

AGENDA

FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON MARCH 28, 2023, 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: Chris Condit, Hillside Christian Church

PROCLAMATION: "National Cleaning 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
 - i. Convention and Visitors Bureau
 - ii. Amarillo Metropolitan Planning Organization;
- C. Quarterly Budget Update;
- D. Discuss Agenda Management Software;
- E. Update on Federal Grant Applications; and
- F. 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:

(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on March 14, 2023.

B. CONSIDERATION OF ORDINANCE NO. 8050:

(Contact: Brady Kendrick, Senior Planner)

This item is a second and final reading to consider an ordinance rezoning a 5.26-acre tract of unplatted land in Section 11, Block 9, B.S.&F. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 1. (VICINITY: W. Amarillo Blvd. and Western St.; APPLICANT/S: Aubrey Brockman for the Emeline Bush O'Brien/Marsh Trust.)

C. CONSIDERATION OF ORDINANCE NO. 8051:

(Contact: Brady Kendrick, Senior Planner)

This item is a second and final reading to consider an ordinance rezoning a 3.93-acre portion of Tract 3, Riverroad Gardens, a subdivision out of Section 161, Block 2, A.B.&M. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Light Commercial District to Light Commercial District. (VICINITY: River Rd. and Cherry Ave.; APPLICANT/S: Daryl Furman for LJ4 Leasing, LLC)

D. CONSIDERATION OF ORDINANCE NO. 8052:

(Contact: Jason Riddlespurger, Director of Community Development)

This item is the second and final reading of an ordinance amending the Municipal Code of the City of Amarillo, Chapter 2-6, Article XII, providing for qualifications and duties related to the Community Development Advisory Committee.

E. CONSIDERATION OF RESOLUTION NO. 03-28-23-1:

(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2023 Cowboy Mounted Shooting Association World and American Quarter Horse Association World of Mounted Shooting Horses Event.

F. CONSIDERATION OF RESOLUTION NO. 03-28-23-2:

(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2023 United State Team Penning Association World Championship Event.

G. CONSIDERATION OF RESOLUTION NO. 03-28-23-3:

(Contact: Bo Fowlkes, Civic Center Director)

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes for the 2023 Working Ranch Cowboys Association's World Championship Ranch Rodeo.

H. CONSIDERATION OF RESOLUTION NO. 03-28-23-4:

(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution suspending for 45 days the effective date proposed by Atmos Energy-West Texas Division (Atmos-WTX) in its application filed on or about February 24, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act.

I. CONSIDERATION OF RESOLUTION NO. 03-28-23-5:

(Contact: Laura Storrs, Assistant City Manager)

This item considers a resolution suspending for 45 days the effective date proposed by West Texas Gas Company in its application filed on or about February 15, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act.

J. **CONSIDER APPROVAL - NORTHEAST INTERCEPTOR-SURFACE DAMAGE AGREEMENT**

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

This item considers approval of the Surface Damage and Restoration Agreement by and between Miles Bivins Childers Trust et al and the City of Amarillo for \$175,000.00.

K. **CONSIDER AWARD - FLEET ASSET MANAGEMENT SYSTEM SOFTWARE AS A SERVICE (SAAS):**

(Contact: Matthew Poston, Finance Director)

Award to: OpenGov, Inc. - Not to exceed \$240,050

This item considers the award of a three-year contract for software as a service (SaaS) for the fleet asset management system to be part of the new Financial/ERP Software System (Enterprise Resource Planning System) for City financial applications and other related systems. The total cost includes \$105,879.00 for implementation services - statement of work and \$134,171.00 for three years of annual SaaS fees.

L. **CONSIDER AWARD – PROCUREMENT CARD PROGRAM SERVICES:**

(Contact: Matthew Poston, Finance Director)

Award to: JP Morgan Chase

This item considers the award of a three-year agreement, with two one-year options to renew, to provide procurement card program services to be utilized by various City departments. Under the agreement, the City will earn an annual rebate of 1.54% based off an average yearly spend of \$7,000,000. The average rebate is anticipated to be \$107,800.

M. **CONSIDER PURCHASE - INDUSTRIAL SCRUBBER/SWEEPER:**

(Contact: Donny Hooper, Public Works Director)

Award to: Shoppas Material Handling - \$56,092.00

This item considers the purchase of an industrial scrubber/sweeper to be used by the Amarillo Civic Center Complex in daily operations. This is the scheduled replacement of fleet unit 8455 which has reached the end of its usable life cycle.

N. **CONSIDER AWARD – MICROSOFT TEAMS VOICE LICENSING:**

(Contact: Missy Tucker, Director of Information Technology)

Award to: SoftwareOne - \$55,620.00

This item considers the award of an agreement to provide Microsoft Teams Voice licensing for use in transitioning the City's phone system to Voice-Over-IP (VOIP).

3. **NON-CONSENT ITEMS:**

A. **DISCUSSION AND CONSIDERATION OF ORDINANCE NO. 8053:**

(Contact: Laura Storrs, Assistant City Manager)

This item is the discussion and consideration of an ordinance authorizing the issuance of the City of Amarillo, Texas Hotel Occupancy Tax Revenue Bonds, Taxable Series 2023; prescribing the forms, terms, and provisions of said bonds; pledging hotel occupancy tax revenues to the payment of the principal

of and interest on said bonds; enacting provisions incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement, and the approval and distribution of an Official Statement pertaining thereto; and providing an effective date.

- B. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 8054:**
(Contact: Kyle Schniederjan, Director of Capital Projects Development and Engineering)

This item is a public hearing and first reading of an ordinance approving and adopting the Five-Year Community Investment Program for FY 2022-2023 through 2026-2027.

- C. **CONSIDERATION OF ORDINANCE NO. 8055:**
(Contact: Michael Kashuba, Director of Parks and Recreation)

This item is a first reading to consider approval of an ordinance amending the Amarillo Municipal Code, Chapter 12-4, Section 12-4-5(n) to update certain golf fees.

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. Section 551.074 – Discuss the appointment, employment, evaluation, duties, and qualifications of a public officer or employee:
i. Discussion of City Manager Jared Miller's performance evaluation, and City Manager Employment Agreement.

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 24th day of March 2023, at 5:00 p.m. in accordance with the Open Meetings Laws of the State of Texas, Chapter 551, Texas Government Code.

/s/ Stephanie Coggins
Stephanie Coggins, City Secretary



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Customer Service
Department: City Secretary
Contact Person: Stephanie Coggins, City Secretary

Agenda Caption: CONSIDER APPROVAL – MINUTES

This item considers approval of the City Council minutes for the regular meeting held on March 14, 2023.

Agenda Item Summary: This item considers approval of the City Council minutes for the regular meeting held on March 14, 2023.

Requested Action: Consider for approval as presented.

Funding Summary: N/A

Community Engagement Summary: N/A

Staff Recommendation: Approve as presented.

Attachments: 1. Minutes 2023_03_14

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th day of March 2023, the Amarillo City Council met at 1:00 p.m. for a regular meeting held in Council Chamber, 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

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

JARED MILLER	CITY MANAGER
ANDREW FREEMAN	ASSISTANT CITY MANAGER
RICH GAGNON	ASSISTANT CITY MANAGER
FLOYD HARTMAN	ASSISTANT CITY MANAGER
LESLIE SCHMIDT	ASSISTANT CITY ATTORNEY
STEPHANIE COGGINS	CITY SECRETARY
JON BARNES	ASSISTANT TO THE CITY MANAGER

A quorum was established by Mayor Nelson, Mayor Pro Tem Powell, and Councilmembers Sauer, Smith and Stanley. Mayor Nelson called the meeting to order at 1:00 p.m. welcomed those in attendance, and the following items of business were conducted.

The invocation was given by Pastor Wheatley Bell with Carter Chapel CME Church.

The City's Office of Engagement and Innovation was recognized for achieving multiple American Advertising Awards (ADDYs).

PUBLIC ADDRESS

Jeffrey McGunegle spoke against all item on the agenda. James Schenck, of Amarillo, spoke on Public Address and Agenda Items No. 2N and 2Q. There were no further comments.

ITEM 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
 - i. Parks and Recreation Board;
- C. Update on Building Safety Department;
- D. Discuss Five-Year Community Improvement Plan; and
- E. 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. A motion was made approve the consent agenda as presented by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

- A. **CONSIDER APPROVAL – MINUTES:**
(Contact: Stephanie Coggins, City Secretary)

This item considers approval of the City Council minutes for the regular meeting held on February 21, 2023.

B. CONSIDERATION OF ORDINANCE NO. 8049:
(Contact: Jimmy Johnson, Assistant Police Chief)

This item is the second and final reading to consider an ordinance converting two sergeant positions to two officer positions at the Amarillo Police Department.

C. CONSIDER ACCEPTANCE – INFECTIOUS DISEASE SURVEILLANCE (IDCU/SUR) GRANT:
(Contact: Casie Stoughton, Director of Public Health)
Grantor: Texas Department of State Health Services
Grant Amount: \$169,208.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023 thru August 31, 2025 to continue funding for Infectious Disease Surveillance in the Public Health Department.

D. CONSIDER ACCEPTANCE – RLSS-LOCAL PUBLIC HEALTH SERVICES GRANT:
(Contact: Casie Stoughton, Director of Public Health)
Grantor: Texas Department of State Health Services
Grant Amount: \$223,488.00

This item considers acceptance of an award from the Texas Department of State Health Services from September 1, 2023 thru August 31, 2025 to continue funding for maternal child health programming.

E. CONSIDER APPROVAL – CHANGE ORDER NO. 3 TO THE LANDSCAPE MAINTENANCE AGREEMENT FOR HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT:
(Contact: Justin Oppel, Development Customer Service Coordinator)
Award to: Tri-State General Contractors

Original Award:	\$595,313.00
Previous change orders:	\$ 43,444.13
Change Order No. 3:	<u>\$ 11,699.40</u>
Total Award:	\$650,456.53

This item considers approval of Change Order No. 3 to the landscape maintenance agreement for Heritage Hills Public Improvement District (PID) to add two additional meters and water taps. This item will be funded solely by revenues assessed from property owners in the Heritage Hills PID.

F. CONSIDER APPROVAL – HERITAGE HILLS PUBLIC IMPROVEMENT DISTRICT PHASE III IMPROVEMENTS CONSTRUCTION CONTRACT:
(Contact: Justin Oppel, Development Customer Service Coordinator)
Award to: Tri-State General Contractors - \$1,184,380.00

This item is to consider the award of a construction contract related to Heritage Hills Public Improvement District (PID) Phase III improvements for the Heritage Hills subdivision. This item will be funded solely by revenues assessed from property owners in the Heritage Hills PID.

G. CONSIDER PURCHASE – REAR LOADER REFUSE TRUCK:
(Contact: Donny Hooper, Director of Public Works)
Award to: Houston Freightliner - \$250,751.00 (HGAC Contract #HT06-20)

This item considers the purchase of a rear loader to be used by the Solid Waste Collection division in their daily operations. This purchase is a scheduled replacement of fleet Unit # 7811 that has reached the end of its useable life cycle.

H. **CONSIDER APPROVAL – ANNUAL SUPPLY AGREEMENT FOR POLICE UNIFORMS:**

(Contact: Martin Birkenfeld, Police Chief)

Award to: Jonah's Enterprises, Inc. - \$236,892.43

This item considers approval of an annual supply agreement that will provide police uniforms for Amarillo Police Department and Airport Police Department sworn personnel.

I. **CONSIDER APPROVAL – ANNUAL SUPPLY AGREEMENT FOR LEATHER AND NYLON EQUIPMENT:**

(Contact: Martin Birkenfeld, Police Chief)

Award to: GT Distributor -	\$59,976.00
Primary Arms -	\$25,782.50
Jonah's Enterprises, Inc. -	\$ 8,785.90
Dana Safety -	\$ 2,887.00
Proforce Law Enforcement -	\$ 1,290.60
Cops Products -	\$ 1,059.80
Total Award:	\$99,781.80

This item considers approval of an annual supply agreement that will provide duty belts, handcuff cases, magazine pouches, handgun holsters and other leather and nylon equipment for Amarillo Police Department and Airport Police Department sworn personnel.

J. **CONSIDER APPROVAL – TWO-YEAR RENEWAL OF VIDEO MANAGEMENT SOFTWARE LEASE AGREEMENT FOR AMARILLO REGIONAL CRIME CENTER:**

(Contact: Martin Birkenfeld, Police Chief)

Award to: ICU Technologies/FUSUS - \$130,982.28

This item considers approval of a two-year renewal.

K. **CONSIDER AWARD – AGREEMENT FOR FIRE STATION ALERT SYSTEMS:**

(Contact: Missy Tucker, Director of Information Technology)

Award to: Motorola Solutions - \$55,015.24

This item considers the award of an agreement to purchase Motorola radios for use in conjunction with alerting systems used by all 13 Amarillo Fire Department facilities.

L. **CONSIDER APPROVAL – WEBSITE SERVICES ANNUAL SUPPORT AND MAINTENANCE RENEWAL:**

(Contact: Missy Tucker, Director of Information Technology)

Award to: Granicus - \$50,455.66

This item considers the approval of annual support and maintenance for Granicus GovAccess, which is a service used to provide information for both intranet and internet City webpages.

M. **CONSIDER PURCHASE – MOWING TRACTOR AND MOWING DECK:**

(Contact: Michael Conner, Director of Aviation)

Award to: Western Equipment - \$110,578.93 (Buy Board #611-20)

This item considers the purchase of a John Deere tractor and flex wing rotary cutter to be used to support airside mowing operations in accordance with Federal Aviation Administration requirements.

N. **CONSIDER AWARD – CONTRACT FOR PLAYGROUND AREA #10 REPLACEMENT AT JOHN STIFF MEMORIAL PARK:**

(Contact: Michael Kashuba, Director of Parks and Recreation)
Award to: Child's Play, Inc. - \$144,889.85 (Buy Board #679-22)

This item considers award of a contract for turn-key replacement of playground equipment within existing areas of John Stiff Memorial Park.

O. **CONSIDER AWARD – AGREEMENT FOR SLUDGE HAULING AND DISPOSAL SERVICES:**

(Contact: John Collins, Director of Utilities)
Award to: Republic Services – Not to exceed \$300,000.00.

This item considers approval of a one-year contract to increase sludge hauling and disposal services for the Hollywood Road Water Reclamation Facility.

P. **CONSIDER AWARD – ANNUAL SUPPLY AGREEMENT FOR APPAREL:**

(Contact: Trae Kepley, Purchasing Agent)
Award to: The Great Armadillo Printing Co – Not to exceed \$150,000.00

This item considers the award of a contract to purchase City of Amarillo apparel for various departments. The contract will have a one-year term, with four additional one-year options to renew.

Q. **CONSIDER APPROVAL – AGREEMENTS FOR PROFESSIONAL VETERINARY SERVICES:**

(Contact: Victoria Medley, Director of Animal Management and Welfare)

This item is to consider the approval of professional services agreements with the following DVMs: Dr. Leah Lee, Dr. Sarah Giebel, Dr. Ramy Jisha, Dr. Ryan Lee Miller and Dr. Geneva Heinkel. These services agreements are required to ensure that the city not only provides professional shelter Veterinarian services but can adequately staff the animal shelter in a consistent and professional manner.

R. **CONSIDER APPROVAL – INTERLOCAL AGREEMENT BETWEEN CITY OF AMARILLO AND CITY OF DALLAS:**

(Contact: Martin Birkenfeld, Police Chief)

This item considers approval of an Interlocal Agreement (ILA) between the City of Amarillo and the City of Dallas that will allow Amarillo Police Department (APD) to participate in the Internet Crimes Against Children (ICAC) grant project administered by the Dallas Police Department. This grant will provide APD with \$10,000.00 to be used for training of investigators and purchase/maintenance of equipment used to investigate internet crimes against children.

S. **CONSIDERATION OF RESOLUTION NO. 03-14-23-1:**

(Contact: Max Dunlap, Director of Emergency Management)

This item considers a resolution authorizing the submission of an FY23 grant application to the Office of The Governor's Homeland Security Grant Division (HSGD) and designating the Assistant City Manager to act as the city's authorized official in all matters pertaining to the City's participation in the FY23 Homeland Security Grant Program. This submission requests \$52,993.24 to fund the FY23 Regional Bomb Squad Enhancement Project.

T. **CONSIDERATION OF RESOLUTION NO. 03-14-23-2:**

(Contact: Max Dunlap, Director of Emergency Management)

This item considers a resolution authorizing the submission of an FY23 grant application to the Office of The Governor's Homeland Security Grant Division (HSGD) and designating the Assistant City Manager to act as the city's authorized official in all matters pertaining to the City's participation in the FY23

Homeland Security Grant Program. This submission requests \$112,000.00 to fund the Amarillo Regional Crime Center Project.

U. **CONSIDERATION OF RESOLUTION NO. 03-14-23-3:**
(Contact: Max Dunlap, Director of Emergency Management)

This item considers a resolution authorizing the submission of an FY23 grant application to the Office of The Governor's Homeland Security Grant Division (HSGD) and designating the Assistant City Manager to act as the city's authorized official in all matters pertaining to the City's participation in the FY23 Homeland Security Grant Program. This submission requests \$26,118.32 to fund the Amarillo Community Emergency Response Team (CERT) Trailer Project.

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

ITEM 3 – NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson introduced a public hearing and first reading to consider an ordinance rezoning a 5.26-acre tract of unplatted land in Section 11, Block 9, B.S.&F. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 1 in the vicinity of W. Amarillo Blvd. and Western St. Brady Kendrick, Senior Planner, presented the item. Mayor Nelson opened a public hearing. There were no speakers. Mayor Nelson closed the public hearing. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Smith.

ORDINANCE NO. 8050

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 AMARILLO BOULEVARD AND WESTERN
STREET, POTTER COUNTY, TEXAS; PROVIDING A
SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE;
AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 3B: Mayor Nelson introduced a public hearing and first reading to consider an ordinance rezoning a 3.93-acre portion of Tract 3, Riverroad Gardens, a subdivision out of Section 161, Block 2, A.B.&M. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Light Commercial District to Light Commercial District in the vicinity of River Rd. and Cherry Ave. Mr. Kendrick presented the item. Mayor Nelson opened a public hearing. There were no speakers. Mayor Nelson closed the public hearing. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Sauer.

ORDINANCE NO. 8051

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 RIVER ROAD AND CHERRY AVENUE,
POTTER COUNTY, TEXAS; PROVIDING A SAVINGS

CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 3C: Mayor Nelson introduced a public hearing to consider a resolution adopting an Allocation Plan for an American Rescue Plan Act of 2021 Home Investment Partnership Program Supplemental Allocation and amending the FY2021 Annual Action Plan to include said Allocation Plan. Stefanie Rodarte-Suto, Assistant Director of Community Development, presented the item. Mayor Nelson opened a public hearing. There were no speakers. Mayor Nelson closed the public hearing. A motion was made to adopt the below captioned resolution by Mayor Pro Tem Powell, seconded by Councilmember Smith.

RESOLUTION NO. 03-14-23-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: CONDUCTING A PUBLIC HEARING AND ADOPTING AN ALLOCATION PLAN FOR AN AMERICAN RESCUE PLAN ACT OF 2021 HOME INVESTMENT PARTNERSHIP PROGRAM SUPPLEMENTAL ALLOCATION, AND AMENDING THE FY2021 ANNUAL ACTION PLAN TO INCLUDE SAID ALLOCATION PLAN; DESIGNATING THE ASSISTANT CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN SAID PLAN; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SAVINGS CLAUSE.

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

ITEM 3D: Mayor Nelson introduced the first reading to consider an ordinance amending the Municipal Code of the City of Amarillo, Chapter 2-6, Article XII, providing for qualifications and duties related to the Community Development Advisory Committee. Ms. Rodarte-Suto presented the item. A motion was made to adopt the below captioned ordinance by Mayor Pro Tem Powell, seconded by Councilmember Stanley.

ORDINANCE NO. 8052

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 2-6, ARTICLE XII, PROVIDING FOR QUALIFICATIONS AND DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE.

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

ITEM 3E: Mayor Nelson introduced an item to consider a Location Incentive Agreement between Amarillo Economic Development Corporation and Plant-AS-DNPS-003-2. Kevin Carter, with Amarillo Economic Development Corporation, presented the item. A motion was made to approve a Location Incentive Agreement between Amarillo Economic Development Corporation and Plant-AS-DNPS-003-2 under which AEDC will provide Plant-AS-DNPS-003-2 \$3,750,000 paid out over five years, for the creation of up to 750 jobs, and AEDC will convey 400 acres in the vicinity of Folsom Road and 24th Street, valued at \$4,800,000 to Plant-AS-DNPS-003-2 by Mayor Pro Tem Powell. Mayor Pro Tem amended her motion to approve the \$3,750,000 to be paid out over 10 years. The amended motion was seconded by Councilmember Sauer.

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

ITEM 3F: Mayor Nelson introduced an item to consider a Tax Abatement Agreement between the City of Amarillo and the Amarillo Economic Development Corporation (AEDC) and SW 003 Distribution Logistics, LLC. Mr. Carter presented the item. A motion was made to approve a Tax Abatement Agreement between the City of Amarillo and Amarillo Economic Development Corporation and SW 003 Distribution Logistics, LLC under which SW 003 Distribution Logistics, LLC will receive a stair-step abatement over a ten-year period, with 100% abatement in year one, decreasing 10% each following year, on real business personal property by Mayor Pro Tem Powell, seconded by Councilmember Smith.

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

ITEM 4 – EXECUTIVE SESSION:

Ms. Schmidt advised at 3:24 p.m. that the City Council would convene in Executive Session per Texas Government Code: A) Section 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: i) 22-12-02 (Warehousing & Distribution); ii) 23-01-01 (Warehousing & Distribution); and iii) 23-02-02 (Warehousing & Distribution); and B) Section 551.072 – Discuss the purchase, exchange, lease, sale, or value of real property and public discussion of such would not be in the best interests of the City's bargaining position: i) Purchase or sale of real property located in the Northeast quadrant of the City of Amarillo.

Mr. McWilliams announced that Executive Session was adjourned at 4:26 p.m. and recessed the Regular Meeting.

ATTEST:

Stephanie Coggins, City Secretary

Ginger Nelson, Mayor



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Economic Development and Redevelopment
Department: Planning and Development Services
Contact Person: Brady Kendrick, Senior Planner

Agenda Caption: CONSIDERATION OF ORDINANCE NO. 8050

This item is a second and final reading to consider an ordinance rezoning a 5.26-acre tract of unplatted land in Section 11, Block 9, B.S.&F. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 1. (VICINITY: W. Amarillo Blvd. and Western St.; APPLICANT/S: Aubrey Brockman for the Emeline Bush O'Brien/Marsh Trust.)

Agenda Item Summary: Adjacent land use and zoning

Adjacent zoning consists of Agricultural District to the north, Residential District 1 to the south and west, and Light Commercial District and Residential District 3 to the east.

Adjacent land uses consist of vacant land on the opposite side of Amarillo Boulevard to the north, single family detached homes to the south, single family detached homes and vacant land to the east, and a church to the west.

Proposal

The applicant is requesting a change in zoning to develop the tract of land with a freestanding emergency room clinic.

Analysis

The Planning and Zoning Commission's analysis of a zoning change begins with referring to the Comprehensive Plan's Future Land Use and Character Map, impact on existing zoning and development patterns, if any, and conformity to the Neighborhood Unit Concept of Development (NUC).

The Future Land Use Map category for the applicant's tract is Suburban Commercial. Suburban Commercial calls for a range of commercial, retail, and service uses at varying scales depending on the site and location. Given the proposed zoning district and proposed use for the site, the Planning and Zoning Commission is of the opinion that the request would conform with the Future Land Use Map.

Regarding the Neighborhood Unit Concept of Development (NUC), the concept calls for more intensive uses such as commercial, 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. In this instance, the tract is located at the southwest corner of a section line intersection, Amarillo Boulevard and Western Street. Office District 1 would be an appropriate zoning district given the location of the tract at this corner of the intersection.

Regarding existing zoning and development patterns in the area, given the presence of single-family detached homes and an adjacent institutional land-use next to the applicant's tract, Office District 1 in the Planning and Zoning Commission's opinion is an appropriate zoning district given its allowed uses being much less intensive from a land use perspective than other districts such as General Retail. Given these factors along with required development standards upon development of the site, the Planning and Zoning Commission believes that if approved, the proposed rezoning would not result in detrimental impacts to surrounding zoning or development patterns in the area.

Requested Action: Notices were sent as required by State Law. As of this writing, three calls have been received that did not express opposition to the request. Considering the previously mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the request as presented.

Funding Summary: N/A

Community Engagement Summary: N/A

Staff Recommendation: Notices were sent as required by State Law. As of this writing, three calls have been received that did not express opposition to the request. Considering the previously mentioned, the Planning and Zoning Commission recommends **APPROVAL** of the request as presented.

- Attachments:**
1. Ordinance No. 8050
 2. Sketch for Ord 8050

ORDINANCE NO. 8050

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 AMARILLO BOULEVARD AND WESTERN STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the “Amarillo Comprehensive Plan” on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the Amarillo Municipal Code established zoning districts and regulations in accordance with such land use plan, and proposed changes must be submitted to the Planning and Zoning Commission; and

WHEREAS, after a public hearing before the Planning and Zoning Commission for proposed zoning changes on the property hereinafter described, the Commission filed its final recommendation and report on such proposed zoning changes with the City Council; and

WHEREAS, the City Council has considered the final recommendation and report of the Planning and Zoning Commission and has held public hearings on such proposed zoning changes, all as required by law; and

WHEREAS, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

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

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

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

Rezoning of a 5.26 acre tract of unplatted land in Section 11, Block 9, B.S.&F. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 1 and being further described in Exhibit A attached herein.

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 March, 2023 and **PASSED** on Second and Final Reading on this the 28th day of March, 2023.

Ginger Nelson, Mayor

ATTEST:

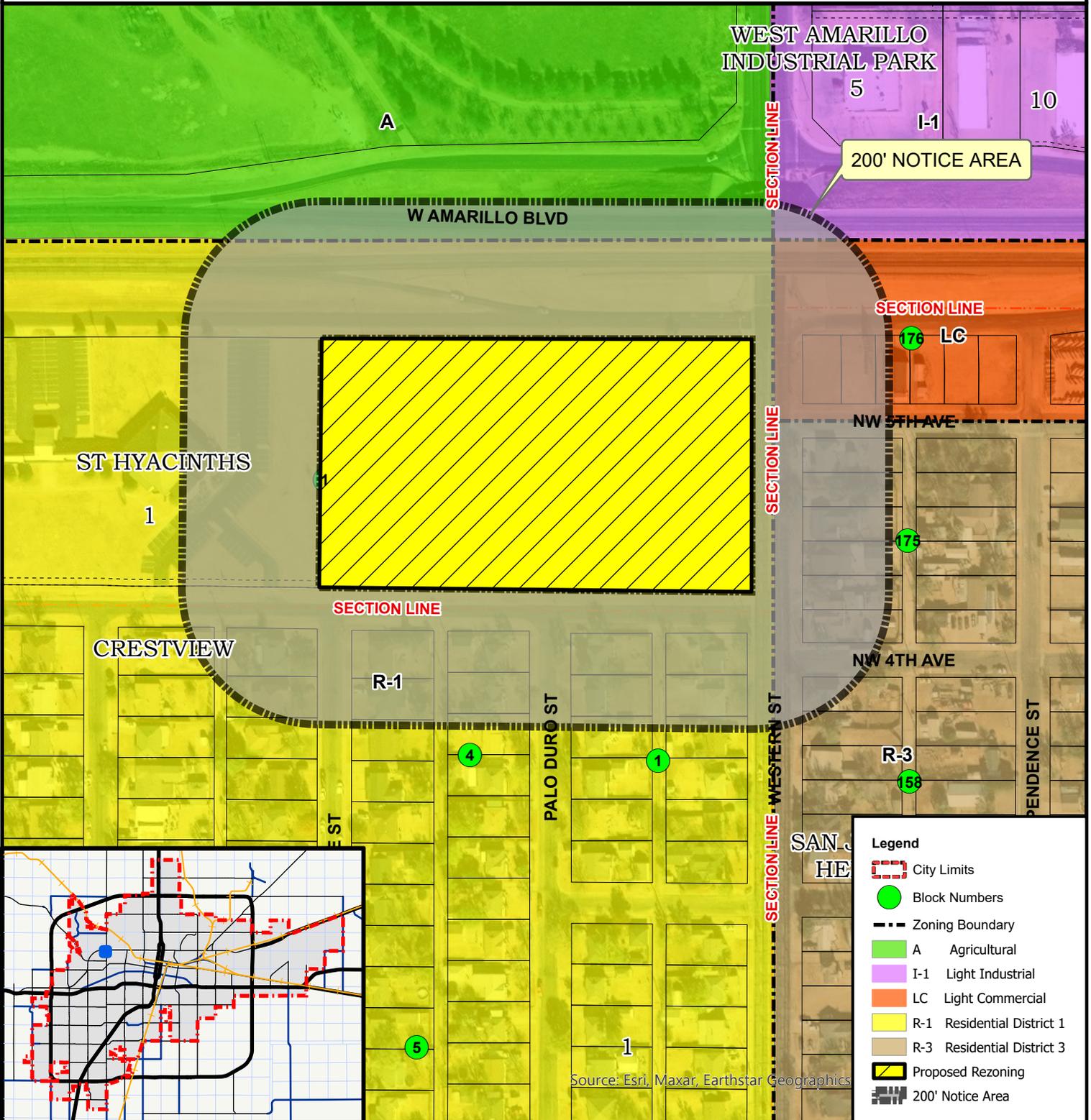
Stephanie Coggins
City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

DRAFT

REZONING FROM R-1 TO O-1



CITY OF AMARILLO PLANNING DEPARTMENT

Scale 1 inch = 200 Feet
 Date: 1/17/2023
 Case No: Z-23-01



Z-23-01 Rezoning of a 5.26 acre tract of unplatted land in Section 11, Block 9, B.S.&F. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways to change from Residential District 1 to Office District 1.

VICINITY: W. Amarillo Blvd. and Western St.

APPLICANT/S: Aubrey Brockman for the Emeline Bush O'Brien/Marsh Trust

AP: K-10



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Economic Development and Redevelopment
Department: Planning and Development Services
Contact Person: Brady Kendrick, Senior Planner

Agenda Caption: **CONSIDERATION OF ORDINANCE NO. 8051**

This item is a second and final reading to consider an ordinance rezoning a 3.93-acre portion of Tract 3, Riverroad Gardens, a subdivision out of Section 161, Block 2, A.B.&M. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Light Commercial District to Light Commercial District. (VICINITY: River Rd. and Cherry Ave.; APPLICANT/S: Daryl Furman for LJ4 Leasing, LLC)

Agenda Item Summary: **Adjacent land use and zoning**

Adjacent zoning consists of Light Commercial District and Residential District 1 to the north and south, Residential District 1 to the east, and Light Commercial District to the west.

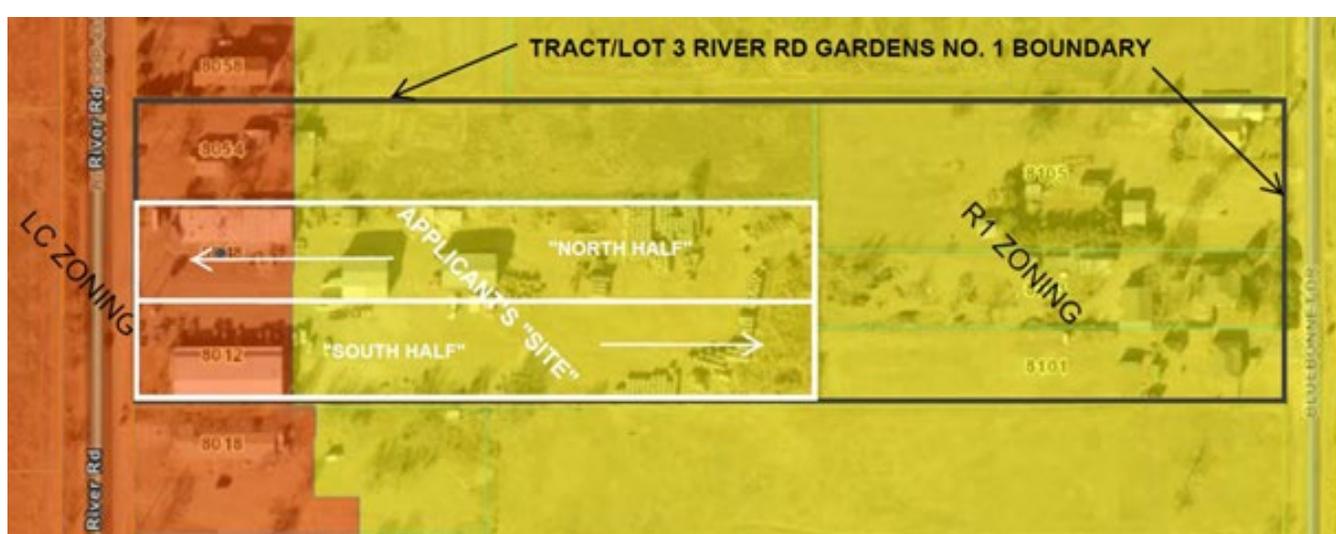
Adjacent land uses consist of a single family detached home to the north, a single family detached home and vacant land to the south, single family detached homes to the east, and vacant land to the west.

Proposal

The applicant is requesting a change in zoning to construct an additional warehouse for the existing business on the site, Ranchers Supply. The applicant's tract is partially zoned Light Commercial District with the remainder being zoned Residential District 1.

Analysis

The applicant's site is divided into two halves as the business existed on the north half of the tract prior to annexation into the City (1964) with the south half being added onto the site in 1983 which is illustrated below.



Based on the history of the site, the applicant is currently able to utilize the areas zoned Light Commercial District and also the north half of the site that is zoned Residential District 1 as the use on that portion of the lot would be considered "legal non-conforming" based on Staff's research of the history of the use. The south half that is zoned Residential District 1, where the applicant intends to construct the new feed warehouse, would have to be rezoned to allow for such.

The Planning and Zoning Commission's analysis of a zoning change begins with referring to the Comprehensive Plan's Future Land Use and Character Map, impact on existing zoning and development patterns, if any, and conformity to the Neighborhood Unit Concept of Development (NUC).

The Future Land Use Map category for the applicant's tract is Estate. This category calls for detached residential dwellings, public/institutional, and parks/public spaces being the featured development types. This category calls for a transition between the Suburban and Rural categories with larger lots (1 acre minimum) with open space between development being a key feature.

The applicant's request for Light Commercial District would not conform with this Future Land Use Map category.

Regarding the Neighborhood Unit Concept of Development (NUC), the concept calls for more intensive uses such as commercial, 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 Planning and Zoning Commission notes that while the request for the expansion of Light Commercial District approximately 575 feet to the east further into the interior of the section would typically not be recommended, they note a few factors about this area. This section of land is bounded on the west side by two TxDot rights-of-way, US Highway 287 and River Road (Loop 434). Additionally, Light Commercial Zoning was established along the entire western side of this section of land shortly after annexation, including the portion of the applicant's tract immediately along River Road. Given these factors, it was concluded by the Planning and Zoning Commission that this section has not developed in accordance with the NUC.

Regarding existing development and zoning patterns in the area, the Planning and Zoning Commission notes that this area is primarily developed with single family homes on large acre tracts with only a handful of remaining vacant lots within the area. It is noted that the business on this tract existed prior to being annexed. Additionally, given the rural nature on the periphery of the City in this area, the Planning and Zoning Commission also does see how a business of this nature could be some-what compatible in the area if developed appropriately with impacts to surrounding residences mitigated. Upon development on the tract, the site would have to conform with all typical development ordinance standards which includes screening, landscaping, building/fire code requirements, and others depending on the exact final scope of work.

The Planning and Zoning Commission also noted the following factors in addition to those previously mentioned:

- The applicant's land use has existed on the tract prior to annexation of the area and the proposed expansion is minimal in nature (a storage warehouse to store feed).
- the applicant's tract is "landlocked" by other existing development/property owners and would not be able to expand or gain access to Bluebonnet Drive to the east, therefore limiting the potential impacts of the use to the area's character as a whole.
- Given that the immediate area is largely developed with only a handful of vacant tracts left, it is unlikely that there would be additional residential development of note in the area that would lead to additional land use incompatibility.

Given the information as a whole, the Planning and Zoning Commission was of the opinion that the request if approved would not result in detrimental impacts to the zoning, development patterns, or character of the area.

Requested Action: Notices were sent as required by State Law. As of this writing, no comments have been received on the request. Considering the factors noted, the Planning and Zoning Commission recommends **APPROVAL** of the request with a unanimous vote.

Funding Summary: N/A

Community Engagement Summary: N/A

Staff Recommendation: Notices were sent as required by State Law. As of this writing, no comments have been received on the request. Considering the factors noted, the Planning and Zoning Commission recommends **APPROVAL** of the request with a unanimous vote.

Attachments:

1. Ordinance No. 8051
2. Sketch for Ord 8051

ORDINANCE NO. 8051

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 RIVER ROAD AND CHERRY AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the “Amarillo Comprehensive Plan” on October 12, 2010, which established guidelines in the future development of the community for the purpose of promoting the health, safety, and welfare of its citizens; and

WHEREAS, the Amarillo Municipal Code established zoning districts and regulations in accordance with such land use plan, and proposed changes must be submitted to the Planning and Zoning Commission; and

WHEREAS, after a public hearing before the Planning and Zoning Commission for proposed zoning changes on the property hereinafter described, the Commission filed its final recommendation and report on such proposed zoning changes with the City Council; and

WHEREAS, the City Council has considered the final recommendation and report of the Planning and Zoning Commission and has held public hearings on such proposed zoning changes, all as required by law; and

WHEREAS, the City Council further determined that the request to rezone the location indicated herein is consistent with the goals, policies, and future land use map of the Comprehensive Plan for the City of Amarillo, Texas.

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

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

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

Rezoning of a 3.93 acre portion of Tract 3, Riverroad Gardens, a subdivision out of Section 161, Block 2, A.B.&M. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Light Commercial District to Light Commercial District and being further described in Exhibit A attached herein.

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 March, 2023 and **PASSED** on Second and Final Reading on this the 28th day of March, 2023.

Ginger Nelson, Mayor

ATTEST:

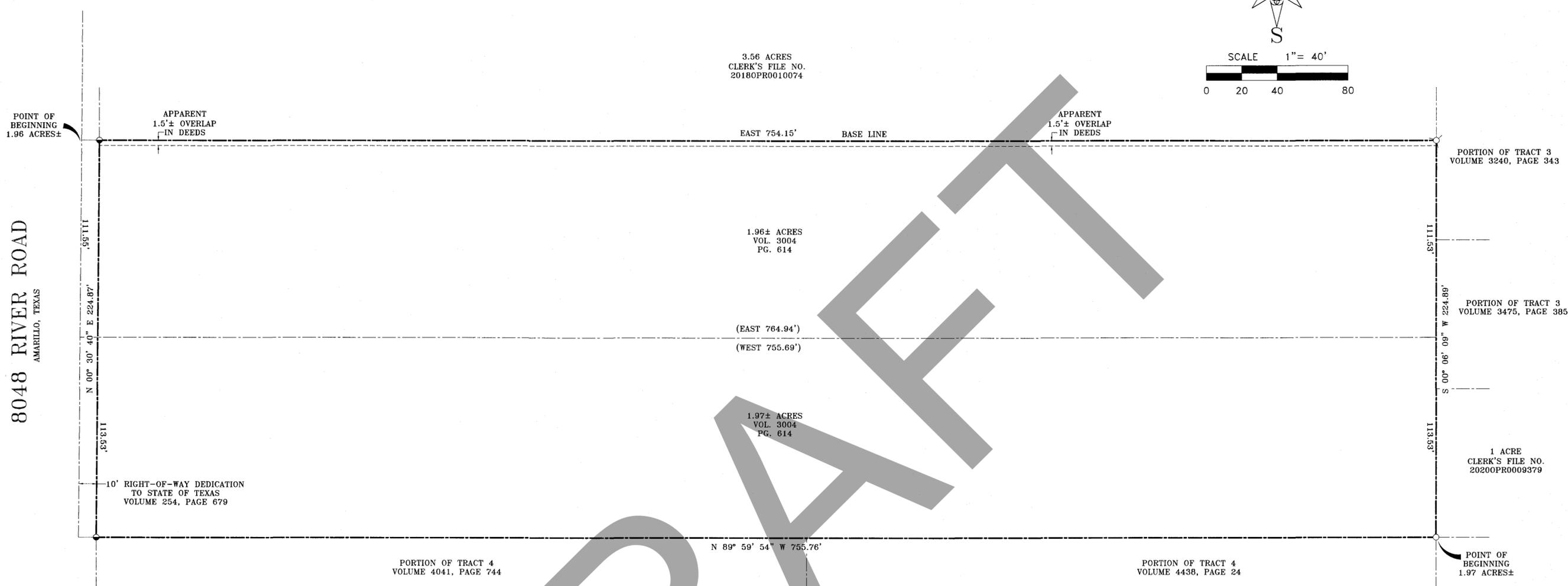
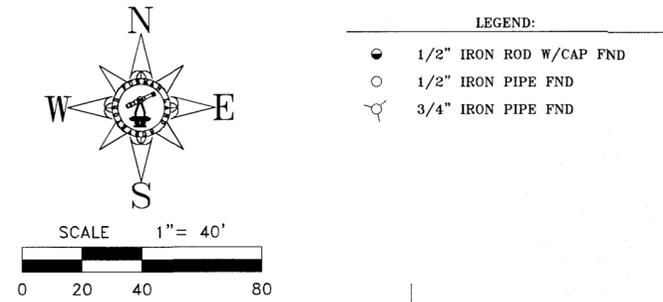
Stephanie Coggins
City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

DRAFT

Exhibit A



DESCRIPTION

1.97 acres out of the S.W. part of Tract 3 of River Road Gardens, a Subdivision of the West 1/2 of Sec. 161, Block 2, AB&M Survey, Potter County, Texas, described by metes and bounds as follows:

BEGINNING at the S.E. Corner of Tract 3 of River Road Gardens, a Subdivision of the West 1/2 of Sec. 161, Block 2, AB&M;

THENCE West with the South line of said Tract 3, 516 feet to an iron pipe, the S.E. and Beginning corner of this tract;

THENCE North parallel with the East line of said Tract 3, 113.53 feet to an iron pipe for the N.E. corner of this tract;

THENCE West parallel with the South line of said Tract 3, 755.69 feet to an iron pipe for the N.W. corner of this tract, whence the center line of Highway bears West 40 feet;

THENCE South 25' W. with the East line of said Highway, 113.53 feet to an iron pipe in the original South line of said Tract 3 for the S.W. corner of this tract;

THENCE East with the South line of said Tract 3, 756.11 feet to the BEGINNING CORNER of this tract.

and

A 1.96 acre tract of land out of Section Number 161, Block No. 2, AB&M Survey, Potter County, Texas, as described as follows:

BEGINNING at an iron pipe at the Northwest corner of Lot No. 3, and the Southwest corner of Lot No. 2 of River Road Gardens, a Subdivision of the West Half of Section No. 161, Block No. 2, AB&M Survey;

THENCE South with the West line of said Tract No. 3, 112.55 feet to an iron pipe for the Northwest and beginning corner of this tract;

THENCE South with the West line of said Lot No. 3, 111.55 feet to an iron pipe for the Southwest corner of this tract;

THENCE East parallel with the North line of said Lot No. 3, 764.94 feet to an iron pipe set for the Southeast corner of this tract;

THENCE North 00° 17' 10" West 111.53 feet to an iron pipe set for the Northeast corner of this tract;

THENCE West parallel with the North line of said Tract No. 3, 764.38 feet to the beginning corner of this tract and containing 1.96 acres of land, more or less.

(Descriptions as provided in instrument recorded in Volume 3004, Page 614, Official Public Records, Potter County, Texas.)

NOTES

1. Original seal and signature of the surveyor must be present on each page for survey to be valid.
2. This plat is the property of Furman Land Surveyors Inc. Furman Land Surveyors Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other than its original intended use is expressly forbidden without the written consent of an authorized agent of Furman Land Surveyors Inc. Copyright 2021.
3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

REZONING EXHIBIT

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. THIS DOCUMENT HAS BEEN RELEASED BY DARYL R. FURMAN RPLS 5374 FOR REVIEW PURPOSES ONLY. DATE: 10/15/2021

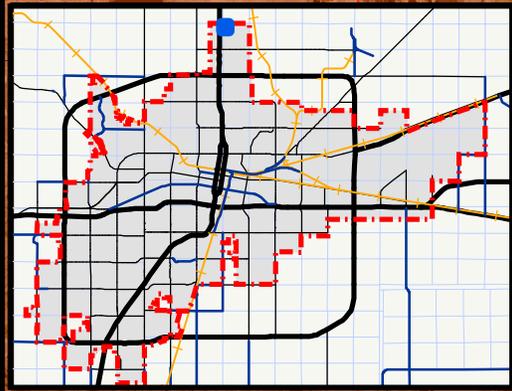
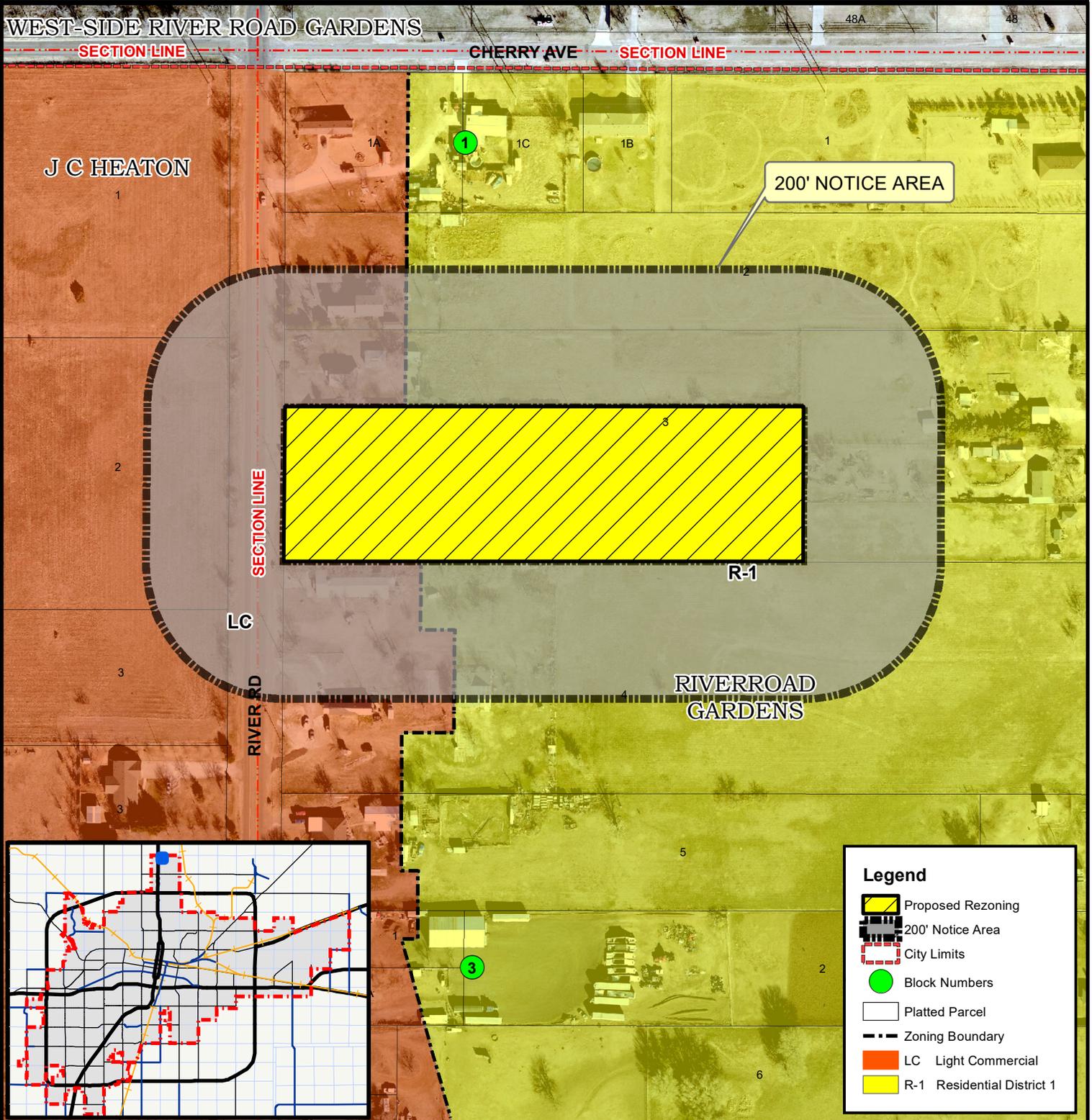
FURMAN LAND SURVEYORS, INC.

SURVEYING · MAPPING · CONSULTING
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DARYL R. FURMAN, RPLS · DANIEL R. FURMAN, RPLS · DONALD R. FURMAN, RPLS
CASEY A. MANN, RPLS · LANDON M. STOKES, RPLS
HEATHER LYNN LEMONS, RPLS · KYLE L. BRADY, RPLS
CHASE ROME, SIT · LEONARD A. MCLAUGHLIN, SIT
TEXAS FIRM #10092400 & 10092401
P.O. BOX 1416 · AMARILLO, TEXAS 79105 · (806) 374-4246 · FAX (806) 374-4248
P.O. BOX 464 · DUMAS, TEXAS 79029 · (806) 934-1405 · FAX (806) 934-1482

PROJECT NO. 2129151 FILE NO. 0-6
DRAWING NO. P:\Dwg 21\POTTER\0-6\2129151\2129151

REZONING FROM R-1 AND LC TO LC



CITY OF AMARILLO PLANNING DEPARTMENT

Scale: 1 inch = 200 feet
 Date: 1/23/2023
 Case No: Z-23-02



Z-23-02 Rezoning of a 3.93 acre portion of Tract 3, Riverroad Gardens, a subdivision out of Section 161, Block 2, A.B.&M. Survey, Potter County, Texas, plus one half of all bounding streets, alleys, and public ways, to change from Residential District 1 and Light Commercial District to Light Commercial District.

VICINITY: River Rd. and Cherry Ave.
 APPLICANT/S: Daryl Furman for LJ4 Leasing, LLC

AP: O-6



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Civic Pride
Department: Community Development
Contact Person: Jason Riddlespurger, Director of Community Development

Agenda Caption: CONSIDERATION OF ORDINANCE NO. 8052

This item is the second and final reading of an ordinance amending the Municipal Code of the City of Amarillo, Chapter 2-6, Article XII, providing for qualifications and duties related to the Community Development Advisory Committee.

Agenda Item Summary: Community Development recommends amending the City Code to better define the qualifications and duties of the Community Development Advisory Committee (CDAC) in an effort to enhance community engagement and participation and to promote the general welfare of the citizens of Amarillo.

Requested Action: Consideration of the ordinance.

Funding Summary: No funding necessary.

Community Engagement Summary: Community Development conducted a public meeting with CDAC on March 9, 2023, to discuss these changes.

Staff Recommendation: Staff recommends approval of the ordinance as presented.

Attachments: 1. Ordinance No. 8052

ORDINANCE NO. 8052

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 2-6, ARTICLE XII, PROVIDING FOR QUALIFICATIONS AND DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, originally established by Resolution 1-28-75-5 (1975) and then amended by Ordinance 7519 (2015) the Community Development Advisory Committee (“Committee”) was created in accordance with the Housing and Community Development Act of 1974 (“Act”); and,

WHEREAS, in accordance with the Act the City Council desires to amend the Code to better define the qualifications and duties of the Committee in an effort to enhance community engagement and participation and to promote the general welfare of the citizens of Amarillo;

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

SECTION 1. That Section 2-6-96 be and hereby amended to read as follows:

Sec. 2-6-96. – Members; qualifications.

This committee shall consist of seven (7) members meeting the requirements of Sections 2-6-1 through 2-6-12. ~~Moreover, the membership shall consist of four (4) members from the Community Development Block Grant (CDBG) target areas as defined in the annual Community Development Action Plan. Members are preferred to have professional or volunteer experience with the development of low or mixed income housing, working with the homeless, and/or a strong commitment to supporting low to moderate income individuals, families, and neighborhoods. Membership should be broadly representative, with participation encouraged by individuals from low-to-moderate income households and those who are part of the following populations: elderly, women, minorities, disabled, limited English proficiency, and those who are or have experienced homelessness.~~

SECTION 2. That Section 2-6-97 is hereby amended as follows:

Sec. 2-6-97. – Duties and powers.

This committee shall have and exercise these powers and duties:

- (a) All provisions of Article I of this chapter that are not in conflict with this Article.
- (b) ~~Receive and review funding requests from local non-profit and governmental organizations for allocations from the U.S. Department of Housing and Urban Development federal programs and Texas Department of Housing and Community Affairs. Work alongside the Community Development Department in the review and scoring of annual applications for public services funding from the U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG) program.~~

(c) Conduct public meetings and hearings as needed.

(d) ~~Coordinates citizen participation in the development of the CDBG, HOME and ESG programs.~~ Encourage and facilitate the full and meaningful participation of all Amarillo citizens in the identification of community needs, priorities, and recommendations to the Community Development Department of the City of Amarillo.

(e) ~~Annually recommend to the City Council an allocation/reallocation of available the Community Development Block Grant program, HOME Investment Partnership program, and state of Texas funding for the Emergency Solutions Grant program.~~ Annually recommend to the City Council an allocation/reallocation of available funding for Community Development Block Grant public services.

(f) Other powers, duties, exceptions, privileges, and immunities accorded by applicable law.

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

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

SECTION 5. Effective Date. This ordinance shall become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 14th day of March, 2023; and PASSED on Second and Final Reading the 28th day of March, 2023.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Economic Development and Redevelopment
Department: City Manager's Office
Contact Person: Laura Storrs, Assistant City Manager and CFO

Agenda Caption: CONSIDERATION OF RESOLUTION NO. 03-28-23-1

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2023 Cowboy Mounted Shooting Association World and American Quarter Horse Association World of Mounted Shooting Horses Event.

Agenda Item Summary: This item allows the City of Amarillo as the host community in cooperation with the Amarillo-Potter Event Venue District to apply for State Funds through the Special Event Trust Fund for the 2023 Cowboy Mounted Shooting Association (CMSA) World and American Quarter Horse Association World of Mounted Shooting Horses event.

Requested Action: Council consideration and approval of the resolution.

Funding Summary: N/A

Community Engagement Summary: Participation in the program was approved by Amarillo-Potter Event Venue District through their 2022/2023 budget and at their March 20, 2023 Board meeting.

Staff Recommendation: Staff recommendation is to approve the resolution for the CMSA Event so the Event Trust Fund application may be submitted.

Attachments: 1. Resolution No. 03-28-23-1

RESOLUTION NO. 03-28-23-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: AUTHORIZING THE CITY MANAGER TO SEEK AND DISTRIBUTE STATE FUNDS, PURSUANT TO ARTICLE 5190.14, SECTION 5C OF THE TEXAS REVISED CIVIL STATUTES, A QUALIFYING EVENT; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

WHEREAS, Amarillo, Texas has been selected as the site for the 2023 Cowboy Mounted Shooting Association (CMSA) World and American Quarter Horse Association World of Mounted Shooting Horses event; and

WHEREAS, the City of Amarillo, is the host community of the event and other eligible events (hereafter “event” whether singular or plural), and

WHEREAS, that event may be eligible to receive some funding as an eligible event from Special Event Trust Funds (hereafter, “Trust Fund”) pursuant to Tex. Rev. Civ. Stat., Art. 5190.14, Sec. 5C (hereafter, “Sec. 5C”); and

WHEREAS, the City of Amarillo and the State of Texas may benefit directly from this state law by utilizing state funds to augment local incentives for the purpose(s) of retaining events in our city and our state that are being courted by other cities located in other states, and by enhancing these events so that they have more prestige and draw more contestants and attendees; and

WHEREAS, Sec. 5C allows for the use of any funds received from state under this law to offset direct expenditures related to the event; and

WHEREAS, the City of Amarillo, and the State of Texas may benefit indirectly from this state law by an increase in tourism resulting from the retention or the attraction of events to our city and state that will likely have the effect of:

- An increase in utilized hotel rooms, which has a positive impact on the Hotel Occupancy Tax; and
- An increase in general sales and consumption, which has a positive impact on the local and state sales tax; and
- An increase in the length of time an event is in Amarillo facilities, which increases the local facility rental revenue.

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

SECTION 1. The City Manager is authorized to submit an application to the Office of the Governor’s Economic Development & Tourism Division to seek state funds, pursuant to Sec. 5C for the purpose of utilizing any funds received to assist in enhancing the 2023 Cowboy Mounted Shooting Association (CMSA) World and American Quarter Horse Association World of Mounted Shooting Horses event, and other eligible events, with a goal of increasing participation and attendance and benefiting the economy of the City of Amarillo and the State of Texas. Further, the City Manager is authorized to negotiate a contract with the sponsoring association or entity

specifically as to any state funds received through Sec. 5C with the explicit guidance that the application and the contract be developed so as to maximize the state funds coming back to the City to support the event and other eligible events.

SECTION 2. That 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 3. That 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 hereof and such shall be and continue in effect.

SECTION 4. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 28th day of March 2023.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Economic Development and Redevelopment
Department: City Manager's Office
Contact Person: Laura Storrs, Assistant City Manager and CFO

Agenda Caption: CONSIDERATION OF RESOLUTION NO. 03-28-23-2

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Event Venue District, for the 2023 United State Team Penning Association World Championship Event.

Agenda Item Summary: This item allows the City of Amarillo as the host community in cooperation with the Amarillo-Potter Event Venue District to apply for State Funds through the Special Event Trust Fund for the 2023 United States Team Penning Association (USTPA) World Championship event.

Requested Action: Council consideration and approval of the resolution.

Funding Summary: N/A

Community Engagement Summary: Participation in the program was approved by Amarillo-Potter Event Venue District through their 2022/2023 budget and at their March 20, 2023 Board meeting.

Staff Recommendation: Staff recommendation is to approve the resolution for the USTPA Event so the Event Trust Fund application may be submitted.

Attachments: 1. Resolution No. 03-28-23-2

RESOLUTION NO. 03-28-23-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: AUTHORIZING THE CITY MANAGER TO SEEK AND DISTRIBUTE STATE FUNDS, PURSUANT TO ARTICLE 5190.14, SECTION 5C OF THE TEXAS REVISED CIVIL STATUTES, A QUALIFYING EVENT; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

WHEREAS, the United States Team Penning Association (“USTPA”) has selected Amarillo, Texas as the site for its 2023 World Championship event; and,

WHEREAS, the City of Amarillo, is the host community of the USTPA event and other eligible events (hereafter “event” whether singular or plural); and

WHEREAS, that event may be eligible to receive some funding as an eligible event from Special Event Trust Funds (hereafter, “Trust Fund”) pursuant to Tex. Rev. Civ. Stat., Art. 5190.14, Sec. 5C (hereafter, “Sec. 5C”); and

WHEREAS, the City of Amarillo and the State of Texas may benefit directly from this state law by utilizing state funds to augment local incentives for the purpose(s) of retaining events in our city and our state that are being courted by other cities located in other states, and by enhancing these events so that they have more prestige and draw more contestants and attendees; and

WHEREAS, Sec. 5C allows for the use of any funds received from state under this law to offset direct expenditures related to the event; and

WHEREAS, the City of Amarillo, and the State of Texas may benefit indirectly from this state law by an increase in tourism resulting from the retention or the attraction of events to our city and state that will likely have the effect of:

- An increase in utilized hotel rooms, which has a positive impact on the Hotel Occupancy Tax; and
- An increase in general sales and consumption, which has a positive impact on the local and state sales tax; and
- An increase in the length of time an event is in Amarillo facilities, which increases the local facility rental revenue.

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

SECTION 1. The City Manager is authorized to submit an application to the Office of the Governor’s Economic Development & Tourism Division to seek state funds, pursuant to Sec. 5C for the purpose of utilizing any funds received to assist in enhancing the 2023 United States Team Penning Association World Championship Event, and other eligible events, with a goal of increasing participation and attendance and benefiting the economy of the City of Amarillo and the State of Texas. Further, the City Manager is authorized to negotiate a contract with the USTPA specifically as to any state funds received through Sec. 5C with the explicit guidance that the application and the contract be developed so as to maximize the state funds

coming back to the City to support the USTPA World Championship Event and other eligible events.

SECTION 2. That 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 3. That 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 hereof and such shall be and continue in effect.

SECTION 4. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 28th day of March 2023.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Economic Development and Redevelopment
Department: Civic Center
Contact Person: Bo Fowlkes, Assistant GM

Agenda Caption: CONSIDERATION OF RESOLUTION NO. 03-28-23-3

This item considers a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes for the 2023 Working Ranch Cowboys Association's World Championship Ranch Rodeo

Agenda Item Summary: This item allows the City of Amarillo as the host community to apply for State Funds through the Special Event Trust Fund for the 2023 World Championship Ranch Rodeo.

Requested Action: Council consideration and approval of the resolution.

Funding Summary: N/A

Community Engagement Summary: The City partners with the Working Ranch Cowboys Association and the Convention and Visitors Bureau to host this event.

Staff Recommendation: Staff recommendation is to approve the resolution for the World Championship Ranch Rodeo so the Event Trust Fund application may be submitted.

Attachments: 1. Resolution No. 03-28-23-3

RESOLUTION NO. 03-28-23-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: AUTHORIZING THE CITY MANAGER TO SEEK AND DISTRIBUTE STATE FUNDS, PURSUANT TO ARTICLE 5190.14, SECTION 5C OF THE TEXAS REVISED CIVIL STATUTES, A QUALIFYING EVENT; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

WHEREAS, the Working Ranch Cowboy Association has selected Amarillo, Texas as the site for its 2023 World Championship Ranch Rodeo event, despite enticements to take that event to another state; and

WHEREAS, the City of Amarillo, is the host community of the Working Ranch Cowboy Association event and other eligible events (hereafter “event” whether singular or plural), and

WHEREAS, that event may be eligible to receive some funding as an eligible event from Special Event Trust Funds (hereafter, “Trust Fund”) pursuant to Tex. Rev. Civ. Stat., Art. 5190.14, Sec. 5C (hereafter, “Sec. 5C”); and

WHEREAS, the City of Amarillo and the State of Texas may benefit directly from this state law by utilizing state funds to augment local incentives for the purpose(s) of retaining events in our city and our state that are being courted by other cities located in other states, and by enhancing these events so that they have more prestige and draw more contestants and attendees; and

WHEREAS, Sec. 5C allows for the use of any funds received from state under this law to offset direct expenditures related to the event; and

WHEREAS, the City of Amarillo, and the State of Texas may benefit indirectly from this state law by an increase in tourism resulting from the retention or the attraction of events to our city and state that will likely have the effect of:

- An increase in utilized hotel rooms, which has a positive impact on the Hotel Occupancy Tax; and
- An increase in general sales and consumption, which has a positive impact on the local and state sales tax; and
- An increase in the length of time an event is in Amarillo facilities, which increases the local facility rental revenue.

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

SECTION 1. The City Manager is authorized to submit an application to the Office of the Governor’s Economic Development & Tourism Division to seek state funds, pursuant to Sec. 5C for the purpose of utilizing any funds received to assist in enhancing the Working Ranch Cowboy Association’s World Championship Ranch Rodeo, and other eligible events, with a goal of increasing participation and attendance and benefiting the economy of the City of Amarillo and the State of Texas. Further, the City Manager is authorized to negotiate a

contract with the Working Ranch Cowboy Association specifically as to any state funds received through Sec. 5C with the explicit guidance that the application and the contract be developed so as to maximize the state funds coming back to the City to support the World Championship Ranch Rodeo and other eligible events.

SECTION 2. That 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 3. That 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 hereof and such shall be and continue in effect.

SECTION 4. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 28th day of March 2023.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Fiscal Responsibility
Department: City Manager's Office
Contact Person: Laura Storrs, Assistant City Manager and CFO

Agenda Caption: CONSIDERATION OF RESOLUTION NO. 03-28-23-4

This item considers a resolution suspending for 45 days the effective date proposed by Atmos Energy-West Texas Division (Atmos-WTX) in its application filed on or about February 24, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act.

Agenda Item Summary: This item suspends the requested effective date by Atmos Energy for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application.

Requested Action: Council consideration and approval of the resolution.

Funding Summary: N/A

Community Engagement Summary: N/A

Staff Recommendation: Staff recommendation is to approve the resolution suspending the rate application by Atmos Energy Corporation.

Attachments: 1. Resolution No. 03-28-23-4

RESOLUTION NO. 03-28-23-4

A RESOLUTION BY THE CITY OF AMARILLO TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF ATMOS ENERGY – WEST TEXAS DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY’S PARTICIPATION IN COORDINATION WITH OTHER CITIES; REQUIRING THE REIMBURSEMENT OF COSTS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS: on or about February 24, 2023, Atmos Energy – West Texas Gas Division (Atmos-WTX) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (‘GRIP’), resulting in a requested increase in the monthly customer charge as shown in the table below:

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Adjustment	Adjusted Customer Charge	Increase to Each Bill
Residential Gas Service	\$17.83 per customer per month	\$3.19 per customer per month	\$21.02 per customer per month	\$3.19 per customer per month
Commercial Gas Service	\$58.79 per customer per month	\$10.15 per customer per month	\$68.94 per customer per month	\$10.15 per customer per month
Industrial/Transportation Gas Service	\$677.87 per customer per month	\$169.23 per customer per month	\$847.10 per customer per month	\$169.23 per customer per month
Public Authority Gas Service	\$65.84 per customer per month	\$18.44 per customer per month	\$84.28 per customer per month	\$18.44 per customer per month

and

WHEREAS: the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS: the application to increase rates by Atmos-WTX is complex; and

WHEREAS: it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in Atmos-WTX’s rate application are correctly done, and whether Atmos-WTX’s application otherwise conforms to the requirements of Texas Utilities Code § 104.301, commonly referred to as the GRIP statute; and

WHEREAS: the effective date proposed by Atmos-WTX is April 25, 2023, but a suspension by the City will mean that the rate increase cannot go into effect prior to June 9, 2023.

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

SECTION 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

SECTION 2. The City suspends the requested effective date by Atmos-WTX for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application, and to determine whether Atmos-WTX's application otherwise conforms to the requirements of the GRIP statute.

SECTION 3. The City continues to act in coordination with a group of cities comprised of the Cities of Amarillo, Lubbock, Dalhart, and Channing in its review of Atmos-WTX's rates.

SECTION 4. The City authorizes the law firm of Herrera Law & Associates, PLLC, to represent the City in connection with Atmos-WTX's application to increase rates.

SECTION 5. Atmos-WTX is ordered to reimburse the City's reasonable rate case expenses incurred in response to Atmos-WTX's rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

SECTION 6. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 7. This resolution shall be effective immediately upon passage.

PASSED AND APPROVED this 28th day of March 2023.

MAYOR

ATTEST:

CITY SECRETARY



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Fiscal Responsibility
Department: City Manager's Office
Contact Person: Laura Storrs, Assistant City Manager and CFO

Agenda Caption: CONSIDERATION OF RESOLUTION NO. 03-28-23-5

This item considers a resolution suspending for 45 days the effective date proposed by West Texas Gas Company in its application filed on or about February 15, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act.

Agenda Item Summary: This item suspends the requested effective date by West Texas Gas Company for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application.

Requested Action: Council consideration and approval of the resolution.

Funding Summary: N/A

Community Engagement Summary: N/A

Staff Recommendation: Staff recommendation is to approve the resolution suspending the rate application by West Texas Gas Company.

Attachments: 1. Resolution No. 03-28-23-5

RESOLUTION NO. 03-28-23-5

A RESOLUTION BY THE CITY OF AMARILLO, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF WEST TEXAS GAS COMPANY, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY'S PARTICIPATION IN A COALITION OF CITIES KNOWN AS THE "ALLIANCE OF WEST TEXAS GAS COMPANY MUNICIPALITIES;" REQUIRING THE REIMBURSEMENT OF COSTS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS: on or about February 15, 2023, West Texas Gas Company ("WTG") filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program ("GRIP"), resulting in a requested increase in the monthly customer charge from \$19.99 to \$20.62 for Residential customers, and from \$36.38 to \$37.69 for non-residential customers (Commercial, Public Authority, and Non-Profit); and

WHEREAS: the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS: the application to increase rates by WTG is complex; and

WHEREAS: it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in WTG's rate application are correctly done, and whether WTG's application otherwise conforms to the requirements of Texas Utilities Code § 104.301, commonly referred to as the GRIP statute; and

WHEREAS: the effective date proposed by WTG is April 16, 2023, but a suspension by the City will mean that the rate increase cannot go into effect prior to May 31, 2023.

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

SECTION 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

SECTION 2. The City suspends the requested effective date by WTG for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application, and to determine whether WTG's application otherwise conforms to the requirements of the GRIP statute.

SECTION 3. The City shall continue to act jointly with other cities that are part of a coalition of cities known as the Alliance of WTG Municipalities ("AWM").

SECTION 4. The City authorizes the law firm of Herrera Law & Associates, PLLC, to act on its behalf in connection with WTG’s application to increase rates.

SECTION 5. WTG is ordered to reimburse the City's reasonable rate case expenses incurred in response to WTG’s rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

SECTION 6. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 7. This resolution shall be effective immediately upon passage.

PASSED AND APPROVED this 28th day of March 2023.

MAYOR

ATTEST:

CITY SECRETARY

DRAFT



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Economic Development and Redevelopment
Department: Capital Projects Development and Engineering
Contact Person: Kyle Schniederjan, Director of Capital Projects Development and Engineering

Agenda Caption: CONSIDER APPROVAL - NORTHEAST INTERCEPTOR-SURFACE DAMAGE AGREEMENT

This item considers approval of the Surface Damage and Restoration Agreement by and between Miles Bivins Childers Trust et al and the City of Amarillo for \$175,000.00.

Agenda Item Summary: This item is to consider approval of the Surface Damage and Restoration Agreement in conjunction with the wastewater pipeline, The Northeast Interceptor. On January 10, 2023, the City of Amarillo and the Miles Bivins Childers Trust et al agreed on a Permanent Pipeline Easement. The pipeline is needed to accommodate the growth in the Northeast area of the City. The need for the pipeline has been identified in past studies and master planning documents.

Requested Action: Consider approval of the Surface Damage and Restoration Agreement for execution by the City Manager.

Funding Summary: Funding for this agreement is available in the Project Budget Number 530042.

Community Engagement Summary: Execution of this Surface Damage and Restoration Agreement has very little impact on the Community. Community engagement will happen prior to any construction of this project

Staff Recommendation: City Staff is recommending approval of the agreement.

Attachments: 1. Surface Damage Payment and Restoration Agreement

SURFACE DAMAGE PAYMENT AND RESTORATION AGREEMENT

Effective Date: On this date the last party to sign

Grantor: Miles Bivins Childers Trust et al

**Grantor's
Mailing Address:** P.O. Box 708
Amarillo, TX 79105-0001

Grantee: City of Amarillo, Texas

**Grantee's
Mailing Address:** P.O. Box 1971
Amarillo, TX 79105-1971

Easement Property: Sections 8, 9, 14, 15 & 16, Block 1, BS&F Survey, Potter County, Texas as described in the attached Exhibits A-E.

Recitals:

A. On January 10, 2023, Grantor granted to Grantee a Pipeline Easement and Temporary Construction Easement (the "**Easement**") over, on, and across the Easement Property, for the purpose of installation, construction, maintenance, operation, extension, repair, removal, replacement, and upgrade of a sanitary sewer and wastewater line, infrastructure, and appurtenances (the "**Easement Purpose**").

B. In order for Grantee to fulfill the Easement Purpose, Grantee may be required to disturb the surface of the Easement Property.

Agreement:

1. *Surface Damage Payment.* Grantee will pay to Grantor, in addition to any other consideration paid for the Easement, \$175,000.00 as damages for use of the Easement Property. Grantor accepts the stated sum in full satisfaction of Grantee's obligation for surface damages.

2. *Surface Restoration.* Grantee will attempt to restore or replace, as applicable, any part of the surface of the Easement Property disturbed by Grantee, at Grantee's sole expense, to as near the original condition as practical.

(a) Grantee's obligation to restore the surface does not include the restoration, replacement, repair, or rebuilding of any fences removed or disturbed by Grantee. The cost of any restoration, replacement, or rebuilding of any fences removed or disturbed by Grantee is accounted for in the surface damage payment made in section 1 above.

(b) Grantee's obligation to restore the surface is limited to one occasion after completion of construction of one 100-foot pipeline in the Easement Property. The cost of any further restoration deemed necessary by Grantor is accounted for in the surface damage payment made in section 1 above.

(c) Grantor accepts the terms of this paragraph in full satisfaction of Grantee's obligation for surface restoration.

3. *Enforcement.* In addition to a suit for damages or specific performance, this Easement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties or those benefitted by this agreement;

provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

4. *Release.* Grantor acknowledges the receipt and sufficiency of all compensation paid by Grantee pursuant to this Agreement as full and complete settlement for and as a release of all claims for loss, damage, or injury to the Easement Property arising out of Grantee's operations on the Easement Property.

5. *Amendment.* The Parties may amend this Agreement only by signing a written document.

6. *Attorneys' Fees.* If either party retains an attorney to enforce this agreement, the party prevailing in litigation is entitled to recover reasonable attorneys' fees and court and other costs.

7. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective successors and permitted assigns.

8. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county or counties in which the Easement Property is located.

9. *Counterparts.* This agreement may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

10. *Waiver of Default.* It is not a waiver of or consent to default if the nondefaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.

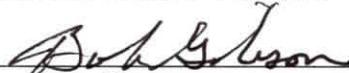
11. *Entire Agreement.* This Agreement and any exhibits are the entire agreement of the parties concerning surface damage payments and surface restoration. There are no representations, agreements, warranties, or promises, and neither party is relying on any statements or representations of any agent of the other party, that are not expressly set forth in this agreement and any exhibits.

12. *Legal Construction.* If any provision of this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.

13. *Conflict with Easement.* In the event there is a conflict between the Easement and the terms of this Agreement, the terms of this Agreement shall control.

Grantor:

Miles Bivins Childers Trust et al

By: 
Bob Gibson

Grantee:

City of Amarillo, Texas

By: _____
Jared Miller, City Manager

Date signed: 1-30-2023

Date signed: _____



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Fiscal Responsibility
Department: Finance
Contact Person: Matthew Poston, Director of Finance

Agenda Caption: CONSIDER AWARD - FLEET ASSET MANAGEMENT SYSTEM SOFTWARE AS A SERVICE (SAAS)

Award to: OpenGov, Inc. - Not to exceed \$240,050

This item considers the award of a three-year contract for software as a service (SaaS) for the fleet asset management system to be part of the new Financial/ERP Software System (Enterprise Resource Planning System) for City financial applications and other related systems. The total cost includes \$105,879.00 for implementation services - statement of work and \$134,171.00 for three years of annual SaaS fees.

Agenda Item Summary: Award of a contract for software as a service for the fleet asset management system to be part of the new Financial/ERP Software System (Enterprise Resource Planning System) for City financial applications and other related systems. The City launched the search for a new ERP system in the Fall of 2021. System requirements were identified, and a Request for Proposals (RFP) was issued. (The contract is being awarded through the procurement process for RFP P06-22 Enterprise Software Solution.)Bids were received from eight different vendors. The Evaluation Committee conducted scoring with a recommended award to Collaborative Solutions, a Cognizant Company. Collaborative Solutions proposed the Workday software system for the overall ERP application and the OpenGov Inc. product for the fleet asset management system to operate within the ERP system.

Requested Action: Approval.

Funding Summary: Funding is available in the ERP Project account. Total project funding was approved in the amount of \$7,004,950.

Community Engagement Summary: Initial engagement with using departments.

Staff Recommendation: Approval.

Attachments: None



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Fiscal Responsibility
Department: Finance
Contact Person: Matthew Poston, Director of Finance

Agenda Caption: CONSIDER AWARD - PROCUREMENT CARD PROGRAM SERVICES

Award to: JP Morgan Chase

This item considers the award of a three-year agreement, with two one-year options to renew, to provide procurement card program services to be utilized by various City departments. Under the agreement, the City will earn an annual rebate of 1.54% based off an average yearly spend of \$7,000,000. The average rebate is anticipated to be \$107,800.

Agenda Item Summary: This proposal is for purchasing card program services that will allow City employees the flexibility to make small dollar purchases in accordance with the City of Amarillo Purchasing Policy and Procedures.

Requested Action: Consider approval and award to JP Morgan Chase.

Funding Summary: Funding for this award is available using various departmental accounts.

Community Engagement Summary: N/A

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

Attachments: 1. RFP 08-23 Purchasing Tabulation

RFP 08-23 CITY OF AMARILLO PROCUREMENT CARD PROGRAM SERVICES

Preliminary Points Compilation Evaluation Criteria Ranking	Points Possible							Total Points Possible	Ranking	Comments
	Rebate:	Demonstrated Quality, Comprehensiveness and Capabilites of Proposed System which will include Technical Requirements, Security Requirements and Card Security:	Training and Implementation:	Demonstrated Ease of Use of Proposed System:	Vendor Presentation:	Fees:	References:			
Vendor	45	60	15	60	45	45	30	300		
JP MORGAN CHASE	45.00	56.00	14.00	58.00	44.00	45.00	30.00	292.00	1	
Date: 3-15-23										



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Customer Service
Fiscal Responsibility
Department: Public Works
Contact Person: Donny Hooper, Director of Public Works

Agenda Caption: CONSIDER PURCHASE - INDUSTRIAL SCRUBBER/SWEEPER

Award to: Shoppas Material Handling - \$56,092.00

This item considers the purchase of an industrial scrubber/sweeper to be used by the Amarillo Civic Center Complex in daily operations. This is the scheduled replacement of fleet unit 8455 which has reached the end of its usable life cycle.

Agenda Item Summary: Scheduled replacement of unit 8455, 2016 Power Boss Industrial Scrubber/Sweeper. Equipment is used by the Civic Center Operations for daily operational requirements. Unit has reached its useable life cycle, including life cycle life costing due to needed major repairs.

Requested Action: Recommend purchase for 2023 Power Boss Industrial Scrubber/Sweeper. RFP was based on competitive bid process

Funding Summary: Funding for this purchase will be from 61120.84200 Fleet Services Machinery General.

Community Engagement Summary: N/A

Staff Recommendation: Staff recommends Council approval of purchase.

Attachments: 1. Bid 7452 Tabulation

Bid NO 7452 INDUSTRIAL POWER SCRUBBER/SWEEPER
 Opened 4:00 p.m., Aug :00 FEBRUARY, 2023

To be awarded as one lot	Shoppa's Material	Mayfield Paper	Nilfisk Inc	Technology Inter	Wagner Supply
Line 1 IndustrialBatteryPoweredFloor Qty 1					
Brand & Model	B400 RH	Advance CS 7010	CS 7010 "48	Scrubmaster B400	Tennant MI
Unit Price	\$56,092.000	73.600.0000	\$76,634.570	\$77,250.00	\$85,045.00
Extended Price	56,092.00	73,600.00	76,634.57	77,250.00	85,045.00
Total Bid	\$ 56,092.00	\$ 73,600.00	\$ 76,634.57	\$ 77,250.00	\$ 85,045.00



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Excellence in Communication
Fiscal Responsibility
Department: Information Technology
Contact Person: Missy Tucker, Director of Information Technology

Agenda Caption: CONSIDER AWARD – MICROSOFT TEAMS VOICE LICENSING

Award to: SoftwareOne - \$55,620.00

This item considers the award of an agreement to provide Microsoft Teams Voice licensing for use in transitioning the City's phone system to Voice-Over-IP (VOIP).

Agenda Item Summary: This purchase represents Microsoft Teams Voice licensing for use in transitioning the City's phone system to VOIP (Voice-Over-IP).

Requested Action: Award to SoftwareOne in the amount of \$55,620.00

Funding Summary: Funding is available in job account 620070.17400.1040

Community Engagement Summary: N/A

Staff Recommendation: Staff recommends approval of award.

Attachments: 1. Bid 7513 Tabulation

Bid No 7513 Microsoft Teams Voice Licensing

To be awarded as 1 Lot Software One

Line 1 Micro Computer LK9-

LK9-0003 Teams Phone

500 ea

Unit Price \$111.240

Extended Price \$ 55,620.00

Total Bid Price \$ 55,620.00



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Fiscal Responsibility
Department: City Manager's Office
Contact Person: Laura Storrs, Assistant City Manager and CFO

Agenda Caption: DISCUSSION AND CONSIDERATION OF ORDINANCE NO. 8053

This item is the discussion and consideration of an ordinance authorizing the issuance of the City of Amarillo, Texas Hotel Occupancy Tax Revenue Bonds, Taxable Series 2023; prescribing the forms, terms, and provisions of said bonds; pledging hotel occupancy tax revenues to the payment of the principal of and interest on said bonds; enacting provisions incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement, and the approval and distribution of an Official Statement pertaining thereto; and providing an effective date.

Agenda Item Summary: This ordinance authorizes the City to issue the Hotel Occupancy Tax Revenue Bonds, Taxable Series 2023 for the construction, improvement, enlarging, equipping, operation and maintenance of municipal buildings, to wit: a multiuse facility, funding a reserve fund and to pay costs of issuance, in conformity with the Constitution and laws of the State of Texas, including particularly Chapter 1504, Texas Government Code, as amended and Chapter 351, Texas Tax Code, as amended.

Requested Action: Adopt the Ordinance authorizing the issuance of the Hotel Occupancy Tax Revenue Bonds, Taxable Series 2023.

Funding Summary: N/A

Community Engagement Summary: City staff presented information related to the issuance of Hotel Occupancy Tax Revenue Bonds at the November 8, 2022 City Council meeting. City staff explained that proceeds will be used to pay for renovations required by Major League Baseball at the MPEV facility.

Staff Recommendation: City staff is recommending approval of the Ordinance.

Attachments: None



Agenda Transmittal Memo

Date: March 28, 2023

Council Priority: Economic Development and Redevelopment
Fiscal Responsibility

Department: Capital Projects Development and Engineering

Contact Person: Kyle Schniederjan, Director of Capital Projects Development and Engineering

Agenda Caption: PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 8054

This item is a public hearing and first reading of an ordinance approving and adopting the Five-Year Community Investment Program for FY 2022-2023 through 2026-2027.

Agenda Item Summary: This item considers an Ordinance adopting the City's 5-year CIP which will guide capital investments over the next five years.

Requested Action: Conduct Public Hearing and approve the Ordinance adopting the FY 22/23-FY 26/27 Community Investment Plan.

Funding Summary: See the Community Investment Plan document and the approved FY 22/23 Annual Budget.

Community Engagement Summary: Community outreach, workshops, multi-media presentations, and Council workshops are held throughout the year.

Staff Recommendation: Recommend approval of the proposed Ordinance.

Attachments: 1. Ordinance No. 8053

ORDINANCE NO. 8054

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, APPROVING AND ADOPTING THE FIVE-YEAR COMMUNITY INVESTMENT PROGRAM FOR FY 2022-2023 THROUGH 2026-2027; MAKING CERTAIN FINDINGS; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Council of the City of Amarillo, Texas, has directed the City staff to prepare and present a statement of capital projects planned for the next succeeding five (5) fiscal years, with estimates of their cost; and

WHEREAS, the City Manager has presented in detail to the City Council a proposed Community Investment Program (CIP) for Fiscal Years 2022-2023 through 2026-2027; and

WHEREAS, the City Council has considered the input of the public and the recommendations of its staff and hereby determines it to be in the public interest to adopt a five-year Community Investment Program for Fiscal Years 2022-2023 through 2026-2027 to service the public health, safety, and general welfare of the citizens; and

WHEREAS, a copy of the Community Investment Program for Fiscal Years 2022-2023 through 2025 -2026 has been made available for public review and the City Council desires to adopt the Program; and

WHEREAS, the Fiscal Years 2022-2023 through 2026-2027 Community Investment Program provides a general framework to guide project planning and financing over a five-year period; and

WHEREAS, the Fiscal Years 2022-2023 through 2026-2027 Community Investment Program is based on general priorities and available financing as can be anticipated at the present time; and

WHEREAS, it is the intention of the City Council that the Community Investment Program will be updated annually and include five years of planned and affordable projects while considering projects that have been completed in the prior fiscal year.

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

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The certain compilation identified as the Proposed Community Investment Program for Fiscal Years 2022-2023 through 2026-2027, a copy of which is attached hereto, is hereby incorporated in full by this reference and is hereby adopted as the five-year Community Investment Program for the City of Amarillo, Texas.

SECTION 3. The Community Investment Program will be updated each year to recognize changes in the Program as the result of completed projects, changes in project cost and current financing capability of the City.

SECTION 4. The first year of the Community Investment Program will be adopted each year as the Capital Investment Program for the current fiscal year through the annual budget ordinance.

SECTION 5. Repealer. All Ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict only.

SECTION 6. Severability. If any provision, section, subsection, or clause 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 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 7. 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 28th day of March 2023; and PASSED on Second and Final Reading the 11th day of April 2023.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney



Agenda Transmittal Memo

Date: March 28, 2023
Council Priority: Civic Pride
 Fiscal Responsibility
Department: Parks and Recreation
Contact Person: Michael Kashuba, Director of Parks and Recreation

Agenda Caption: CONSIDERATION OF ORDINANCE NO. 8055

This item is a first reading to consider approval of an ordinance amending the Amarillo Municipal Code, Chapter 12-4, Section 12-4-5(n) to update certain golf fees.

Agenda Item Summary: This ordinance updates the Happy Hour Golf Pricing at Municipal Golf Courses.

EXISTING FEES

Ross Rogers/Camanche - Happy Hour Individual w/ Cart (AFTER 6:00 P.M.)\$15.00
Ross Rogers/Camanche Happy Hour Family w/ Cart (AFTER 6:00 P.M.)\ \$30.00

PROPOSED FEES

Ross Rogers- Happy Hour Individual w/ Cart (AFTER 6:00 P.M.)\$20.00
Comanche - Happy Hour Individual w/ Cart (AFTER 6:00 P.M.)\$17.00
Ross Rogers - Happy Hour Family w/ Cart (AFTER 6:00 P.M.)\ \$40.00
Comanche - Happy Hour Family w/ Cart (AFTER 6:00 P.M.)\ \$34.00

Requested Action: Approval of the amendment to Ordinance 12-4, Article I, Section 12-4-5(n) to update the Happy Hour Golf Pricing at Municipal Golf Courses.

Funding Summary: N/A

Community Engagement Summary: 3/8/2023 – Park Board recommended the proposed fee changes for Council consideration.

Staff Recommendation: Staff recommends approval.

Attachments: 1. Ordinance No. 8054

ORDINANCE NO. 8055

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 12-4, SECTION 12-4-5(n) TO UPDATE CERTAIN GOLF FEES; PROVIDING FOR: SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, AND EFFECTIVE DATE.

WHEREAS, on or about March 8, 2023, the Parks and Recreation Board recommended updating the Happy Hour golf fees.

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

SECTION 1. In accordance with the annual budget adopted for the Parks and Recreation Department, the Amarillo Municipal Code, Chapter 12-4, Article I, Section 12-4-5(n) be and hereby is amended in part as follows:

(n) Ross Rogers/~~Comanche~~ - Happy Hour Individual w/ Cart (AFTER 6:00 P.M.)
.....~~\$15.00~~20.00

Comanche – Happy Hour Individual w/ Cart (AFTER 6:00 P.M.)\$17.00

Ross Rogers/~~Comanche~~ – Happy Hour Family w/ Cart (AFTER 6:00 P.M.)\.....~~\$30.00~~40.00

Comanche – Happy Hour Family w/ Cart (AFTER 6:00 P.M.)\$34.00

SECTION 2. 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 3. 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 4. 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 5. Effective Date. 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 this the 28th day of March 2023; and PASSED on Second and Final Reading the 11th day of April 2023.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams, City Attorney

DRAFT