

STATE OF TEXAS

**COUNTIES OF POTTER
AND RANDALL**

CITY OF AMARILLO

On the 20th Day of October, 2021, The Greenways Public Improvement District (PID) Advisory Board met at 9:00 AM at the Llano Real Estate Group Office located at 7639 Hillside Rd, Ste 300, Amarillo, Texas, with the following people present:

VOTING MEMBERS	MEMBERS PRESENT	TOTAL NO. MEETINGS HELD SINCE APPOINTMENT	TOTAL NO. MEETINGS ATTENDED SINCE APPOINTMENT
Tommy Stafford	Yes	2	2
Stephen Carter	Yes	22	17
Jeff Greenlee	Yes	2	2
Kim Dryden	No	16	10
Seth Thomason	Yes	9	9

CITY OF AMARILLO STAFF:

Kelley Shaw, City of Amarillo
Leslie Schmidt, City of Amarillo

OTHERS IN ATTENDANCE:

Sara Nickson – HOA Manager

ITEM 1: Approval of Minutes from the June 16th, 2021 meeting

Mr. Shaw opened the meeting and established a quorum. Mr. Shaw began the meeting by reviewing the previous meeting briefly. Mr. Steve Carter asked that language related to drainage fee reimbursements found on the second page, first paragraph and third line be changed from “these” to “all”. Ms. Nickson asked that next paragraph, first line, that there was a typo that needed to be removed. Mr. Carter’s name and have hers only. Mr. Seth Thomason motioned to approve the June 16th, 2021 minutes with changes and was seconded by Mr. Jeff Greenlee. The motion was approved unanimously.

ITEM 2: Discuss City of Amarillo drainage fee, history of drainage fee charges to the Greenways PID, and consider possible actions related to drainage fees

Mr. Shaw stated that issues related to this item have been discussed several times. Mr. Shaw stated he went back and listened to every PID board meeting and found that the first time the drainage fee was mentioned was March 2015 where questions from the Board were raised about what the fees were and why they were being charged. It was discussed that even though the walkway areas were dedicated to the City, they were PID improvements and the drainage fee was to be paid by PID funds. Also discussed was why should any drainage fees be charged if park areas drained to the playa. Mr. Shaw stated that he then discussed the playa issue with the Mr. Jarrett Atkinson, City Manager, who said that the playa was not a wholly owned private drainage area but did see some of the reasoning behind the Board’s contention that drainage fees should not apply. Therefore he would agree to suspend those charges for structures within the parkways that drained to the playa.

Then in June 2015, the Board met and Mr. Shaw informed Board members about his discussion with the City Manager to suspend fees attributed to parkways but keep other perimeter fees. Mr. Shaw stated to that point, nothing about a refund was mentioned. At the next Board meeting in July 2015, Mr. Brooks asked about a refund for the fees charged to the parkway improvements. Mr. Shaw stated that he then moved on to other city responsibilities and that Ms. Becky Beckham from the Planning Dept. took over

PID responsibilities. She was asked to put the drainage fee issue on the July 2016 meeting agenda by Mr. Carter which she did. When asked about the drainage fee refund, she was not able to answer the question as she was not aware of any refund and would need to look into it.

Mr. Shaw then stated that he understood Mr. Carter's frustration that was mentioned in the previous meeting about not being able to get an answer to his reimbursement questions but looking at the timeline of meetings and the staff turnover, it became apparent why the question lingered for some time. Mr. Shaw stated that he was the one who discussed the issue with the previous City Manager but the only record of that was that it was mentioned in the July 2015 minutes. Mr. Shaw stated that in hindsight, some formal agreement should have been done on what was being agreed to. Mr. Shaw stated that next came Kathleen Collins, Planner, who was asked and stated she would look into it but then was replaced by Ms. AJ Faver who again said she would have to get up to speed on the issue. She apparently talked to City Management and was told that the drainage issues and questions from Mr. Carter had been asked and answered. Mr. Shaw stated he could not find in any minutes or documents where anything about a refund coming was mentioned, only fees being suspended.

Mr. Shaw then described how after the Board's last meeting on June 16, 2021, several department staff were assembled and were asked to find out about what accounts were being charged a drainage fee and that the Greenways PID was paying for. Mr. Shaw explained how moving from one billing system to another presented a huge challenge for staff. It appears that the Greenways Pd was being charged for 39,491 sq ft for perimeter sidewalks which was \$41.32 per month. These charges were tied to separate parcels in the parkway since the sidewalk was not assigned a parcel ID since it was in the right-of-way. Mr. Shaw stated that upon the initial review there were 3 accounts that were tagged as being charged for the drainage fee. There were several square feet associated with the hardscape improvements within the parkways and were assigned the fee for 108,680 sq ft but were not being charged. The 35,456 sq ft for drainage structures were not being charged. The PID looked like it was being charged \$495 per year based on these numbers for perimeter areas and it doesn't look like the parkways were being charged. Mr Shaw stated that staff was still putting together an understandable report with back up information. Mr. Shaw stated that it's recommended that from this point forward that the Board receive a monthly report within the financials that shows the drainage fees.

Mr. Shaw also stated that as a result of this research, it may be that the "suspension" of fees has been found to not be appropriate and that the PID may be subject to fees associated with all impervious surfaces should have always been charged. Mr. Shaw stated that the City may be violating it's own ordinances by not charging the fees for the entire impervious structures.

Mr Stafford asked if there was a way to see the language about the drainage fee and contained drainage structures to which Mr Shaw said that it was in the ordinance. Mr. Shaw then explained that the playa was owned by multiple owners and that the City was involved in the management of the playa and it was actually a publicly manage drainage facility and should not have been thought of as a private facility.

Mr Carter had questions about why the drainage fee was included within the water fees on the budget and was not able to be seen as a separate charge. Mr. Shaw stated that could be separated. Mr. Carter stated that previously Muff London asked for reimbursement for playa charges. Mr Shaw stated that there were water charges that were being charged to Greenways PID that should have been associated with Colonies PID and those funds had been reimbursed and that was what that was about. Mr Carter then asked about since 2012 there were questions being asked about being reimbursed. Mr Shaw stated that the drainage fee wasn't approved until around 2015 so he didn't know about a request in 2012 and that questions seemed to arise about reimbursement every time someone new from the City became involved in the discussion. Mr Carter sad he understood that they weren't being charged for anything. Mr. Shaw stated that wasn't correct and that the understanding was that the PID was being charged for areas except the parkways.

Mr. Thomason asked about a possible reimbursement back to the City and what that might be. Mr. Shaw stated that reimbursement would probably not be necessary. Mr. Carter asked about the drainage from the commercial property into the PID property and why would they be responsible for that. Mr Shaw that the commercial property is being charged for their own property and that there is no charges to the PID for those properties.

Mr. Shaw then stated that the City would like to provide the necessary back up and have a resolution to this issue. Mr. Thomason said they would like to see the backup but does appreciate the time City staff has put into this and understands the issues that happen when systems change. Mr Shaw said it was a good exercise for City staff as well to be able to find out answers to these questions. Mr. Carter asked about addresses that were shown as PID accounts and Mr. Shaw said he would make sure those were not being charged.

Mr Carter explained that he just asked questions and was trying to find answers. Mr. Shaw stated that he wanted to make sure that he was focused on the PID questions and not any other issues as to the validity of drainage fees in and of themselves. Ms Nickson asked about setting up the next meeting to go over more information on the drainage fees. December 8th was settled on.

ITEM 3: Discuss and consider ongoing maintenance and operation of PID improvements

Mr. Shaw asked Ms Nickson to proceed with this item. Ms Nickson explained the budget numbers that she had available and gave a detailed explanation of the budget charges from last year's budget cycle and now. Ms said it was important to know that it was important that funds were tight when people call and want things done given funds available.

Ms Nickson then discussed her work orders that have been done. She gave detailed descriptions of those work orders and how that impacted funds left and a lot of that had to do with tree needs and that what needed to be done would not be able to be done with funds available.

Ms Nickson then discussed Ramirez performance and acknowledged that it probably was not up to par with what was expected but that it was definitely related to staffing issues and that hopefully the workforce issue would be improved. She felt that they were invested but the workforce was an issue. Mr Shaw stated that Colonies PID had similar issues and contractor wanted to significantly raise their rates. So these times that are present brought challenges to all PID maintenance contractors. Mr Carter stated design and plants of the areas hindered Ramirez's effectiveness. Discussion followed about replacing trees but would be according to what funds allowed.

The Board then discussed several specific issues related to trees and other landscaping issues and Ms Nickson provided the Board with information related to tree issues, costs, etc. Mr Greelee had concerns about the amount of water being used and Ms Nickson agreed that the watering was an issue. Mr. Greenlee stated he thought that could possibly be an area where money could be saved. Mr. Stafford stated that a lot of money was spend on a state of the art irrigation system. Mr Thomason stated that now would be a good time to discuss these issues with Mr. Ramirez.

Ms Nickson then discussed Tuscan, bed rings and asked about Board's thoughts. Board felt it was not a priority at this time. Bermuda grass was discussed as another item needing attention but was not a priority, walls were also discussed and Sara asked if there were areas that Board wanted to fix. Ms Nickson asked the Board to let her know. Ms Nickson then went through several items as far as what the Board wanted to prioritize for repairs and/or maintenance. Items included plantings, drip irrigation, bridge repair, tree trimming, etc. Mr. Stafford felt masonry repair would be good and not too much money. Ms Nickson said she would get estimates for that. Entryways beds were discussed as well.

ITEM 4: Discuss future agenda items

Mr Carter asked to remember about the Soncy drainage from lake. Mr Shaw said he would get next meeting agenda out to Board as they wished.

ITEM 5: Adjourn meeting

There being no further action, the meeting was adjourned.