plat of South Georgia Business Park Unit No. 1, an addition to the City of Amarillo, being an unplatted tract of land, in Section 182, Block 2, A.B.&M. Survey, Randall County, Texas.

Vicinity: Georgia St. & Loop 335/Hollywood Rd.

Applicant: Amarillo Economic Development Corporation

AP: M-15

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



EE

Meeting Date	December 14, 2021	Council Priority	Economic Development and Redevelopment
Department	Planning and Development Services		
Contact	Brady Kendrick – Planner II		

Agenda Caption

CONSIDERATION OF AN AVIATION CLEAR ZONE EASEMENT, BEING 4,450 FEET ABOVE MEAN SEA LEVEL ABOVE THE PLAT OF DREMMELE ADDITION UNIT NO. 3, A SUBURBAN SUBDIVISION TO THE CITY OF AMARILLO, BEING AN UNPLATTED TRACT OF LAND, IN SECTION 152, BLOCK 2, A.B.&M. SURVEY, RANDALL COUNTY, TEXAS.

VICINITY: Tradewind Street and S.E. 46th Avenue

APPLICANT: Brent Williamson

APPLICANT/S: Amarillo Economic Development Corporation.

Agenda Item Summary

The above referenced Aviation Clear Zone (ACZ) Easement is being requested by the City of Amarillo and is associated with the plat Dremmel Addition Unit No. 3.

To ensure safety of operation and protection of air traffic operating into and out of the airport, future physical development around the airport needs to be regulated. In 1981, the Texas Legislature enacted the Airport Zoning Act, cited as Chapter 241 of the Local Government Code, which authorized cities in the state to establish and administer regulations pertaining to the height of structures and compatible land uses in the vicinity of the airport. One of the tools established in the Amarillo Code of Ordinances that allows the City of Amarillo to regulate this type of development is the Airport Height Hazard and Zoning Regulations (Chapter 4-9) which establishes minimum requirements to control the height and use of structures that may develop in the vicinity of the airport.

The ACZ Easement document is established during the platting of a tract of land to set the height regulations for noting on the associated plat, and the legal document is signed by the owner/developer of the tract. The placement of the note on the plat ensures that the height regulation is easily found by any future owner of the tract of land. Each ACZ Easement has an associated height regulation that is determined by the tract’s proximity and location around the airport. For example, areas at the end of the runway will likely have a lower height regulation than ones at the same distance that are located adjacent to the length of the runway. The reason for this is because aircraft taking off or landing will need to be at a lower altitude during its approach or departure portion of the traffic pattern for the each associated runway.

This ACZ Easement is establishing a height regulation of 4,450 feet above mean sea level for the plat of Dremmel Addition Unit No. 3.

Requested Action

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

Funding Summary

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

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this Aviation Clear Zone Easement.

AVIATION CLEAR ZONE EASEMENT

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF RANDALL §

WHEREAS, Brent Williamson, hereinafter called "GRANTOR," whether one or more, individual or corporate, partnership or association, is the owner in fee of that certain parcel or parcels of land being described as follows:

Aviation Clear Zone Easement being 4,450 feet above mean sea level above the plat of Dremmel Addition Unit No. 3, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 152, Block 2, A.B.&M. Survey, Randall County, Texas.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR does for himself, his successors and assigns, GRANT, BARGAIN, SELL AND CONVEY unto the City of Amarillo, Texas, hereinafter called GRANTEE, its successors and assigns, for the use and benefit of the public, and easement and right-of-way appurtenant to Rick Husband Amarillo International Airport for the unobstructed passage of all aircraft, "aircraft" being defined for the purpose of this instrument as any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, by whomsoever owned or operated, in the airspace above GRANTOR'S above-described property; together with the right to cause in all airspace such noise, vibration, fumes, dust, fuel particulates and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at, on, over the above described property; and GRANTOR, his successors, executors, heirs or assigns, does hereby fully waive, remise and release any right, cause of action, and damage which it may now have or which it may have in the future against GRANTEE, its successors and assigns, due to such noise, vibrations, fumes, dust, fuel particulates and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating near or on Rick Husband Amarillo International Airport or over the described property.

GRANTOR, for itself, its successors and assigns, does hereby covenant and agree that it will not hereafter erect, or permit the erection or growth of, any structure, tree or other object on the above described property to any height in excess of 4,450 feet above mean sea level. GRANTOR does hereby GRANT and CONVEY to GRANTEE a continuing right of ingress and egress via passage easement on and across the above-described property for the purpose of taking any action necessary to remove any structure, tree or other object in the airspace to any elevation greater than 4,450 feet above mean sea level.

TO HAVE AND TO HOLD said aviation clear zone easement, passage easement, and rights-of-way, and all rights appertaining thereto unto the GRANTEE, its successors and assigns, until Rick Husband Amarillo International Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and



that these covenants and agreements shall run with the land, and that for the purposes of this instrument, this easement shall be considered the dominant estate on the above-referenced property.

IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 20th day of September, 2021.

GRANTOR

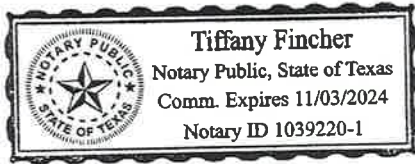
By: 

Brent Williamson

THE STATE OF Texas §

COUNTY OF Travis §

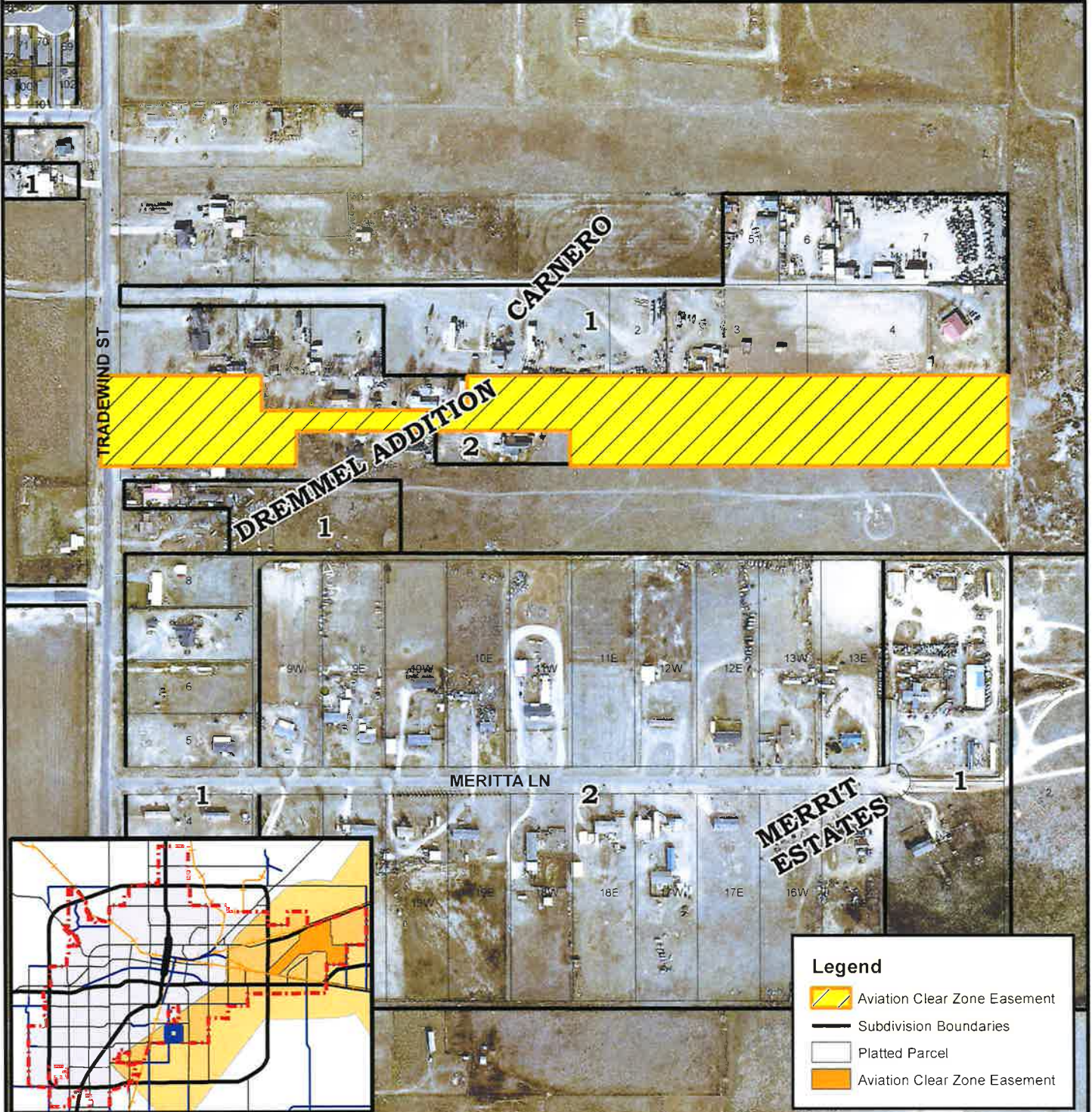
This instrument was acknowledged before me on this the 20th day of September, 2021, by Brent Williamson.





Notary Public, State of Texas

AVIATION CLEAR ZONE EASEMENT



Legend

- Aviation Clear Zone Easement
- Subdivision Boundaries
- Platted Parcel
- Aviation Clear Zone Easement

**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1 inch = 400 feet
Date: 7/28/2021
Case No: ACZ-21-09

Aviation Clear Zone Easement being 4,450 feet above mean sea level above the plat of Dremmel Addition Unit No. 3, a suburban subdivision to the City of Amarillo, being an unplatted tract of land, in Section 152, Block 2, A.B. & M. Survey, Randall County, Texas.

Vicinity: SE 46th Ave. & Tradewinds St.
 Applicant: Brent Williamson

AP: O-15

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



FF

Meeting Date	December 14, 2021	Council Priority	Economic Development and Redevelopment
Department	Planning and Development Services		
Contact	Brady Kendrick – Planner II		

Agenda Caption

CONSIDERATION OF AN AVIATION CLEAR ZONE EASEMENT, BEING 3,750 FEET ABOVE MEAN SEA LEVEL ABOVE THE PLAT OF I.H. 40 EAST INDUSTRIAL PARK UNIT NO. 9, AN ADDITION TO THE CITY OF AMARILLO, BEING A REPLAT OF LOTS 1 AND 2, BLOCK 1, I.H. 40 EAST INDUSTRIAL PARK UNIT NO. 9, PLUS AN UNPLATTED TRACT OF LAND, IN SECTION 90, BLOCK 2, A.B.&M. SURVEY, POTTER COUNTY, TEXAS.

VICINITY: Interstate 40 and Whitaker Road

APPLICANT: ATC Realty Investment, LLC

Agenda Item Summary

The above referenced Aviation Clear Zone (ACZ) Easement is being requested by the City of Amarillo and is associated with the plat I.H. 40 East Industrial Park Unit No. 9.

To ensure safety of operation and protection of air traffic operating into and out of the airport, future physical development around the airport needs to be regulated. In 1981, the Texas Legislature enacted the Airport Zoning Act, cited as Chapter 241 of the Local Government Code, which authorized cities in the state to establish and administer regulations pertaining to the height of structures and compatible land uses in the vicinity of the airport. One of the tools established in the Amarillo Code of Ordinances that allows the City of Amarillo to regulate this type of development is the Airport Height Hazard and Zoning Regulations (Chapter 4-9) which establishes minimum requirements to control the height and use of structures that may develop in the vicinity of the airport.

The ACZ Easement document is established during the platting of a tract of land to set the height regulations for noting on the associated plat, and the legal document is signed by the owner/developer of the tract. The placement of the note on the plat ensures that the height regulation is easily found by any future owner of the tract of land. Each ACZ Easement has an associated height regulation that is determined by the tract’s proximity and location around the airport. For example, areas at the end of the runway will likely have a lower height regulation that ones at the same distance that are located adjacent to the length of the runway. The reason for this is because aircraft taking off or landing will need to be at a lower altitude during its approach or departure portion of the traffic pattern for the each associated runway.

This ACZ Easement is establishing a height regulation of 3,750 feet above mean sea level for the plat of I.H. 40 East Industrial Park Unit No. 9

Requested Action

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

Funding Summary

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

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this Aviation Clear Zone Easement.

AVIATION CLEAR ZONE EASEMENT

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF POTTER §

WHEREAS, ATC Realty Investment, LLC, hereinafter called "GRANTOR," whether one or more, individual or corporate, partnership or association, is the owner in fee of that certain parcel or parcels of land being described as follows:

Aviation Clear Zone Easement being 3,750 feet above mean sea level above the plat of I.H. 40 East Industrial Park Unit No. 9. an addition to the City of Amarillo. being a replat of Lots 1 and 2. Block 1. I.H. 40 East Industrial Park Unit No. 1. plus an unplatted tract of land. in Section 90. Block 2. A.B.&M. Survey. Potter County. Texas.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR does for himself, his successors and assigns, GRANT, BARGAIN, SELL AND CONVEY unto the City of Amarillo, Texas, hereinafter called GRANTEE, its successors and assigns, for the use and benefit of the public, and easement and right-of-way appurtenant to Rick Husband Amarillo International Airport for the unobstructed passage of all aircraft, "aircraft" being defined for the purpose of this instrument as any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, by whomsoever owned or operated, in the airspace above GRANTOR'S above-described property; together with the right to cause in all airspace such noise, vibration, fumes, dust, fuel particulates and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at, on, over the above described property; and GRANTOR, his successors, executors, heirs or assigns, does hereby fully waive, remise and release any right, cause of action, and damage which it may now have or which it may have in the future against GRANTEE, its successors and assigns, due to such noise, vibrations, fumes, dust, fuel particulates and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating near or on Rick Husband Amarillo International Airport or over the described property.

GRANTOR, for itself, its successors and assigns, does hereby covenant and agree that it will not hereafter erect, or permit the erection or growth of, any structure, tree or other object on the above described property to any height in excess of 3,750 feet above mean sea level. GRANTOR does hereby GRANT and CONVEY to GRANTEE a continuing right of ingress and egress via passage easement on and across the above-described property for the purpose of taking any action necessary to remove any structure, tree or other object in the airspace to any elevation greater than 3,750 feet above mean sea level.

TO HAVE AND TO HOLD said aviation clear zone easement, passage easement, and rights-of-way, and all rights appertaining thereto unto the GRANTEE, its successors and assigns, until Rick Husband Amarillo International Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and

that these covenants and agreements shall run with the land, and that for the purposes of this instrument, this easement shall be considered the dominant estate on the above-referenced property.

IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 11 day of August, 2021.


GRANTOR

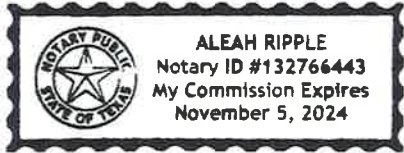
ATC Realty Investment, LLC

By: 
John Pruitt – Chief Financial Officer

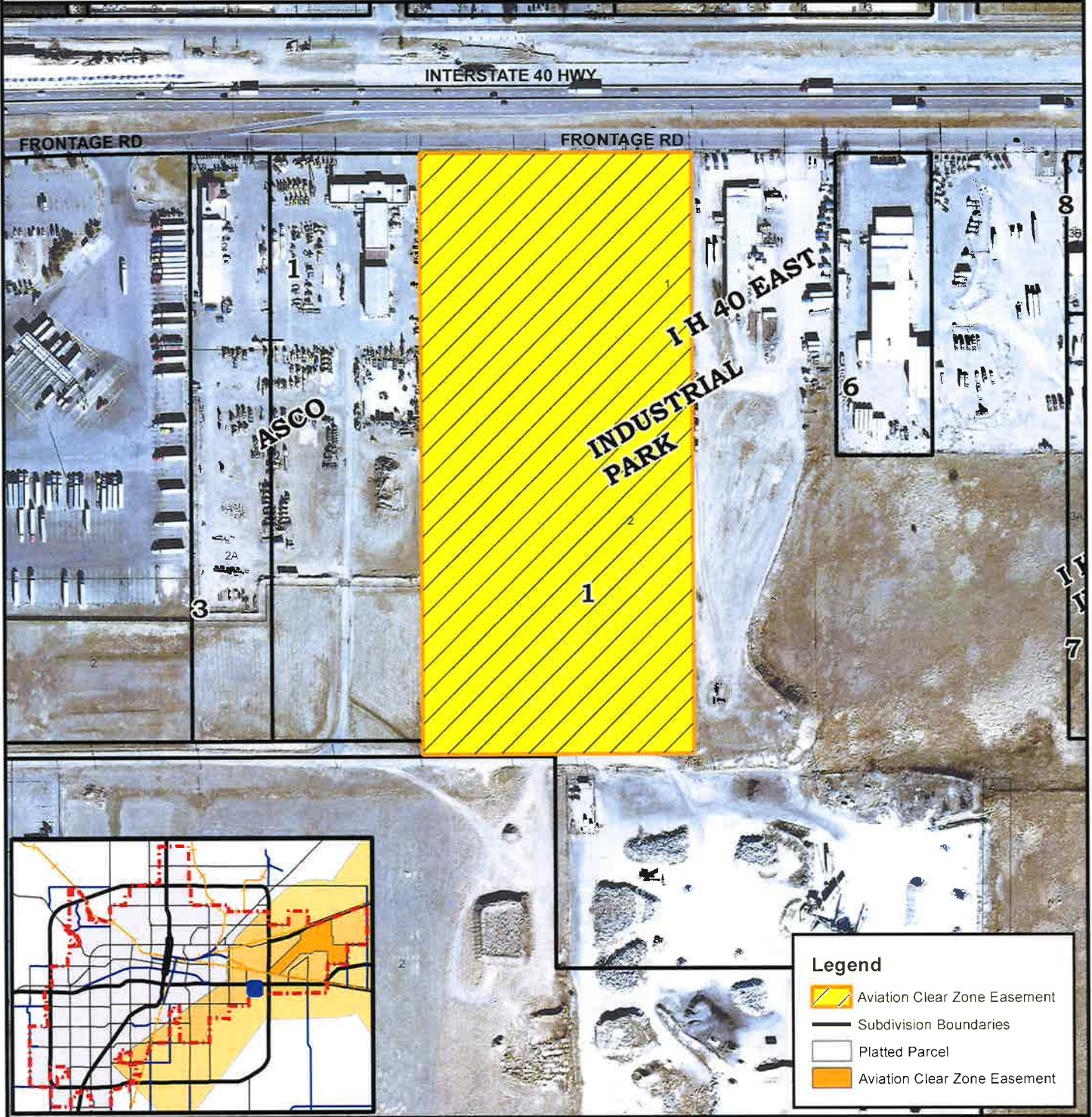
THE STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this the 11th day of AUGUST, 2021,
by John Pruitt.


Notary Public, State of TEXAS



AVIATION CLEAR ZONE EASEMENT



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
 Date: 7/28/2021
 Case No: ACZ-21-11



Aviation Clear Zone Easement being 3,750 feet above mean sea level above the plat of I.H. 40 East Industrial Park Unit No. 9, an addition to the City of Amarillo, being a replat of Lots 1 and 2, Block 1, I.H. 40 East Industrial Park Unit No. 1, plus an unplatted tract of land, in Section 90, Block 2, A.B.&M. Survey, Potter County, Texas

Vicinity: Whitaker Rd. & E IH 40

Applicant: John Pruitt for ATC Realty Investments, LLC

AP: S-13

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



GG

Meeting Date	December 14, 2021	Council Priority	Economic Development and Redevelopment
Department	Planning and Development Services		
Contact	Brady Kendrick – Planner II		

Agenda Caption

CONSIDERATION OF AN AVIATION CLEAR ZONE EASEMENT, BEING 4,400 FEET ABOVE MEAN SEA LEVEL ABOVE THE PLAT OF O-16 UNIT NO. 1, A SUBURBAN SUBDIVISION TO THE CITY OF AMARILLO, BEING AN UNPLATTED TRACT OF LAND, IN SECTION 151, BLOCK 2, A.B.&M. SURVEY, RANDALL COUNTY, TEXAS.
VICINITY: Tradewind Street and S.E. 58th Avenue
APPLICANT: Ivan Gonzalez

Agenda Item Summary

The above referenced Aviation Clear Zone (ACZ) Easement is being requested by the City of Amarillo and is associated with the plat O-16 Unit No. 1.

To ensure safety of operation and protection of air traffic operating into and out of the airport, future physical development around the airport needs to be regulated. In 1981, the Texas Legislature enacted the Airport Zoning Act, cited as Chapter 241 of the Local Government Code, which authorized cities in the state to establish and administer regulations pertaining to the height of structures and compatible land uses in the vicinity of the airport. One of the tools established in the Amarillo Code of Ordinances that allows the City of Amarillo to regulate this type of development is the Airport Height Hazard and Zoning Regulations (Chapter 4-9) which establishes minimum requirements to control the height and use of structures that may develop in the vicinity of the airport.

The ACZ Easement document is established during the platting of a tract of land to set the height regulations for noting on the associated plat, and the legal document is signed by the owner/developer of the tract. The placement of the note on the plat ensures that the height regulation is easily found by any future owner of the tract of land. Each ACZ Easement has an associated height regulation that is determined by the tract’s proximity and location around the airport. For example, areas at the end of the runway will likely have a lower height regulation than ones at the same distance that are located adjacent to the length of the runway. The reason for this is because aircraft taking off or landing will need to be at a lower altitude during its approach or departure portion of the traffic pattern for the each associated runway.

This ACZ Easement is establishing a height regulation of 4,400 feet above mean sea level for the plat of O-16 Unit No. 1.

Requested Action

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

Funding Summary

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

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this Aviation Clear Zone Easement.

AVIATION CLEAR ZONE EASEMENT

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF RANDALL §

WHEREAS, Ivan Gonzalez, hereinafter called "GRANTOR," whether one or more, individual or corporate, partnership or association, is the owner in fee of that certain parcel or parcels of land being described as follows:

Aviation Clear Zone Easement being 4,400 feet above mean sea level above the plat of O-16 Unit No. 1, a suburban subdivision to the City of Amarillo, being a unplatted tract of land, in Section 151, Block 2, A.B.&M. Survey, Randall County, Texas.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR does for himself, his successors and assigns, GRANT, BARGAIN, SELL AND CONVEY unto the City of Amarillo, Texas, hereinafter called GRANTEE, its successors and assigns, for the use and benefit of the public, and easement and right-of-way appurtenant to Rick Husband Amarillo International Airport for the unobstructed passage of all aircraft, "aircraft" being defined for the purpose of this instrument as any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, by whomsoever owned or operated, in the airspace above GRANTOR'S above-described property; together with the right to cause in all airspace such noise, vibration, fumes, dust, fuel particulates and all other effects that may be caused by the operation of aircraft landing at, or taking off from, or operating at, on, over the above described property; and GRANTOR, his successors, executors, heirs or assigns, does hereby fully waive, remise and release any right, cause of action, and damage which it may now have or which it may have in the future against GRANTEE, its successors and assigns, due to such noise, vibrations, fumes, dust, fuel particulates and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating near or on Rick Husband Amarillo International Airport or over the described property.

GRANTOR, for itself, its successors and assigns, does hereby covenant and agree that it will not hereafter erect, or permit the erection or growth of, any structure, tree or other object on the above described property to any height in excess of 4,400 feet above mean sea level. GRANTOR does hereby GRANT and CONVEY to GRANTEE a continuing right of ingress and egress via passage easement on and across the above-described property for the purpose of taking any action necessary to remove any structure, tree or other object in the airspace to any elevation greater than 4,400 feet above mean sea level.

TO HAVE AND TO HOLD said aviation clear zone easement, passage easement, and rights-of-way, and all rights appertaining thereto unto the GRANTEE, its successors and assigns, until Rick Husband Amarillo International Airport shall be abandoned and shall cease to be used for public airport purposes.

IT IS UNDERSTOOD AND AGREED that these covenants and agreements shall be binding upon the heirs, administrators, executors, successors and assigns of the GRANTOR and

that these covenants and agreements shall run with the land, and that for the purposes of this instrument, this easement shall be considered the dominant estate on the above-referenced property.

IN WITNESS WHEREOF, the GRANTOR, whether one or more, individual or corporate, has hereunto set its hand on this the 14th day of September, 2021.

GRANTOR

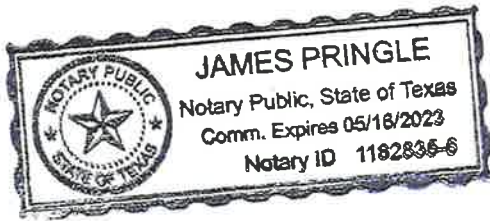
By: 


Ivan Gonzalez

THE STATE OF Texas §

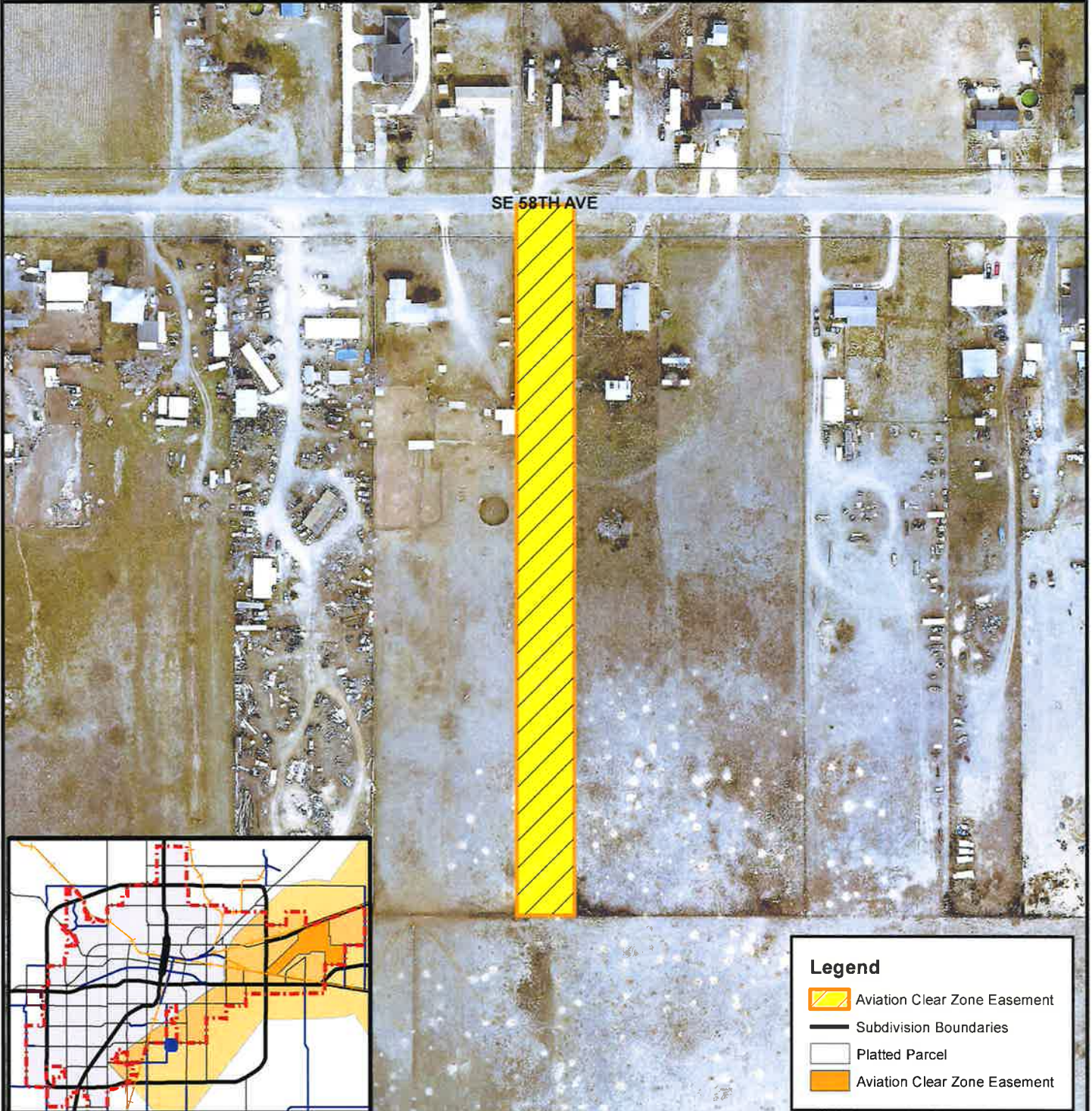
COUNTY OF Randall §

This instrument was acknowledged before me on this 14th day of September, 2021, the by Ivan Gonzalez.




Notary Public, State of Texas

AVIATION CLEAR ZONE EASEMENT



CITY OF AMARILLO PLANNING DEPARTMENT

Aviation Clear Zone Easement being 4,400 feet above mean sea level above the plat of O-16 Unit No. 1, a suburban subdivision to the City of Amarillo, being an unplatted tract of land in Section 151, Block 2, A.B.&M. Survey, Randall County, Texas.

Scale: 1 inch = 200 feet
Date: 8/30/2021
Case No: ACZ-21-12



Vicinity: SE 58th Ave. & Tradewind St.

Applicant: Ivan Gonzalez

AP: O-16

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



HH

Meeting Date	December 14, 2021	Council Pillar	Fiscal Responsibility
Department	City Manager's Office		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

CONSIDERATION OF RESOLUTION 12-14-21-3

This item considers a resolution authorizing Assistant City Manager Laura Storrs as the Authorized Official for Regional Real Time Crime Center (RRTCC) grant program.

Agenda Item Summary

With the departure of Deputy City Manager Kevin Starbuck, this resolution will designate Assistant City Manager Laura Storrs as the Authorized Official for the Regional Real Time Crime Center grant.

Requested Action

Consider approval of a resolution designating Assistant City Manager Laura Storrs as the Authorized Official for RRTCC grant on behalf of the City.

Funding Summary

A grant proposal is submitted to the State of Texas Office of the Governor for consideration and approval pending allocation of program funds.

Community Engagement Summary

N/A

Staff Recommendation

It is recommended that City Council adopt the resolution.

RESOLUTION NO 12-14-21-3

A RESOLUTION BY THE CITY OF AMARILLO CITY COUNCIL:
AUTHORIZING ADMINISTRATION OF THE REGIONAL REAL
TIME CRIME CENTER (RRTCC) GRANT PROGRAM; DESIG-
NATING THE ASSISTANT CITY MANAGER TO ACT AS THE
CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAIN-
ING TO THE CITY'S PARTICIPATION IN THE RRTCC GRANT
PROGRAM.

WHEREAS, the City of Amarillo is eligible to apply for and receive funding in the Regional Real Time Crime Center (RRTCC) grant program; and

WHEREAS, the City of Amarillo previously submitted application for the same (Grant Application #4088002); and

WHEREAS, the City of Amarillo was awarded funds on or about October 14, 2021; and

WHEREAS, the City Council wishes to designate specific City staff to efficiently administer and implement said grant.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. That a grant application is hereby ratified on behalf of the City with the corresponding Governor's Office.
2. That the City Council authorizes Assistant City Manager, Laura Storrs, as the grantee's authorized official, to apply for, accept, reject, alter, or terminate the application and/or subsequent grant on behalf of the City.
3. That in the event of loss or misuse of Office of the Governor funds, the City Council assures that those funds will be returned to the same in full.

CONSIDERED AND APPROVED this 14th day of December 2021.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

Amarillo City Council

Agenda Transmittal Memo



II

Meeting Date	December 14, 2021	Council Priority	Fiscal Responsibility-Best Practices Customer Service
Department	Public Works – Solid Waste Division		
Contact	Donny Hooper, Director of Public Works		

Agenda Caption

CONSIDER APPROVAL - PURCHASE OF TWENTY-FOUR (24) 12-YARD ROLL-OFF CONTAINERS
 (Contact: Donny Hooper, Director of Public Works)
 Award to: Roll-Off USA - \$120,135.00 (Buy Board Contract # 559.19)

This item considers approval to purchase twenty-four (24) 12-yard Roll-Off containers to be used for the “Residential Roll-Off” program being implemented to help reduce illegal dumping.

Agenda Item Summary

Solid Waste is implementing a “Residential Roll-Off” program to help reduce illegal dumping by providing citizens with another way of disposing large and bulky items at their convenience. The purchase of 24 roll off containers allows the program to be more accessible and easier for the residents of Amarillo to use.

Requested Action

The Public Works Division recommends that the City Council authorize the selected Buyboard Contract for the purchase of twenty- four (24) 12 yd roll off containers for the new Residential Roll Off program starting in early spring of 2022.

Funding Summary

Funding for this purchase was approved in the 2021/22 Budget, under Solid Waste Collections- R & M Dumpster Boxes 1431.68630, in the amount of \$120,135.00.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of contract award to Roll-Off USA, for roll-off containers to implement a new “Residential Roll-Off” program starting early spring for \$120,135.00.

Amarillo City Council Agenda Transmittal Memo



JJ

Meeting Date	December 14, 2021	Council Priority	Civic Pride/Infrastructure
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Department	Information Technology – Rich Gagnon
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Agenda Caption

CONSIDER APPROVAL – BROADBAND NETWORK AND RADIO EQUIPMENT
(Contact: Rich Gagnon, Managing Director of IT)
Award to: Dell Technologies - \$410,449.05 (DIR Contract #DIR-TSO-3763)

The item considers the approval to purchase network and radio equipment for the Broadband project. This purchase will be funded by the American Rescue Plan Act (ARPA) federal funds.

Agenda Item Summary

The item represents the purchase of network and radio equipment necessary to construct a portion of the communications infrastructure for the Broadband project to service the northern portion of the city.

Requested Action

Approval of award to Dell in the amount of \$410,449.05.

Funding Summary

This purchase will be funded from Job 620064.17400.1040 (IT Engineering). Federal funds from the American Rescue Plan Act (ARPA) will be used to reimburse this Job.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

Amarillo City Council Agenda Transmittal Memo



A

Meeting Date	December 14, 2021	Council Priority	Economic Development and Redevelopment
Department	Planning and Development Services Brady Kendrick – Planner II		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7942

Public hearing to consider an ordinance rezoning a 30.89-acre tract of unplatted land, in Section 65, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential 3 District.
(Vicinity: Westin Dr. and Legacy Pkwy.)

Agenda Item Summary

Adjacent land use and zoning

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

Adjacent land uses consist of undeveloped land to the north, west, and east and single family detached homes to the south.

Proposal

The applicant is requesting a change in zoning to develop this tract of land with single-family detached homes for the next phase of the Heritage Hills Subdivision.

Analysis

Analysis of zoning change requests begins with referring to the Comprehensive Plan’s Future Land Use and Character Map, which identifies recommended future land uses. Additionally, staff considers what impact on area existing zoning and development patterns as well as its conformity to the Neighborhood Unit Concept (NUC) of development.

The 2010 Comprehensive Future Land Use and Character Map recommends Estate Residential for this area. Estate Residential calls for less dense residential development of via larger lots and increased setbacks.

Although the land to be rezoned and developed with higher density residential homes does not strictly align with the recommended development type, the proposed zoning is residential in nature. It is also recognized that since the Estate Residential recommendation was given, there has been a change in development characteristics within the section of land surrounding the applicant’s site whereby higher density single-family homes have become the predominate development pattern in the area.

Residential District 3 allows single-family detached homes that are of a higher density due to the smaller minimum lot size (5,000 square feet) and reduced front-yard setbacks (15 feet) when compared the other residential zoning districts of Residential 1 and 2. This higher density single-family residential zoning is found throughout the remainder of the section currently developed to the south.

It is worth noting that the request is consistent with the approved Preliminary Plan for Heritage Hills.

Considering the above, The Planning and Zoning Commission is of the opinion that the request is a logical continuation of existing zoning and patterns of development in the area and does not create any negative impacts.

Requested Action/Recommendation

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

Taking all the above into account, The Planning and Zoning Commission recommends **APPROVAL** of the rezoning request as presented.

ORDINANCE NO. 7942

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 WESTIN DRIVE AND LEGACY PARKWAY, RANDALL 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 a 30.89-acre tract of unplatted land, in Section 65, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Residential 3 District. being further described below:

BEGINNING at a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the South Right-of-Way line of Arden Road as dedicated per instrument recorded under Clerk's File No. 2021006609 of the Official Public Records of Randall County, Texas, from whence a 1/2 inch iron rod found for the Northwest corner of said Section 65 bears N. 00° 21' 42" W. 60.00 feet and N. 89° 45' 43" W. 1723.67 feet;

THENCE S. 89° 45' 43" E. 1596.59 feet along the South Right-of-Way line of said Arden Road to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the Northeast corner of this tract of land;

THENCE S. 00° 21' 42" E. 197.60 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the beginning of a curve to the left whose center bears N. 89° 38' 18" E.

746.00 feet;

THENCE Southerly 353.22 feet along said curve to the left with a long chord of S. 13° 55' 33" E. 349.93 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve, same being the intersection of the East Right-of-Way line of Legacy Parkway and the North Right-of-Way line of Westin Drive as dedicated in Heritage Hills Unit No. 2, an addition to the City of Amarillo according to the map or plat thereof recorded under Clerk's File No. 2014018558 of the Official Public Records of Randall County, Texas, also being the most East Southeast corner of this tract of land;

THENCE S. 62° 30' 35" W. 94.00 feet along the Northerly boundary of said Heritage Hills Unit No. 2 to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the beginning of a curve to the left whose center bears N. 62° 30' 35" E. 840.00 feet;

THENCE Southeasterly 6.82 feet along said curve to the left with a long chord of S. 27° 43' 22" E. 6.82 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE S. 26° 57' 10" W. 8.19 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the North Right-of-Way line of said Westing Drive for the most South Southeast corner of this tract of land, same being the beginning of a curve to the left whose center bears S. 08° 19' 56" E. 3850.00 feet;

THENCE Southwesterly 1137.78 feet along said curve to the left with a long chord of S. 73° 12' 05" W. 1133.65 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE S. 64° 44' 07" W. 131.65 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the beginning of a curve to the right whose center bears N. 25° 15' 53" W. 710.00 feet;

THENCE Westerly 316.39 feet along said curve to the right with a long chord of S. 77° 30' 06" W. 313.79 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE N. 89° 43' 55" W. 54.27 feet, continuing along the North Right-of-Way line of said Westin Drive to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the Southwest corner of this tract of land;

THENCE N. 35° 35' 29" E. 5.78 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the beginning of a curve to the right whose center bears N. 71° 02' 42" E. 1100.00 feet;

THENCE Northerly 356.97 feet along said curve to the right with a long chord of N. 09° 39' 30" W. 355.40 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE N. 00° 21' 42" W. 545.89 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the beginning of a curve to the left whose center bears S. 89° 38' 18" W. 37.00 feet;

THENCE Northwesterly 31.20 feet along said curve to the left with a long chord of N. 24° 31' 21" W. 30.29 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the beginning of a curve to the right whose center bears N. 41° 19' 00" E. 60.00 feet;

THENCE Northerly 144.85 feet along said curve to the right with a long chord of N. 20° 28' 39" E. 112.15 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set for the end of said curve;

THENCE N. 00° 21' 42" W. 18.51 feet to the PLACE OF BEGINNING and containing 30.89 acres of land, more or less.

Base line – West line of Section 65 S. 00° 12' 23" E. 5412.60 feet

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 14th day of December, 2021 and **PASSED** on Second and Final Reading on this the 11th day of January, 2022.

Ginger Nelson, Mayor

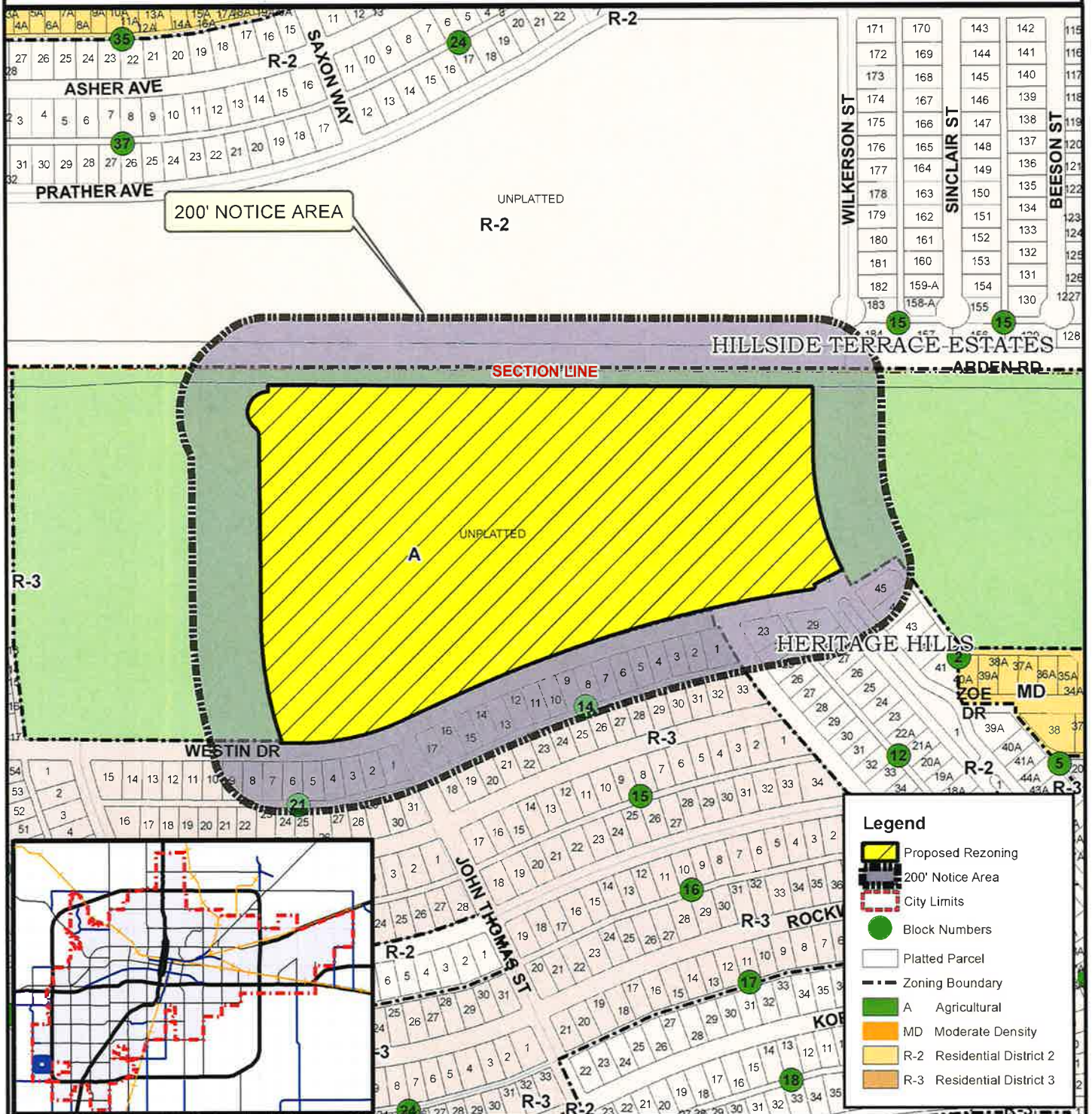
ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

REZONING FROM A TO R-3



CITY OF AMARILLO PLANNING DEPARTMENT

Z-21-14 Rezoning of a 30.89 acre tract of unplatted land in Section 65, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Residential 3 District.

VICINITY: Westin Dr. & Legacy Pkwy.

APPLICANT: Seth Williams for PEGA Development, LLC

Scale: 1 inch = 400 feet
Date: 10/19/2021
Case No: Z-21-14



AP: H-17

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



B

Meeting Date	December 14, 2021	Council Priority	Public Health and Safety
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Department	Animal Management & Welfare	Contact Person	Victoria Medley, AMW Director
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Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7943

This item is a first reading of an ordinance to consider amendments to the Amarillo Municipal Code, Chapter 8-2, Articles I and II, Sec. 8-2-4, 8-2-12, 8-2-55, 8-2-57.

Agenda Item Summary

This ordinance specifically amends Chapter 8-2 of the Amarillo Municipal Code which provides for and describes local requirements for the custody and control of animals within the city limits. The City of Amarillo and the Amarillo-Panhandle Humane Society ("APHS") have had a long history of working together to facilitate animal adoptions in Amarillo. APHS no longer provides adoptions services and is now providing temporary foster care and rescue services. The proposed amendments reflect the current services provided by the Amarillo-Panhandle Humane Society.

Requested Action

Approve as presented

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval as presented

ORDINANCE NO. 7943

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, ARTICLES I AND III, SECTIONS 8-2-4, 8-2-12, AND 8-2-55, AND REPEALING CHAPTER 8-2, ARTICLE III, SECTION 8-2-57, TO REFLECT CURRENT SERVICES PROVIDED BY THE AMARILLO-PANHANDLE HUMANE SOCIETY; PROVIDING FOR: SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, AND EFFECTIVE DATE.

WHEREAS, the City’s of Amarillo and the Amarillo-Panhandle Humane Society (“APHS”) have a long history of working together to facilitate animal adoptions in Amarillo; and

WHEREAS, APHS no longer provides adoption services and now provides temporary foster care and rescue transport services; and

WHEREAS, the City desires to update its ordinances to reflect APHS’ current services;

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

SECTION 1. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-4 be and hereby is amended in part to now read as follows:

Sec. 8-2-4. – Fees.

- (a) [NO TEXT CHANGE]
- (b) *Humane society ~~adoption~~ kenneling fees.* For ~~adoption~~ kenneling of any Animal pursuant to section 8-2-55(a)(3) the society shall pay to the City the ~~monthly per-animal-per-day~~ fees required by contract with the City for this service.
- (c) *Other fees:*
 - (1) [NO TEXT CHANGE]
 - (2) [NO TEXT CHANGE]
 - (3) [NO TEXT CHANGE]
 - (4) ~~Dead Animal pickups, veterinary clinics:~~
 - a. ~~Per bagged animal that is less than 200 pounds2.50~~
 - b. ~~Animals weighing more than 200 pounds will not be picked up by Animal Management & Welfare~~
 - (45) Pathological examination50.00
 - (56) Small Animal trap, deposit (refundable upon timely return)90.00
 - (67) Vaccination at intake, Animal medical treatment:
 - a. Vaccination (therapeutic or prophylactic), immunization fee (or actual cost whichever is more)10.00

- b. The owners of animals at the shelter requiring veterinarian services shall be charged the cost of the veterinarian fees.

- (78) Surrender Fee:
- Adult pet (over 6 months)25.00
 - Per puppy or kitten10.00
 - Spay-a-Mama Program40.00
- (89) Adoption Fee - Canine50.00
- Adoption Fee - Feline30.00
 - Adoption Fee - Barn Cat10.00
 - Adoption Fee - Chicken10.00
 - Adoption Fee - Small animal15.00
- (94) Replacement Rabies Tag5.00

(d) [NO TEXT CHANGE]

SECTION 2. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-12 be and hereby is amended in part to now read as follows:

Sec. 8-2-12. - Humane society to operate at Animal shelter.

The Amarillo Panhandle Humane Society is authorized to operate an Animal ~~adoption~~ temporary foster care and rescue transport program in conjunction with the Animal Management & Welfare Department's Animal shelter in accordance with state law.

SECTION 3. The Amarillo Municipal Code, Chapter 8-2, Article III, Section 8-2-55 be and hereby is amended in part to now read as follows:

Sec. 8-2-55. - Disposition of unclaimed or unredeemed Animals.

- (a) After any impounded Animal that has become the property of the City pursuant to Section 8-2-15 and has remained unclaimed or unredeemed, the department shall have the following powers:

- (1) [NO TEXT CHANGE]
- (2) [NO TEXT CHANGE]
- (3) *Transfer to Humane Society.* The Animal Management & Welfare Department may transfer any impounded Animal that is unclaimed ~~and~~ or unredeemed to the Amarillo Panhandle Humane Society for the purposes of temporary foster care or ~~adoption~~ rescue transport. In the event of transfer of ownership for purposes of ~~adoption~~ temporary foster care or

rescue transport, the Amarillo Panhandle Humane Society shall pay to the Animal Management & Welfare Department the required kenneling fees set forth in this ~~chapter~~section 8-2-4(b). Except as otherwise required by law, personal identifying information of a person who adopts or fosters an animal or a rescue organization that takes custody of an animal shall remain confidential.

- (b) Surrendered, sick, unweaned or injured Animals.
 - (1) [NO TEXT CHANGE]
 - (2) Animals surrendered for adoption may only be destroyed upon order of the Director of Animal Management & Welfare, or his designee, after taking into consideration the recommendation of the Humane Society representative, if reasonably available.

SECTION 4. The Amarillo Municipal Code, Chapter 8-2, Article III, Section 8-2-57 be and hereby is repealed and reserved as follows:

Secs. 8-2-597—8-2-70. - Reserved.

SECTION 5. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 6. Repealer. Subject to the provision in Section 4 (Continuation of Prior Law), all ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 7. Continuation of prior law. Nothing in this ordinance or any code hereby adopted shall be construed so as to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause of action acquired existing, under any act or ordinance hereby repealed by this ordinance; nor shall any just, vested, or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 8. Effective Date. This ordinance shall be effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 14th day of December 2021; and PASSED on Second and Final Reading the 11th day of January, 2022.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan S. McWilliams, City Attorney

Amarillo City Council

Agenda Transmittal Memo



C

Meeting Date	December 14, 2021	Council Pillar	Fiscal Responsibility
Department	City Manager's Office		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

DISCUSS AND CONSIDER FUNDING OPTIONS FOR RENOVATING AMARILLO HARDWARE AS CITY HALL
(Contact: Laura Storrs, Assistant City Manager)

This item is to discuss and consider funding options to renovate Amarillo Hardware, an existing City-owned building, as City Hall.

Agenda Item Summary

This item is to discuss and consider various funding options that could be utilized to renovate an existing City-owned building as City Hall.

Requested Action

Provide direction to staff about which funding option Council would like to utilize to renovate Amarillo Hardware, an existing City-owned building, as City Hall.

Funding Summary

N/A

Community Engagement Summary

At the November 9, 2021 City Council meeting, Council was presented options for renovating the existing City Hall building, renovating an existing City-owned building as City Hall, or constructing a new building as City Hall. Council was also presented various funding options to pay for renovations or new construction for City Hall. At this meeting, Council directed staff to prepare funding options for the renovation of Amarillo Hardware, an existing City-owned building, as City Hall. Council also directed staff to evaluate and present alternate funding options to reduce the property tax impact of the project.

Staff Recommendation

Staff is recommending direction from Council on this item.

Amarillo City Council

Agenda Transmittal Memo



D

Meeting Date	December 14, 2021	Council Pillar	Fiscal Responsibility
Department	City Manager's Office		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

DISCUSSION - CALLING A MUNICIPAL BOND ELECTION

(Contact: Laura Storrs, Assistant City Manager)

This item is the discussion of calling a municipal bond election for May 7, 2022, to place on the ballot funding for renovations of an existing City-owned building.

Agenda Item Summary

This item is to discuss and provide direction to staff about bringing a resolution to Council in January 2022 to call a municipal bond election placing funding to renovate an existing City-owned building as City Hall on the May 7, 2022 ballot.

Requested Action

Provide direction to staff on bringing a resolution to Council in January 2022 to call a municipal bond election for May 7, 2022.

Funding Summary

N/A

Community Engagement Summary

At the November 9, 2021 City Council meeting, Council was presented options for renovating the existing City Hall building, renovating an existing City-owned building as City Hall, or constructing a new building as City Hall. Council was also presented various funding options to pay for renovations or new construction for City Hall. At this meeting, Council directed staff to prepare funding options for the renovation of Amarillo Hardware, an existing City-owned building, as City Hall. Council also directed staff to evaluate and present alternate funding options to reduce the property tax impact of the project.

Staff Recommendation

Staff is recommending direction from Council on this item.

Amarillo City Council

Agenda Transmittal Memo



E

Meeting Date	December 14, 2021	Council Pillar	Fiscal Responsibility
Department	City Manager's Office		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

CONSIDERATION OF RESOLUTION NO. 12-14-21-4 – AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.
(Contact: Laura Storrs, Assistant City Manager)

This item considers of all matters incident and related to approving and authorizing publication of notice of intention to issue certificates of obligation, including the adoption of a resolution pertaining thereto.

Agenda Item Summary

This resolution authorizes the City of Amarillo to publish notification of the City's intention to issue certificates of obligation not to exceed \$23,900,000. The proceeds will be used to renovate an existing City-owned building as City Hall.

Requested Action

Council consideration and approval of the resolution.

Funding Summary

N/A

Community Engagement Summary

At the November 9, 2021 City Council meeting, Council was presented options for renovating the existing City Hall building, renovating an existing City-owned building as City Hall, or constructing a new building as City Hall. Council was also presented various funding options to pay for renovations or new construction for City Hall. At this meeting, Council directed staff to prepare funding options for the renovation of Amarillo Hardware, an existing City-owned building, as City Hall. Council also directed staff to evaluate and present alternate funding options to reduce the property tax impact of the project.

Staff Recommendation

Subject to Council direction, staff is recommending approval of the resolution authorizing the publication of a notification of the City's intention to issue certificates of obligation.

Amarillo City Council

Agenda Transmittal Memo



F

Meeting Date	December 14, 2021	Council Pillar	Fiscal Responsibility
Department	City Manager		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7944
(Contact: Laura Storrs, Assistant City Manager)

This item is for discussion and consideration of an ordinance authorizing the issuance of the City of Amarillo, Texas Combination Tax and Revenue Notes, Series 2022 resolving other matters incident and related thereto including the approval of a paying agent/registrar agreement and a purchase contract.

Agenda Item Summary

This ordinance authorizes the City to issue the Combination Tax and Revenue Notes, Series 2022 to renovate an existing City-owned building as City Hall.

Requested Action

Adopt the Ordinance authorizing the issuance of the Combination Tax and Revenue Notes, Series 2022.

Funding Summary

N/A

Community Engagement Summary

At the November 9, 2021 City Council meeting, Council was presented options for renovating the existing City Hall building, renovating an existing City-owned building as City Hall, or constructing a new building as City Hall. Council was also presented various funding options to pay for renovations or new construction for City Hall. At this meeting, Council directed staff to prepare funding options for the renovation of Amarillo Hardware, an existing City-owned building, as City Hall. Council also directed staff to evaluate and present alternate funding options to reduce the property tax impact of the project.

Staff Recommendation

Subject to Council direction, staff is recommending approval of the Ordinance.

Amarillo City Council

Agenda Transmittal Memo



G

Meeting Date	December 14, 2021	Council Priority	Economic Development/Redevelopment
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Department	City Manager's Office	Contact Person	Andrew Freeman, Assistant City Manager
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Agenda Caption

CONSIDERATION OF A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT BETWEEN THE CITY OF AMARILLO AND AMARILLO LTACH, LLC:

This item considers approval of a Chapter 380 Economic Development Program Agreement between the City of Amarillo and Amarillo LTACH, LLC for the rehabilitation of an existing building located at 1540 Research Drive to be utilized as a long-term acute care hospital.

Agenda Item Summary

This agenda item is to consider a Chapter 380 Agreement with Amarillo LTACH, LLC for the rehabilitation of an existing 51,000 square foot skilled nursing facility located at 1540 Research Drive. The building was almost finished, but never received a certificate of occupancy. This project would convert the building to a long-term acute care hospital with 54 all private beds (10 ICU, 30 high acuity LTAC, and 14 rehab). The property is currently on the tax rolls for \$6.4MM with the applicant proposing to invest \$11MM to improve the building and the overall site for the new use.

Through the Chapter 380 Agreement, the City will annually rebate back 80% of new ad valorem taxes over the 2021 base value for a total of eight years. If the new property growth was \$10MM, this would equate to \$35,467 per year or \$283,736 over eight years.

Benefits of this project include:

- 110 new full-time positions, payroll of \$7 million (\$63k average)
- 50 new part-time positions, payroll of \$2 million (\$40k average)
- Types of positions include physicians, RN's, LVN's, Physical Therapist, Occupational Therapist, Respiratory Therapist, Pharmacist, Nutritionist, Administrators, Office staff, Orderlies, Chef/Kitchen staff, Case Workers, Housekeeping, Maintenance, Dialysis Technician, Pharmacy Technician, etc.
- Will bring a building back to an active use after sitting vacant since 2018

Requested Action

Approval of the agreement.

Funding Summary

Funding would be provided through rebates of property taxes paid by the Amarillo LTACH. As an existing building, rebates would only be based on the new growth in property values above the current 2021 property values.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval as presented.

**CITY OF AMARILLO, TEXAS
AND
AMARILLO LTACH, LLC**

**CHAPTER 380 ECONOMIC DEVELOPMENT
PROGRAM AGREEMENT**

This CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT (the "Agreement") is made and entered into by and between the CITY OF AMARILLO, TEXAS, a Texas home rule municipality ("City"), and AMARILLO LTACH, LLC ("Company"), a Texas limited liability company, each of which may be singularly referred to as "Party" and jointly referred to as "Parties," for the purposes and considerations stated below.

WHEREAS, the Company has applied to the City for financial assistance to renovate an existing never occupied building, for an approximately 51,000 square feet long-term acute care hospital, which will house fifty-four all private beds (ten ICU, thirty high acuity, and fourteen rehab) to serve patients needing respiratory therapy, physical therapy, dialysis, occupational therapy, cardiovascular recovery, and more ("Project" or "Hospital"); and

WHEREAS, the City has the authority under Article 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code ("Chapter 380") to make loans or grants of public funds for the purposes of promoting local economic development and stimulating business and commercial activity within the City; and

WHEREAS, the City desires to provide, pursuant to Chapter 380, an incentive to the Company to construct and develop the relocation/expansion of cancer treatment facility in this community; and

WHEREAS, the City has determined that the Project is also desirable for the redevelopment of a vacant and unused existing structure; and

WHEREAS, the City has also determined that a grant of funds to the Company will serve the public purpose of promoting local economic development, and stimulating business and commercial activity within the City, and creating and retaining jobs.

NOW THEREFORE, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

SECTION 1. FINDINGS INCORPORATED.

The foregoing recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants, consideration and promises that bind the Parties.

SECTION 2. PROGRAM APPROVED.

The City Council of the City hereby establishes a Chapter 380 economic development program (the "Program") to facilitate the construction and development of the Project and determines that this Agreement will effectuate the purposes of the Program, and that the Company's performance of its obligations herein will promote local economic development and stimulate business and commercial activity in the City.

SECTION 3. TERM.

This Agreement shall be effective as of the Effective Date for a period of eight (8) years and shall terminate when all terms and conditions of this Agreement have been fulfilled unless terminated earlier pursuant to the terms of this Agreement.

SECTION 4. DEFINITIONS.

The following words shall have the following meanings when used in this Agreement:

"Agreement" means this Chapter 380 Economic Development Program Agreement, together with all exhibits and schedules attached to this Agreement from time to time, if any.

"Certificate of Occupancy" means an approval issued by the City after final inspection reflecting that construction of the Improvements has been completed in conformance with all appropriate City codes and requirements.

"City" means the City of Amarillo, Texas, a Texas home-rule municipality, whose address for the purposes of this Agreement is 601 S. Buchanan Street, Amarillo, Texas 79101.

"Company" means Amarillo LTACH, LLC, a Texas limited liability company, authorized to do business in Texas, whose address for the purposes of this Agreement is 1540 Research Street, Amarillo TX 79106.

"Effective Date" means the last date this Agreement is signed by either Party.

"Event of Default" means and includes any of the Events of Default set forth below in the section entitled "Events of Default."

"Force Majeure" means any act of God or the public enemy, war, riot, civil commotion, fire, explosion or flood, and strikes or other act beyond the reasonable control of the Parties, but not including lack of funds.

"Improvements" means the completed renovation of an existing, approximately 51,000 square feet into a long-term acute care hospital, which houses fifty-four all private beds (ten ICU, thirty high acuity, and fourteen rehab to serve patients needing respiratory therapy, physical therapy, dialysis, occupational therapy, cardiovascular recovery, and more, all on a site described on EXHIBIT A, and pursuant to the Concept Plan attached hereto as EXHIBIT B, with a required

minimum new investment of not less than \$11,000,000 for construction, and installation of fixed machinery and equipment with a value of not less than \$1,200,000.

“Job” or position means a full-time job or position requiring a minimum of 2080 hours of work per year, including allowance for vacation and sick leave. Individual salary or wages must equal at least the federal minimum wage or as otherwise specified in this Agreement. Total hours of all part-time employees shall be combined and divided by 2080 to determine the number of full-time job equivalents provided by part-time employees. This term includes only employment at the Center and not independent contractors unless specifically provided for in this Agreement. The term includes employees of BSA Hospital, LLC, affiliates and subsidiaries employed in the Center.

“Project” means the design, construction, and operation of long-term acute care hospital described as “Improvements” and on Exhibits A & B.

“Program Grant” or “Program Grant Payment” means the economic development grants to be paid by the City to the Company in accordance with this Agreement.

“Property” means that real property on which the Project is to be located and being more particularly described on the attached Exhibit A.

“Property Tax increment” means the difference in the City ad valorem property tax revenue on the Property between the year in which this Agreement was approved (being 2021 and using the PRAD appraised value for that year as the base value) and January 1 of each subsequent tax year during the term of this Agreement.

“Property Taxes Paid” means the total amount of ad valorem property tax revenue (real and business property) paid to and received by the City, generated by the Project.

SECTION 5. OBLIGATIONS OF COMPANY.

The Company covenants and agrees with the City that, while this Agreement is in effect, it shall comply with the following terms and conditions, which are prerequisites to being eligible for a grant(s) from the City:

- (1) Completion of Improvements. The Company agrees that it must receive a building permit and all necessary financing and governmental approvals no later than March 31, 2022; and Company further agrees that the Improvements will be completed and receive a Certificate of Occupancy no later than December 31, 2022. If requested in writing by the Company, the City may extend these deadlines, if in the City’s reasonable discretion the City determines that an extension is warranted upon (a) an event of Force Majeure that suspends construction of the Improvements for a period of time such as to prevent the Improvements from receiving the Certificate of Occupancy within the time specified above; (b) disruption due to construction of infrastructure improvements by the City for a period of time such as to prevent the Improvements from timely receiving the Certificate of Occupancy; or (c) Company and City mutually agree to one (1) extension period of not more than 120 days for convenience of both parties. Failure or refusal to timely complete

the Improvements as required by this Agreement, including the minimum capital investment, shall be considered an Event of Default under this agreement.

(2) Jobs. Within 90 days following the opening of the Hospital for business with the public, and continuing for the duration of this Agreement, the Company shall create one hundred ten (110) new full-time employees (with an annual payroll of not less than \$7,000,000) in addition to creating fifty (50) part-time employees (with an annual payroll of not less than \$2,000,000).

(3) Performance. The Company agrees to perform and comply with all terms, conditions, and provisions set forth in this Agreement and in all other instruments and agreements between the Company and the City.

(4) Undocumented Workers. The Company certifies that the Company does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended, in carrying out its obligations under this Agreement. If during the Term of this Agreement, the Company is convicted of a violation under 8 U.S.C. § 1324a (f), the company will repay the amount of the public subsidy provided under this Agreement plus interest, at the rate of the prime rate published in the *Wall Street Journal* plus two percent (2%) per annum, not later than the 120th day after the date the City notifies the Company of the violation.

(5) Taxes. During the term of the Agreement, the Company shall timely pay all ad valorem taxes (real and business property) and all other taxes and charges due by the Company to the City or other governmental entity (to the extent such is not being contested in good faith). Failure or refusal to do so shall constitute a default of this Agreement by the Company.

SECTION 6. OBLIGATIONS OF CITY.

A. Program Grant Payments. Upon verification of the Company's timely and proper performance of its Obligations in Section 5 of this Agreement, then City shall pay to the Company certain grants according to the following terms:

(1) Annually reimburse the Company a percentage of the annual Property Tax Increment for a period of eight (8) years commencing on the date the first Program Grant Payment is paid to the Company, as follows:

- Years 1-8 at 80% of the Property Tax Increment

(2) The Company shall furnish evidence reasonably satisfactory to the City, on or before March 1 of the year following issuance of the Certificate of Occupancy for the Improvements, and on or before March 1 of each year thereafter during the Term of this Agreement, that the Company has performed the Jobs requirement of this Agreement and Property Taxes Paid, City utility charges or other fees due and owing, and that all such taxes and fees for the preceding year have been paid in full (to the extent such is not being

contested in good faith).The City will thereafter within 30 days pay the Program Grant Payment that is due to the Company.

(3) Partial Compliance. In the event the Company has not complied with the Jobs obligation of Section 5 for a particular year, then the annual Program Grant Payment to the Company for that year may be reduced by the same percentage that the Company is short of the Jobs obligation stated in Section 5. Once a reduced Program Grant Payment is made for partial compliance for a particular year, then the Company will be considered to have satisfied the requirements for jobs for that year, if in compliance with all other conditions of this Agreement.

B. Enterprise Project Support. If requested by the Company, City commits to support the Company in a Texas Enterprise Project nomination.

C. Administrative Assistance. City will endeavor to provide Company administrative assistance with facilitating and expediting City permit reviews as is feasible.

SECTION 7. EVENTS OF DEFAULT.

Each of the following shall constitute an Event of Default under this Agreement:

(1) Default. Failure of the Company or the City to comply with or to perform any term, obligation, covenant or condition contained in this Agreement or in any related documents, and the Company or the City fails to cure such failure within thirty (30) days after written notice from the City or the Company, as the case may be, describing such failure, or if such failure cannot be cured within such thirty (30) day period in the exercise of all due diligence, then if the Company or the City fails to commence such cure within such thirty (30) day period or fails to continuously thereafter diligently prosecute the cure of such failure.

(2) False Statements. Any written warranty, representation or statement made or furnished to the City by the Company, or the City to the Company under this Agreement or any document(s) related hereto furnished by the Company or the City to the receiving Party is/are false or misleading in any material respect, either now or at the time made or furnished, and the furnishing Party fails to cure same within thirty (30) days after written notice from the receiving Party describing the violation, or if such violation cannot be cured within such thirty (30) day period in the exercise of all due diligence, then if the furnishing Party fails to commence such cure within such thirty (30) day period or fails to continuously thereafter diligently prosecute the cure of such violation, or if the furnishing Party obtains actual knowledge that any such warranty, representation or statement has become false or misleading after the time that it was made, and the furnishing Party fails to provide written notice to the receiving Party of the false or misleading nature of such warranty, representation or statement within ten (10) days after the furnishing Party learns of its false or misleading nature.

(3) Insolvency. The dissolution or termination of the Company's existence as a going business or concern, the Company's insolvency, appointment of receiver for any part of the

Company's property, any assignment of all or substantially all of the assets of the Company for the benefit of creditors of the Company, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against the Company unless, in the case of involuntary proceedings, such proceedings are discharged within ninety (90) days after filing.

SECTION 8. EFFECT OF AN EVENT OF DEFAULT.

(1) Notice and Remedies. In the event of default under this Agreement, including without limitation, Section 7, the non-defaulting Party shall give written notice to the defaulting Party of any default, and the defaulting Party shall have the period provided in Section 7 to cure said default. Should said default remain uncured as of the last day of the applicable cure period and the non-defaulting Party is not otherwise in default, the non-defaulting Party shall have the right to immediately terminate this Agreement. In the event the City terminates this Agreement as a result of the foregoing, it will have no further obligation to make any remaining Program Grant Payment, including that of the current year, nor the immediately preceding year. Additionally, the Company will immediately owe the City repayment of the previous Program Grant Payments made to the Company, plus interest at the rate of the prime rate per annum. The Company shall pay such funds to the City within sixty (60) days of termination. In the event the City is the party in default, the City will cure the default as soon as possible and will pay the amounts under the Agreement, plus interest at the rate of the prime rate published in the *Wall Street Journal* plus two percent (2%) per annum. Repayment of previous Program Grant Payments will take into account exceptions for partial compliance adjustments found in Section 6. (3) under this Agreement.

(2) Damage Limitation. Under no circumstances shall the Company be liable to the City under this Agreement for damages in excess of the aggregate amount of funds paid by the City to the Company pursuant to this Agreement. Neither party shall be liable to the other for indirect, special or consequential damages except as provided for in Section 5.

SECTION 9. ADDITIONAL PROPERTY TAX PROVISIONS

The following additional Property Tax provisions are a part of this Agreement:

(1) Legislative or Judicial Changes. In the event of any legislative or judicial interpretation that limits or restricts the City's ability to pay the Property Tax rebates or other incentive herein provided or otherwise extracts or imposes any penalty or other restriction upon the calculation or payment of same, such rebate will be modified or cease as of the effective date of such limitation or restriction and be of no further force, effect or consequence in which event the City shall be under no further obligation to the Company as of the effective date of such limitation or restriction. However, the City and the Company agree to modify the rebate provided for herein to the extent permitted by such legislative or judicial action to the fullest extent then authorized without penalty or other restriction upon the City for the payment of same.

(2) Erroneously Paid Property Tax. In the event the City Council or a court of competent jurisdiction determines that any property taxes were erroneously overpaid or underpaid by the Company to the City, an appropriate credit or offset shall be applied against the next Program Grant Payment provided for herein. If there is not another Program Grant Payment remaining under this Agreement, then Company and City respectively promise to issue to the other any and all such payments or repayments as indicated in order to balance the books for the erroneously paid property tax. Notification of any such required adjustment will be provided to the Company at the earliest practical date.

SECTION 10. MISCELLANEOUS PROVISIONS.

The following miscellaneous provisions are a part of this Agreement:

(1) Amendments. At any time, the City and the Company may amend this Agreement for the mutual benefit of the Parties, or for any other reason, including an amendment to induce the Company to continue development and commercial activities in the City when this Agreement could otherwise be terminated. The City and the Company agree to consider reasonable requests for amendments to this Agreement which may be made by either of the Parties hereto, lending institutions, bond counsel or financial consultants. Any amendments to this Agreement must be in writing and signed by the appropriate authorities of both the City and the Company.

(2) Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Potter County, Texas. Venue for any action arising under this Agreement shall lie in the state courts of appropriate jurisdiction in Potter County, Texas.

(3) Assignment. This Agreement may not be assigned without the prior written consent of the other Party, which consent shall not be unreasonably withheld.

(4) Binding Obligation. This Agreement shall become a binding obligation on the Parties upon execution by all signatories hereto. The City warrants and represents that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. The Company warrants and represents that the individual executing this Agreement on the Company's behalf has full authority to execute this Agreement and bind it to the same.

(5) Caption Headings. Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

(6) Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

(7) Entire Agreement. This Agreement constitutes the entire understanding and agreement of the Parties as to the matters set forth in this Agreement. All prior written or oral offers, counteroffers, memoranda of understanding, proposals and the like are superseded by this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment. Neither Party is relying on any statement, representation, or warranty of the other Party not expressly set out in this Agreement. Each of the undersigned authorized representatives of the Parties, warrants and represents and does hereby state and represent that no promise or agreement which is not herein expressed has been made to him or her in executing this Agreement, and that neither of the signatories is relying upon any statement or representation of any agent of the Parties. Each Party is relying on his or her own judgment and each Party has been represented by independent counsel of its choosing. This Agreement shall not be construed against the drafter hereof, but shall be construed as if all Parties drafted the same.

(8) Force Majeure. It is expressly understood and agreed by the Parties to this Agreement that if the performance of any obligations hereunder is delayed by reason of Force Majeure, the Party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such obligation or requirement shall be extended for a period of time equal to the period such Party was delayed. This section does not affect the Company's obligations or the City's discretion described in Section 5(1).

(9) Further Acts and Releases. The City and the Company each agrees to take such additional acts and execute such other documents as may be reasonable and necessary in the performance of their obligations hereunder.

(10) Governmental Powers; Waiver of Immunity. By execution of this Agreement, the City does not waive or surrender any of its governmental powers, immunities or rights.

(11) No Third Party Beneficiaries. The performance of the respective obligations of the City and the Company under this Agreement are not intended to benefit any Party other than the City or the Company, except as expressly provided otherwise herein. No person or entity not a signatory to this Agreement shall have any rights or causes of action against any Party to this Agreement as a result of that Party's performance or non-performance under this Agreement, except as expressly provided otherwise herein.

(12) Notices. Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the "Notice") is effective when in writing and (i) personally delivered either by hand, or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, or (iii) upon delivery via a delivery service, Federal Express or any other nationally recognized overnight courier service that provides a return receipt showing the date of actual delivery of same to the addressee thereof, and addressed as follows:

If to Company: Amarillo LTACH, LLC
1540 Research Street
Amarillo TX 79106
ATTN: Todd Harmon

If to the City: City of Amarillo
601 S. Buchanan
Amarillo, Texas 79101
ATTN: City Manager

(13) Right of Offset. Notwithstanding the provisions of Section 9(2), the City may, at its option, after prior written notice and a 30 day period to cure, offset any amounts due and payable under this Agreement against any debt lawfully due and owing to the City from the Company, regardless of whether the amount due arises pursuant to the terms of this Agreement or otherwise, and regardless of whether or not the debt has been reduced to judgment by a court.

(14) Relationship of Parties. The Parties shall not be deemed in a relationship of partners or joint ventures by virtue of this Agreement, nor shall either Party be an agent, representative, trustee or fiduciary of the other. Neither Party shall have any authority to bind the other to any agreement.

(15) Severability. The City and the Company declare that the provisions of this Agreement are severable. If it is determined by a court of competent jurisdiction that any term, condition or provision hereof is void, voidable, or unenforceable for any reason whatsoever, then such term, condition or provision shall be severed from this Agreement and the remainder of the Agreement enforced in accordance with its terms.

(16) Time is of the Essence. Time is of the essence in the performance of this Agreement.

(17) Attorneys' Fees. In the event that either Party hereto brings an action or other proceeding to enforce or interpret the terms and provisions of this Agreement, the prevailing Party in that action or proceeding shall be entitled to have and recover from the non-prevailing Party all such fees, costs and expenses (including, without limitation, all court costs and reasonable attorneys' fees) as the prevailing Party may suffer or incur in the pursuit or defense of such action or proceeding.

CITY OF AMARILLO, TEXAS

ATTEST:

By: _____
Jared Miller, City Manager

By: _____
Stephanie Coggins, City Secretary

Date: _____

APPROVED AS TO FORM

By: _____
Bryan S. McWilliams, City Attorney

AMARILLO LTACH, LLC,
a Texas limited liability company

By: _____
_____, Managing Member

Date: _____

Attachments: Exhibits A & B

Amarillo City Council Agenda Transmittal Memo

AMARILLO
ECONOMIC
DEVELOPMENT



Meeting Date	December 14, 2021	Council Pillar	Economic Development
Department	Amarillo Economic Development Corporation		
Contact	Kevin Carter, President and CEO		

Agenda Caption

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7945

This item is a public hearing and first reading of an ordinance to consider designating certain areas of the City as Reinvestment Zone No. 15 for commercial and industrial tax abatement. The zone is approximately 77 acres in the vicinity of Centerport Boulevard and Folsom Road.

Agenda Item Summary

Designating a reinvestment zone is a step in the property tax abatement process under Chapter 312 of the Tax Code. Local governments often use tax abatements to attract new industry and commercial enterprises and to encourage the retention and development of existing businesses. Designation of an area as a reinvestment zone is required before City Council has the ability to offer a tax abatement.

The 77 acres proposed for Reinvestment Zone No. 15 is located at Centerport Boulevard and Folsom Road. The reason for creating this zone is to provide Council the option to offer an economic development incentive to a prospective manufacturing facility. 8

Before Council may consider a new zone, it must be preceded by a public hearing, with 7 days written notice of the hearing provided to the presiding officer of each of the other taxing entities with jurisdiction in the zone and notice of the hearing in a newspaper of general circulation in the city.

Council must make findings that the improvements sought in the zone are feasible and practical and would be a benefit to the zone after expiration of a tax abatement agreement. Zones must also meet one of the applicable criteria for reinvestment zones. For the case of this zone, the criteria met is that with designation of the zone it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City.

Requested Action

Conduct a public hearing and first reading of the Ordinance on December 14, 2021. The second and final reading will be scheduled for January 11, 2022.

Funding Summary

N/A

Staff Recommendation

AEDC staff is recommending approval of the designation of Reinvestment Zone No. 15.