

AGENDAS
FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, MARCH 14, 2017 AT 4:30 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 5:00 P.M., CITY HALL, 509 SOUTHEAST 7th AVENUE, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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.*

WORK SESSION

- A. City Council will discuss or receive reports on the following current matters or projects.
- (1) Review agenda items for regular meeting and attachments;
 - (2) Update on Inn of Amarillo; and
 - (3) Consider future Agenda items and request reports from City Manager.
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REGULAR MEETING ITEMS

INVOCATION: Councilmember Lisa Blake

PUBLIC COMMENT: Citizens who desire to address the City Council with regard to matters on the agenda or having to do with the City's policies, programs, or services will be received at this time. The total time allotted for comments is 30-minutes with each speaker limited to three (3) minutes. City Council may not discuss items not on this agenda, but may respond with factual, established policy information, or refer to staff. The City Council may choose to place the item on a future agenda.
(Texas Attorney General Opinion. JC-0169.)

1. **CONSENT AGENDA:**

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. **Minutes:**

Approval of the City Council minutes of the regular meeting held on March 7, 2017.

B. **Award – Panasonic Toughbook Computers for Police Department:**

Rugged Depot -- \$63,557.74

The purchase will replace 50 Panasonic Toughbook computers for the police department which have been in operation since 2010.

C. **Award – Palo Alto Maintenance:**

Solid Border -- \$205,944.00

This purchase provides continued maintenance for the security solution that protects the City's IT systems and services.

D. Award of Agriculture Pesticides and Chemical Annual Contract:

Awarded to:

Harrell's LLC	\$10,745.94
BWI Companies Inc.	6,741.39
Pro Chem Co.	11,582.56
Golf Enviro Systems LLC	16,506.00
Turf Care of Texas	3,864.00
Target Specialty Products	825.94
Winfield	<u>3,596.02</u>
Total Amount Awarded:	\$53,861.85

This award is to approve an annual contract for the purchase of Agriculture Pesticides and Chemicals for the City of Amarillo.

E. Purchase – 3-yard and 8-yard Solid Waste Dumpsters:

Awarded by Competitive Bid:

Lot #1 – 3-Yard Dumpsters	
Roll Offs of America/USA	\$69,300.00
Lot #2 – 8-Yard Dumpsters	
Pro Form	<u>17,500.00</u>
Total Award	\$86,800.00

This item is the scheduled replacement of Solid Waste Dumpsters that have reached or exceeded their useable life. This award will be used by the City of Amarillo Solid Waste Division for daily operational requirements.

F. Approval – Water and Wastewater Cost of Service and Rate Study Contract:

Willdan Financial Services -- \$68,980.00

This item is to approve the Water and Wastewater cost of Service and Rate Study Contract.

NON-CONSENT AGENDA

2. **ORDINANCE NO. 7656:**

This is second and final reading of amendments to Chapter 8-2 (Animals and Fowl), Amarillo Municipal Code, amending 8-2-1 defining "rooster," changing 8-2-4 increasing trap deposits to \$90.00, amending 8-2-9 requiring "current" rabies tag to be displayed, amending 8-2-10 limiting veterinarian offices in Potter and Randall Counties where a deemed dangerous animal can be sterilized and establishing an appeal bond, amending 8-2-55 to protect the personal identifying information for adopters, fosters, and rescue organizations to the extent allowed by law, and a new section prohibiting bestiality.

3. **ORDINANCE NO. 7657:**

This is the second and final reading of an ordinance rezoning Lots 7 and 8, Block 5, Amarillo Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Manufactured Home (MH) to Multiple Family 1 (MF-1). (Vicinity: Northwest 14 Avenue and North Harrison Street.)

4. **ORDINANCE NO. 7658:**

This is the second and final reading of an Ordinance amending the Code of Ordinances in two respects. (1) Section 2-2-1 is amended to remove reference to the beginning time of Regular Meetings of the City Council, to reflect current practice of the Council to adjust meeting time to best serve the public. (2) References throughout the Code of Ordinances that retain "City Commission" are changed to "City Council" in accordance with the City Charter, as amended November 5, 2013.

5. **RESOLUTION:**

This resolution supports proposed 2017 Legislation to amend Chapter 372, Local Government Code to enable the creation of a local Tourism Improvement District in Amarillo.

6. **RESOLUTION – PUBLIC HEARING:**

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 1600 South Palo Duro Street.

MISCELLANEOUS

1. Planning and Zoning Commission, minutes of February 13, 2017.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (Southeast 7th Avenue) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3013 or the City TDD number at 378-4229.

Posted this 10th day of March 2017.

Amarillo City Council meetings stream live on Cable Channel 110 and are available online at:
www.amarillo.gov/granicus
Archived meetings are also available.



A

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 7th day of March 2017, the Amarillo City Council met at 4:00 p.m. for a work session and then at 5:00 p.m. for the regular session in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

PAUL HARPOLE
ELISHA DEMERSON
LISA BLAKE
RANDY BURKETT

MAYOR
COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3

Absent was Councilmember Mark Nair. Also in attendance were the following administrative officials:

JARED H. MILLER
BOB COWELL
MICK MCKAMIE
SCOTT MCDONALD
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
DIRECTOR OF COMMUNITY SAFETY
CITY SECRETARY

The invocation was given by Councilmember Lisa Blake. Mayor Harpole led the audience in the Pledge of Allegiance.

Recognition of Municipal Court for MTSI Traffic Award.

Public Comment:

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

B.F. Roberts, Jr., 1007 North Hayden Street, stated he has a passion for being an advocate for the people. He further stated he was concerned about the demolition of the Inn of Amarillo. Mayor Harpole replied this property has its challenges and they are trying to come up with a creative solution. Councilmember Burkett stated he would like to see hard numbers on the cost of the demolition. James Schenck, 6216 Gainsborough Street, inquired as to the Advisory Board for the AEDC project. Mr. Cowell replied the advisory board that was referenced in the work session are focus and advisory groups selected from the various economic sectors. He further stated the groups will continue to change and evolve. Mr. Schenck also stated he did not like the public comments before the Council meeting because he did not know what the Council was going to discuss. There were no further comments.

ITEM 1: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Councilmember Burkett to approval of the consent agenda, seconded by Councilmember Demerson.

- A. **Minutes:**
Approval of the City Council minutes of the regular meeting held on February 28, 2017.
- B. **Approval – Revised Second Amendment to Lease Agreement between Titan Towers, LP and the City of Amarillo:**
This item is the revised second amendment to the Lease Agreement for use of City property.
- C. **Sale – Property:**
Sheriff Sale Property in Potter County.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson and Burkett;

voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 2: Mayor Harpole presented the first reading of an ordinance amending Chapter 8-2 (Animals and Fowl), Amarillo Municipal Code, amending 8-2-1 defining "rooster," changing 8-2-4 increasing trap deposits to \$90.00, amending 8-2-9 requiring "current" rabies tag to be displayed, amending 8-2-10 limiting veterinarian offices in Potter and Randall Counties where a deemed dangerous animal can be sterilized and establishing an appeal bond, amending 8-2-55 to protect the personal identifying information for adopters, fosters, and rescue organizations to the extent allowed by law, and a new section prohibiting bestiality. Richard Havens, Animal Management & Welfare Director presented this item. Motion was made by Councilmember Demerson, seconded by Councilmember Blake, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7656

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, PROVIDING FOR THE DEFINITION OF A ROOSTER; AMENDING TRAP DEPOSIT FEE; PROVIDING FOR A CURRENT RABIES TAG; PROVIDING FOR STERILIZATION AND APPEAL BOND CONCERNING DANGEROUS ANIMALS; PROVIDING FOR CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION; ADDING BEASTIALITY AS A CRIMINAL OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3: Mayor Harpole presented a first reading of an ordinance rezoning Lots 7 and 8, Block 5, Amarillo Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Manufactured Home (MH) to Multiple Family 1 (MF-1). (Vicinity: Northwest 14th Avenue and North Harrison Street.) AJ Fawver, Planning and Zoning Director, presented this item. Motion was made by Councilmember Burkett, seconded by Councilmember Blake, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7657

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 NORTHWEST 14TH AVENUE AND NORTH HARRISON STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 4: Mayor Harpole presented a first reading of an ordinance amending the Code of Ordinances in two respects. (1) Section 2-2-1 is amended to remove reference to the beginning time of Regular Meetings of the City Council, to reflect current practice of the Council to adjust meeting time to best serve the public. (2) References throughout the Code of Ordinances that retain "City Commission" are changed to "City Council" in accordance with the City Charter, as amended November 5, 2013. Motion was made by Councilmember Blake, seconded by Councilmember Burkett, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7658

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, TITLE II, SECTION 2-2-1, TO REFLECT CURRENT PRACTICE AND TO AMEND LEGAL REFERENCES; AMENDING THE MUNICIPAL CODE OF

ORDINANCES TO REPLACE ALL REFERENCES TO THE CITY COMMISSION TO THE CITY COUNCIL IN ACCORDANCE WITH THE CITY CHARTER, AS AMENDED NOVEMBER 5, 2013; PROVIDING FOR CONTINUATION OF PRIOR LAW; SEVERABILITY; REPEALER; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 5: Mayor Harpole presented a resolution approving a resolution for the TxDot agreement to contribute right-of-way funds from FM 2590 to Southwest 9th Avenue. The initial agreement for the City's participation in the right-of-way procurement and reimbursable utility relocations for the project. Motion was made that the following captioned resolution be passed by Councilmember Demerson, seconded by Councilmember Burkett:

RESOLUTION NO. 03-07-17-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: APPROVING AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO MAKE IMPROVEMENTS AND ACQUIRE RIGHT OF WAY AND ADJUST UTILITIES FOR A PROJECT ON HIGHWAY NO. SL 335 FROM FM 2590 TO POTTER COUNTY LINE; PROVIDING SEVERABILITY CLAUSE; SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson and Burkett; voting NO were none; the motion carried by a 4:0 vote of the Council.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

Frances Hibbs, City Secretary

Paul Harpole, Mayor



Amarillo City Council Agenda Transmittal Memo



Meeting Date	March 14, 2017	Council Priority	N/A
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Department	Information Technology
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Agenda Caption

Award – Panasonic Toughbook Computers for PD:
Rugged Depot -- \$63,557.74

The purchase will replace 50 Panasonic Toughbook computers for the police department which have been in operation since 2010.

Agenda Item Summary

The purchase replaces approximately half of computers for the police department which have been in operation since 2010. The newer systems are faster and they come with a 4-year warranty which eliminates the expensive time and materials repair process used today.

Requested Action

Approval of award to Rugged Depot in the amount of \$63,557.74.

Funding Summary

Funding is available in Information Technology account 620064.17400.1040

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

Bid No. 5690 COMPUTER HARDWARE REFURBISHED TOUGHBOOKS FOR PD
Opened 4:00 p.m. February 27, 2017

NOMAR ENTERPRISES LLC
DBA RUGG

To be awarded as one lot

Line 1 Microcomputers, laptop panasonic
toughbook, per specifications
50 ea

Unit Price \$950.000
Extended Price 47,500.00

Line 2 Warranty, extended, computer
equipment, per specifications
50 ea

Unit Price \$315.000
Extended Price 15,750.00

Line 2 Shipping, handling & misc fees,
per specifications
1 ea

Unit Price \$307.740
Extended Price 307.74

Bid Total 63,557.74

Award by Vendor 63,557.74



C

Amarillo City Council Agenda Transmittal Memo



Meeting Date	March 14, 2017	Council Priority	N/A
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Department	Information Technology
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Agenda Caption

Award – Palo Alto Maintenance:
Solid Border -- \$205,944.00

This purchase provides continued maintenance coverage for the security solution that protects the City's IT systems and services.

Agenda Item Summary

This purchase provides premium support coverage required to secure the City's IT systems. The maintenance coverage improves the City's security posture by keeping cybersecurity risks at a minimum through the use of advanced threat protection services.

Requested Action

Approval of award to Solid Border in the amount of \$205,944.00.

Funding Summary

Funding is available in Information Technology account 62040.69300.

Community Engagement Summary

N/A

Staff Recommendation

IT security staff recommends approval of award.

Bid No. 5702 PALO ALTO NETWORK SECURITY RENEWAL
Opened 4:00 p.m. March 2, 2017

To be awarded as one lot SOLID BORDER INC

Line 1 Support and update services
microcomputer, per specifications

1 ea	
Unit Price	\$205,944.000
Extended Price	205,944.00

Bid Total 205,944.00

Award by Vendor 205,944.00



Amarillo City Council Agenda Transmittal Memo



Meeting Date	March 14, 2017	Council Priority	N/A
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Department	Park Maintenance
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Agenda Caption

Award of Agriculture Pesticides & Chemical Annual Contract to the following:

- Harrell's LLC – \$10,745.94
- BWI Companies Inc - \$6,741.39
- Pro Chem Co - \$11,582.56
- Golf Enviro Systems LLC - \$16,506.00
- Turf Care of Texas - \$3,864.00
- Target - \$825.94
- Windfield - \$3,596.02
- Total Amount Awarded: \$53,861.85

This award is to approve an annual contract for the purchase of Agriculture Pesticides & Chemicals for the City of Amarillo.

Agenda Item Summary

Award of annual Agriculture Pesticides and Chemicals Annual Contract for use by City departments in performing daily job duties.

Requested Action

Consider approval and award for the City annual contract for Agriculture Pesticides and Chemicals Annual Contract.

Funding Summary

Funding for this award is available in the Botany and Agriculture Chemicals and Botany and Agriculture – Ag Accounts: 1861.51462,1811.51450

Community Engagement Summary

N/A

Staff Recommendation

City staff is recommending approval and award of the contract.

Bid No. 5633 AGRICULTURE PESTICIDES & CHEMICAL ANNUAL CONTRACT
 Opened 4:00 p.m. January 5, 2017

To be awarded as one lot	HARRELL'S LLC	BWI COMPANIES INC	PRO CHEM SALES	GOLF ENVIRO SYSTEMS LLC	TURF CARE OF TEXAS	WINFIELD	TARGET SPECIALTY PRODUCTS
Line 1 Pesticides and chemicals Trimec 992 by PBI Gordon, per specifications 200 jg							
Unit Price	\$49,600	\$59,200	\$65,900	\$72,100	\$59,850	\$54,130	\$62,500
Extended Price	9,920.00	11,840.00	13,180.00	14,420.00	11,970.00	10,826.00	12,500.00
Line 2 Pesticides and chemicals, delux surfactant, per specifications 64 jg							
Unit Price	\$42,370	\$17,500	\$22,930	\$37,800	\$0,000	\$46,250	\$0,000
Extended Price	2,711.68	1,120.00	1,467.52	2,419.20	2,960.00	-	-
Line 3 Pesticides and chemicals, dominion insecticide, per specifications 15 jg							
Unit Price	\$43,950	\$110,500	\$41,740	\$45,600	\$0,000	\$0,000	\$107,150
Extended Price	659.25	1,657.50	626.10	684.00	-	-	1,607.25
Line 4 Pesticides and chemicals, revolution wetting agent, per specifications 2 ea							
Unit Price	\$0,000	\$5,120,500	\$3,938,000	\$0,000	\$0,000	\$5,120,500	\$5,340,500
Extended Price	-	10,241.00	7,876.00	-	-	10,241.00	10,681.00
Line 5 Pesticides and chemicals, Chipco signature by Bayer, per specifications 17 bc							
Unit Price	\$175,850	\$77,200	\$88,750	\$78,600	\$80,190	\$0,000	\$155,000
Extended Price	2,989.45	1,312.40	1,508.75	1,363.23	1,363.23	-	2,635.00

To be awarded as one lot	HARRELL'S LLC	BWI COMPANIES INC	PRO CHEM SALES	GOLF ENVIRO SYSTEMS LLC	TURF CARE OF TEXAS	WINFIELD	TARGET SPECIALTY PRODUCTS
Line 6 Pesticides and chemicals, Daconil action by Syngenta, per specifications 14 jg							
Unit Price	\$192.000	\$192.000	\$97.530	\$192.000	\$0.000	\$192.000	\$192.000
Extended Price	2,688.00	2,688.00	1,365.42	2,688.00	-	2,688.00	2,688.00
Line 7 Pesticides and chemicals, Insignia by BASF, per specifications 8 bt							
Unit Price	\$412.970	\$412.970	\$401.830	\$0.000	\$0.000	\$412.970	\$412.970
Extended Price	3,303.76	3,303.76	3,214.64	-	-	3,303.76	3,303.76
BIDDER WITHDREW BID							
Line 8 Pesticides and chemicals, Subdue Maxx by Sygenta, per specifications 3 jg							
Unit Price	\$515.000	\$367.250	\$416.070	\$335.300	\$342.000	\$410.680	\$515.000
Extended Price	1,545.00	1,101.75	1,248.21	1,005.90	1,026.00	1,232.04	1,545.00
DID NOT MEET SPECS							
Line 9 Pesticides and chemicals, Spectro 90WDG by Cleary's, per specifications 36 bc							
Unit Price	\$61.180	\$53.150	\$47.640	\$63.900	\$0.000	\$60.000	\$55.000
Extended Price	2,202.48	1,913.40	1,715.04	2,300.40	-	2,160.00	1,980.00
Line 10 Pesticides and chemicals, Heritage by Syngenta, per specifications 80 jg							
Unit Price	\$330.000	\$183.950	\$181.220	\$137.700	\$140.000	\$193.990	\$317.000
Extended Price	26,400.00	14,716.00	14,497.60	11,016.00	11,200.00	15,519.20	25,360.00
Line 11 Pesticides and chemicals, 3336 clearly, per specifications 6 jg							
Unit Price	\$234.130	\$123.600	\$144.330	\$127.200	\$108.000	\$168.580	\$220.000
Extended Price	1,404.78	741.60	865.98	763.20	648.00	1,011.48	1,320.00

To be awarded as one lot	HARRELL'S LLC	BWI COMPANIES INC	PRO CHEM SALES	GOLF ENVIRO SYSTEMS LLC	TURF CARE OF TEXAS	WINFIELD	TARGET SPECIALTY PRODUCTS
Line 12 Pesticides and chemicals, Quinlorac 75 DF herbicide by select choice, per specifications 100 jg							
Unit Price	\$44,000	\$29,750	\$35,150	\$37,400	\$33,600	\$0,000	\$0,000
Extended Price	4,400.00	2,975.00	3,515.00	3,740.00	3,360.00	-	-
Line 13 Pesticides and chemicals, Prodiamine 4L 2.5 gallon jugs, per specifications 3 jg							
Unit Price	\$0,000	\$169,350	\$211,200	\$179,900	\$0,000	\$223,900	\$103,640
Extended Price	-	508.05	633.60	539.70	-	671.70	310.92
							DID NOT MEET SPECS
Line 14 Pesticides and chemicals, Bensumec 4F 1 gallon jug, per specifications 24 jg							
Unit Price	\$0,000	\$269,000	\$116,250	\$341,700	\$0,000	\$115,420	\$279,250
Extended Price	-	6,456.00	2,790.00	8,200.80	-	2,770.08	6,702.00
Line 15 Pesticides and chemicals, Tebucomazole 3.6f 1 gallon, per specifications 100 jg							
Unit Price	\$0,000	\$56,500	\$60,890	\$54,900	\$56,100	\$67,690	\$0,000
Extended Price	-	5,650.00	6,089.00	5,490.00	5,610.00	6,769.00	-
Line 16 Pesticides and chemicals, enclave 2.5 gallon jugs, per specifications 10 jg							
Unit Price	\$0,000	\$234,400	\$290,000	\$309,000	\$219,000	\$290,000	\$0,000
Extended Price	-	2,344.00	2,900.00	3,090.00	2,190.00	2,900.00	-

To be awarded as one lot	HARRELL'S LLC	BWI COMPANIES INC	PRO CHEM SALES	GOLF ENVIRO SYSTEMS LLC	TURF CARE OF TEXAS	WINFIELD	TARGET SPECIALTY PRODUCTS
Line 17 Pesticides and chemicals, Primo Maxx syngenta 2.5 gallon, per specifications							
1 jg							
Unit Price	\$290.000	\$118.300	\$324.000	\$294.100	\$309.900	\$0.000	\$290.000
Extended Price	290.00	118.30	324.00	294.10	309.90	-	290.00
NOT BEING AWARDED							
Line 18 Pesticides and chemicals, Trimmit 25L Syngenta 1 gallon jugs, per specifications							
2 jg							
Unit Price	\$442.000	\$442.000	\$150.000	\$442.000	\$0.000	\$442.000	\$442.000
Extended Price	884.00	884.00	300.00	884.00	-	884.00	884.00
NOT BEING AWARDED							
Bid Total	59,398.40	69,570.76	64,116.86	58,871.50	37,677.13	63,936.26	71,806.93
Award by Vendor	10,745.94	6,741.39	11,582.56	16,506.00	3,864.00	3,596.02	825.94

Bid No. 5639 3 CU YD & 8 CU YD REFUSE CONTAINERS
 Opened 4:00 p.m. January 12, 2017

To be awarded as one lot	PROFORM	ROLL OFFS
Line 1 Refuse container 3 cuyd, per specifications 150 ea		
Unit Price	\$477.000	\$462.000
Extended Price	71,550.00	69,300.00
Line 2 Refuse container 8 cuyd, per specifications 20 ea		
Unit Price	\$875.000	\$935.000
Extended Price	17,500.00	18,700.00
Bid Total	89,050.00	88,000.00
Award by Vendor	17,500.00	69,300.00



F

Amarillo City Council Agenda Transmittal Memo



Meeting Date	March 14, 2017	Council Priority	Best Management Practices
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Department	Water Utilities
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Agenda Caption

Approval – Water and Wastewater Cost of Service and Rate Study Contract

Contract amount: Willdan Financial Services - \$68,980.00

This item is to approve the Water and Wastewater Cost of Service and Rate Study Contract

Agenda Item Summary

The Purchasing Department sent out a Request for Proposal for Water and Wastewater Cost of Service and Rate Study. This service is for the development of water and wastewater cost of service and utility rate study for the City of Amarillo. The purchasing department received seven (7) responses to this solicitation. The vendors that responded included Raftelis Financial, NewGen Strategies & Solutions, Willdan, Hawksley, Burns McDonnell, HDR, and Baker Tilly.

The evaluation team consisted of Russell Grubbs, Director of Water Utilities; Michelle Bonner, Assistant City Manager; and Victoria Medley, Municipal Court Administrator. The committee evaluated the responses based on the following evaluation criteria: 1) Proposed Approach and methodology; 2) Reputation and demonstrated competence with project of similar size and scope 3) Experience and qualification of the respondent and the staff assigned to the project 4) References and 5) Overall completeness and reasonableness of the proposed costs.

After receiving the responses, the evaluation team requested best and final offers from Raftelis Financial, Willdan Financial Services and Baker Tilly. After receiving best and final offers, the evaluation committee rated the responses and made recommendations for contract award for the Water and Wastewater Cost of Service and Rate Study.

Requested Action

Approve the Water and Wastewater Cost of Service and Rate Study Contract

Funding Summary

Funding for this project is available in the project Budget Number 523116.17400.1040

Staff Recommendation

Amarillo City Council Agenda Transmittal Memo



City Staff is recommending approval of the Water and Wastewater Cost of Service and Rate Study
Contract to Willdan Financial Services

P01-17 Water and Wastewater Rate Study		BEST AND FINAL				Rank	Comments or use additional paper as needed
Company	Points Possible:100	Russell Grubbs	Michelle Bonner	Victoria Medley	Total		
Raftelis Financial	81.44	76.11	80.44	237.99			
Willdan	81.20	78.81	83.20	243.21			
Baker Tilly	80.00	65.00	97.00	242.00			



Amarillo City Council Agenda Transmittal Memo



Meeting Date	March 14, 2017	Council Priority	N/A
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Department	Animal Management & Welfare
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Agenda Caption
 CONSIDERATION OF ORDINANCE NO. 7656
 This item is a second reading of amendments to Chapter 8-2 (Animals and Fowl), Amarillo Municipal Code, amending 8-2-1 defining "rooster", changing 8-2-4 increasing trap deposits to \$90.00, amending 8-2-9 requiring "current" rabies tag to be displayed, amending 8-2-10 limiting veterinarian offices in Potter and Randall Counties where a deemed dangerous animal can be sterilized and establishing an appeal bond, amending 8-2-55 to protect the personal identifying information for adopters, fosters, and rescue organizations to the extent allowed by law, and a new section prohibiting bestiality.

Agenda Item Summary
 The proposed Ordinance would amend existing City Ordinance 8-2 (Animals and Fowl) with the following changes:

- Section 8-2-1 Definitions: Define "rooster" for future Ordinance development.
- Section 8-2-4 Fees: Increase small animal trap deposit from \$50.00 to \$90.00. Small animal traps cost \$89.99, plus shipping and handling to replace.
- Section 8-2-9 Vaccination Tag: Amending requirement for "current" rabies tag to be displayed.
- Section 8-2-10 Dangerous Animals: Limiting veterinarian offices in Potter and Randall Counties where a deemed dangerous animal can be sterilized and establishing an appeal bond.
- Section 8-2-55 Disposition of Unclaimed or Unredeemed Animals: Protect the personal identifying information for adopters, fosters, and rescue organizations to the extent allowed by law.
- Section 8-2-58 Bestiality: New ordinance amendment that will address prohibiting sexual acts towards animals that result in human sexual arousal. It will not impact legitimate practices done at groomers and/or veterinarian offices.

The Animal Management & Welfare Board has considered and unanimously approved the proposed Ordinance amendments on Monday, December 12, 2016. Their action and recommendation is provided to the City Council in support of this item. The proposed amendments have received community engagement support letters from the Amarillo Bi-City-County Health District Board and the Amarillo-Panhandle Humane Society Board of Directors.

Requested Action
 Approve the Ordinance amendments.

Funding Summary
 N/A

Amarillo City Council Agenda Transmittal Memo



Community Engagement Summary

The proposed Ordinance amendment has been presented to all appropriate boards and parties, with additional community engagement through the following:

- AAM&W Advisory Board Meeting – July 24, 2016 – Work session - All proposed changes
 - Amarillo Globe News – July 27, 2016 – Publication
 - AAM&W Advisory Board Meeting to discuss ordinance that prohibits bestiality.
 - Amarillo Globe News – August 6, 2016 – News Article - Bestiality
 - KFDA Channel 10 News – August 11, 2016 – News Piece - Bestiality
 - AAM&W Advisory Board Meeting – October 24, 2016 – Regular Meeting – All proposed changes
 - Animal Management & Welfare Advisory Board – December 12, 2016 - Support
 - Bi-City-County Health District Board – January 17, 2017 - Support
 - Amarillo-Panhandle Humane Society – January 24, 2017 – Support
 - KFDA Channel 10 News – February 20, 2017 – News Piece
 - City Council Work Session – February 21, 2017 – Presentation on all proposed changes
 - KIXZ News Talk 940 AM – February 23, 2017 – Talk Show Segment
 - Public Meeting at North Branch Library – March 6, 2017
 - Public Meeting at Downtown Library – March 7, 2017
-

Staff Recommendation

Recommend approval of the proposed Ordinance amendments.

ORDINANCE NO. 7656

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, PROVIDING FOR THE DEFINITION OF A ROOSTER; AMENDING TRAP DEPOSIT FEE; PROVIDING FOR A CURRENT RABIES TAG; PROVIDING FOR STERILIZATION AND APPEAL BOND CONCERNING DANGEROUS ANIMALS; PROVIDING FOR CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION; ADDING BEASTIALITY AS A CRIMINAL OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, Chapter 8-2 of the Amarillo Municipal Code provides for and prescribes local requirements for custody and control of animals found within the City Limits; and

WHEREAS, the City Council finds that procedures are necessary for the management, welfare and disposition of animals found within the City Limits upon a violation of the prescribed requirements, in order to promote public health, safety, welfare, and protection of property;

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

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

Sec. 8-2-1. - Definitions.

* * *

Rooster: a male domestic fowl or cock.

* * *

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

Sec. 8-2-4. - Fees.

[(a)-(b)] TEXT UNCHANGED

[(c)(1)-(6)] TEXT UNCHANGED

(7) Small Animal trap, deposit (refundable upon timely return) \$50.00-\$90.00.

[(8)] TEXT UNCHANGED

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SECTION 3. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-9 be and hereby is amended to now read as follows:

Sec. 8-2-9. - Vaccination tag.

Upon complying with the vaccination provisions of this chapter, there shall be issued to the Owner a numbered metallic tag stamped with the number and expiration year. Dogs and cats shall at all times wear the current rabies vaccination tag issued to that Animal. The Owner or person in possession of a Miniature pig may not keep such Animal within the City of Amarillo without being able to provide proof of vaccination required by this chapter.

SECTION 4. The Amarillo Municipal Code, Chapter 8-2, Article I, Section 8-2-10 be and hereby is amended to now read as follows:

Sec. 8-2-10. - Dangerous Animals.

[(a)(1) –(2)] TEXT UNCHANGED

(3) Have the Animal sterilized by a licensed veterinarian clinic located in

Randall or Potter County as approved by the Director or designee of

Animal Management & Welfare.

[(a)(4) –(11)] TEXT UNCHANGED

[(b) – (e)] TEXT UNCHANGED

[(f)(1)-(3)] TEXT UNCHANGED

(4) An appeal bond must be posted representing sixty (60) days of boarding costs at current set boarding rates.

[(f)(i)] TEXT UNCHANGED

SECTION 5. The Amarillo Municipal Code, Chapter 8-2, Article III, Section 8-2-55 be and hereby is amended to now read as follows:

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

~~[(a) (1) –(2)] –TEXT UNCHANGED After any impounded Animal that has become the property of the City pursuant _____ to Section 8-2-15 and has remained unclaimed or unredeemed, the department _____ shall have the following powers:~~

~~(1) *Authority to transfer ownership.* The Animal Management & Welfare Department may transfer ownership of any impounded Animal that is unclaimed or unredeemed. In the event of such transfer of ownership, the person or agency to whom ownership is transferred shall pay for such Animal's food and care while in the Animal shelter and shall comply with the applicable vaccination and implanted microchip provisions.~~

~~(2) *Right to destroy.* The Animal Management & Welfare Department may humanely destroy any impounded Animal that is unclaimed or unredeemed.~~

(3) *Transfer to Humane Society.* The Animal Management & Welfare Department may transfer any impounded Animal that is unclaimed and unredeemed to the Amarillo Panhandle Humane Society for the purposes of temporary foster care or adoption. In the event of transfer of ownership for purposes of adoption, the Amarillo Panhandle Humane Society shall pay to the Animal Management & Welfare Department the required fees set forth in this chapter. Except as otherwise required by law, personal identifying information of a person whom adopts or fosters an animal or a rescue organization that takes custody of an animal shall remain confidential.

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(b) TEXT UNCHANGED.

SECTION 6. The Amarillo Municipal Code, Chapter 8-2, Article III, Section 8-2-58 be and hereby is AMENDED to now read as follows:

Sec. 8-2-58. – Bestiality

(1). For the purposes of this section , the following terms shall have the following means:

(a.) Sexual conduct. Any touching or fondling by a person of the sex organs or anus of an animal or any transfer or transmission of semen by the person upon any part of the animal for the purpose of sexual gratification or arousal of the person.

(b) Sexual contact. Any contact, however slight, between the mouth, sex organ, or anus of a person and the sex organ or anus of an animal, any penetration, however slight, of any part of the body of the person into the sex organ or anus of an animal, or any penetration of the sex organ or anus of the person into the mouth of the animal for the purpose of sexual gratification or sexual arousal of the person.

(2). A person commits the crime of bestiality if he or she:

(a) Knowingly engages in or submits to any sexual conduct or sexual contact with an animal.

(b) Knowingly causes, aids, or abets another in engaging in any sexual conduct or sexual contact with an animal.

(c) Knowingly permits any sexual conduct or sexual contact with an animal upon premises under his or her control.

(d) Knowingly organizes, promotes, conducts, advertises, aids, abets, observes, or performs any service furthering an act involving sexual conduct or sexual contact with an animal for a commercial or recreational purpose.

(e) Knowingly permits or engages in any insertion or penetration of a foreign object into any organs or anus of an animal for the purpose of sexual arousal or gratification.

(3). Penalty. It is an offense to violate any provision or requirement of this section punishable upon conviction pursuant to 1-1-5 of this Code of Ordinances. This municipal criminal penalty is cumulative and not exclusive of any civil action or penal charge available under state law or other remedies provided by law or equity.

(4). This article shall not apply to accepted animal husbandry practices, conformation judging practices, or accepted veterinary medicine practices.

(5). If convicted the defendant shall be ordered to reimburse Amarillo Animal Management and Welfare for any reasonable costs incurred for the care and maintenance of any animals taken to the animal shelter as a result of conduct proscribed in subsection (2). This includes but is not limited to: kennel fees, vaccination fees, veterinary bills and diagnostic testing fees.

Secs. 8-2-59-8-2-70. – Reserved

SECTION 7. 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 8. Continuation. That nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance and such prior law is continued in effect for purposes of such pending matter.

SECTION 9. Penalty. A violation of this ordinance is an offense punishable in accordance with Section 1-1-5 of this code of ordinances.

SECTION 10. Publishing and Effective Date. This ordinance shall be published and become effective according to law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the _____ day of _____, 2017; and PASSED on Second and Final Reading the _____ day of _____, 2017.

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM

William M. McKamie, City Attorney



Amarillo City Council Agenda Transmittal Memo



Meeting Date	March 14, 2017	Council Priority	Community Appearance
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Department	Planning Department
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Agenda Caption

Vicinity: NW 14th Avenue & N Harrison Street

Rezoning of Lots 7 & 8, Block 5, Amarillo Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Manufactured Home (MH) to Multiple Family 1 (MF-1).

Agenda Item Summary

This tract of land is currently zoned Manufactured Home District (MH), and the area dates back to 12/21/1925 when it was annexation number 4 (Ordinance 454).

Staff's analysis of zoning changes requests begins with referring to the Comprehensive Plan's Future Land Use and Character Map in order to identify what it recommends for future land uses. Staff also considers how any zoning change would impact the Comprehensive Plan's adopted Neighborhood Unit Concept (NUC) of development - whereby non-residential land uses are encouraged at section-line arterial intersections with a transition to residential uses as development occurs away and inward from the arterial intersections. Staff also considers the principles and recommendations laid out within the Comprehensive Plan, as well as existing zoning and development patterns in the area. Lastly, in this case, staff considers compliance with the recently-adopted North Heights Neighborhood Plan.

- Consistency with the Future Land Use and Character (FLUC) map: This zoning request is consistent with the FLUC (Future Land Use & Character) map that was established in 2010. The requested MF-1 zoning does encompass uses consistent with the "General Residential" land use category; that is, residential uses with a mix of housing types and varying densities.
- Consistency with the Neighborhood Unit Concept (NUC): These residential lots located close to the center of the section map label N-10.
- Consistency with the Comprehensive Plan's principles & recommendations: Continued attention to housing affordability, especially for first-time homebuyers and the ongoing need for neighborhood reinvestment and revitalization in north/northeast Amarillo (Comprehensive Plan 6.4).
- Consistency with existing zoning & development patterns: When performing a site visit, staff noticed residential uses in all directions around the vacant two lots. Specifically, single-family homes across the street from the properties for consideration are present, with manufactured homes (single-wides) nearby. There also happen to be many duplexes to the north of these properties located one street north along NW 15th Avenue (zoned R-3). This requested zoning would be a logical continuation of this land use, which is already established in this area. This area was originally platted in May

Amarillo City Council Agenda Transmittal Memo



1903 with a clear residential intent, including an alley and many 50x140' lots.

- Consistency with the North Heights Neighborhood Plan: This rezoning is also consistent with the strategies implemented by the approved North Heights Neighborhood Plan, adopted on 1/10/2017, which supports the creation of high quality, well maintained, mixed income housing that accommodates families and individuals. This proposal also supports redevelopment of vacant and unused properties, as the plan calls for. It is also consistent in the context of the "land use guiding principles" adopted as part of the North Heights Neighborhood Plan. These principles focus on the health, stability, and functionality of the North Heights neighborhood area while ensuring consistency in decision making. Specifically, the following principles support this application:
 - Determine that the decision will not create an arbitrary development pattern.
 - Plan for an adequate and diverse supply of housing for all income levels.
 - Ensure consistency of land use decisions on similar properties.
 - Promote redevelopment and infill that meets community needs and is complimentary to the neighborhood.

In summary, the application is consistent with the FLUC map, the Comprehensive Plan, the zoning & development patterns of the area, and the North Heights Neighborhood Plan, justifying a recommendation of approval.

Requested Action

The applicant is requesting the zoning of 0.32 acres tract of land, previously zoned Manufactured Home District (MH), to change to Multiple Family District 1 (MF-1), in order to build residential duplexes.

Funding Summary

N/A

Community Engagement Summary

The item was distributed to all applicable internal and external entities. Notices have been sent out to 16 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received no comments regarding this request, either in favor of or in opposition to the request.

The item was recommended for approval by 6:0 vote of the Planning and Zoning Commission at its February 27, 2017 public meeting.

City Manager Recommendation

Planning Staff has reviewed the associated ordinance and exhibit and recommends the City Council approve the item as submitted.

ORDINANCE NO. 7657

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 NORTHWEST 14TH AVENUE AND NORTH HARRISON STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has held public hearings on proposed zoning changes on the property hereinafter described and has 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; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AMARILLO:

SECTION 1. 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 Lots 7 & 8, Block 5, Amarillo Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Manufactured Home (MH) to Multiple Family 1 (MF-1).

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

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. 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 ____ day of March, 2017 and PASSED on Second and Final Reading on this the _____ day of March, 2017.

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Looking east from North Harrison Street at the 2 properties for consideration.



Looking north up North Harrison Street from the subject properties.



Looking west from North Harrison Street across from the subject properties.



Looking south down North Harrison Street from the subject properties.



Looking south down North Harrison Street from the subject properties.



Looking east down NW 14th Avenue from the subject properties.

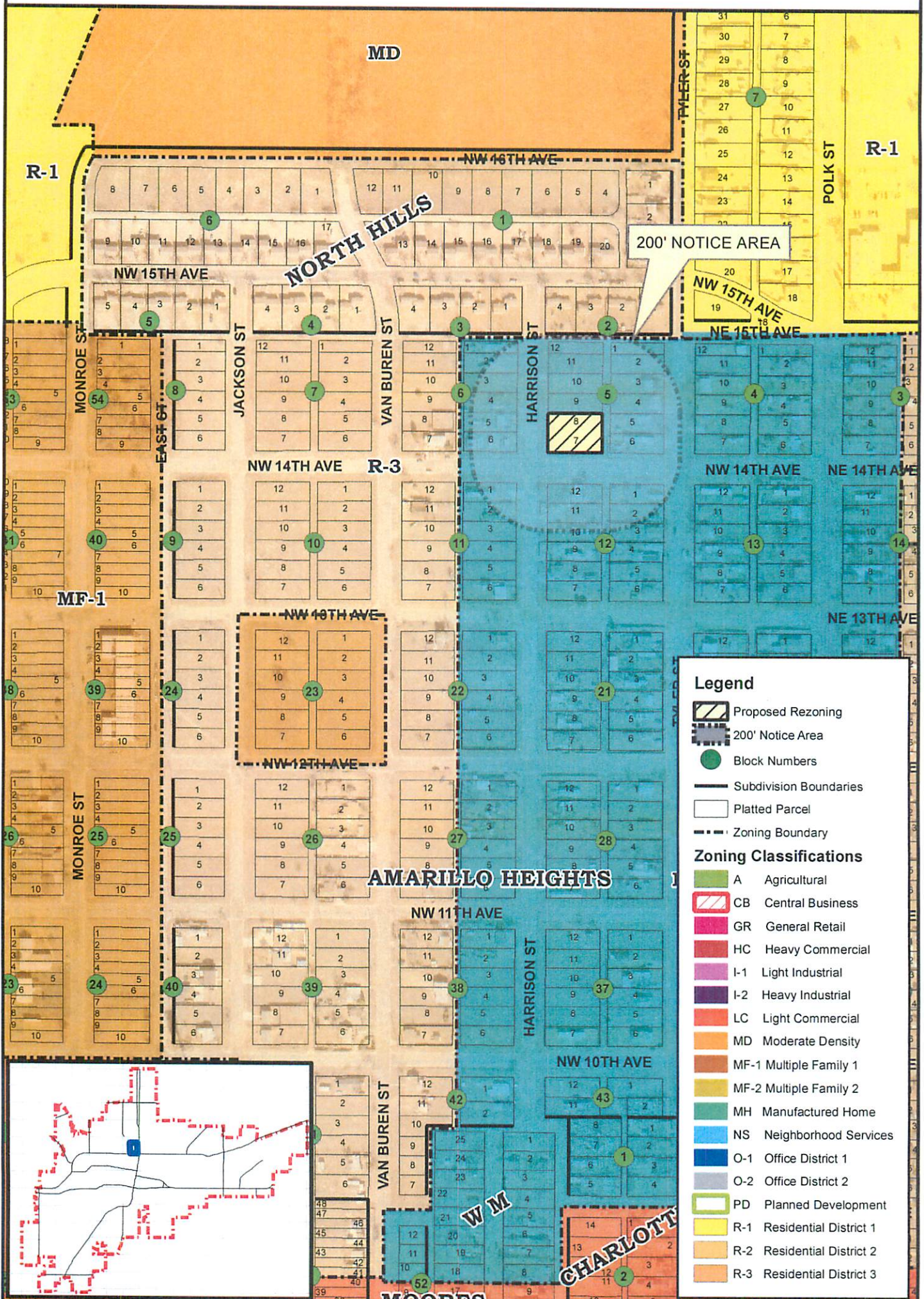


Looking northeast from the intersection of NW 14th Avenue and North Harrison St. at the 2 properties.



Looking east down NW 14th Avenue across from the 2 subject properties for consideration.

CASE Z-17-07 REZONING FROM MANUFACTURED HOME (MH) TO MULTIPLE FAMILY 1 (MF-1)



Legend	
	Proposed Rezoning
	200' Notice Area
	Block Numbers
	Subdivision Boundaries
	Platted Parcel
	Zoning Boundary
Zoning Classifications	
	A Agricultural
	CB Central Business
	GR General Retail
	HC Heavy Commercial
	I-1 Light Industrial
	I-2 Heavy Industrial
	LC Light Commercial
	MD Moderate Density
	MF-1 Multiple Family 1
	MF-2 Multiple Family 2
	MH Manufactured Home
	NS Neighborhood Services
	O-1 Office District 1
	O-2 Office District 2
	PD Planned Development
	R-1 Residential District 1
	R-2 Residential District 2
	R-3 Residential District 3

**CITY OF AMARILLO
PLANNING DEPARTMENT**

Scale: 1" = 400'
Date: 2-15-17



Rezoning of Lots 7 & 8, Block 5, Amarillo Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Manufactured Home (MH) to Multiple Family 1 (MF-1).

Applicant: Madeleine Frume
Vicinity: NW 14th Ave & N Harrison St

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.



Amarillo City Council Agenda Transmittal Memo



Meeting Date	March 7, 2017	Council Priority	Best Practices
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Department	Legal
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Agenda Caption

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, TITLE II, SECTION 2-2-1, TO REFLECT CURRENT PRACTICE AND TO AMEND LEGAL REFERENCES; AMENDING THE MUNICIPAL CODE OF ORDINANCES TO REPLACE ALL REFERENCES TO THE CITY COMMISSION TO THE CITY COUNCIL IN ACCORDANCE WITH THE CITY CHARTER, AS AMENDED NOVEMBER 5, 2013; PROVIDING FOR CONTINUATION OF PRIOR LAW; SEVERABILITY; REPEALER; PROVIDING AN EFFECTIVE DATE.

Agenda Item Summary

This is the second and final reading of an Ordinance amending the Code of Ordinances in two respects. (1) Section 2-2-1 is amended to remove reference to the beginning time of Regular Meetings of the City Council, to reflect current practice of the Council to adjust meeting time to best serve the public. (2) References throughout the Code of Ordinances that retain "City Commission" are changed to "City Council" in accordance with the City Charter, as amended November 5, 2013. Second Reading of the Ordinance is scheduled for March 14, 2017.

Requested Action

Approve the Ordinance on Second and Final Reading.

Funding Summary

N/A

Community Engagement Summary

N/A

City Manager Recommendation

The City Manager and Staff recommend approval of these housekeeping changes to the Amarillo Code of Ordinances.

ORDINANCE NO. 7658

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, TITLE II, SECTION 2-2-1, TO REFLECT CURRENT PRACTICE AND TO AMEND LEGAL REFERENCES; AMENDING THE MUNICIPAL CODE OF ORDINANCES TO REPLACE ALL REFERENCES TO THE CITY COMMISSION TO THE CITY COUNCIL IN ACCORDANCE WITH THE CITY CHARTER, AS AMENDED NOVEMBER 5, 2013; PROVIDING FOR CONTINUATION OF PRIOR LAW; SEVERABILITY; REPEALER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, certain provisions in Title II of the Municipal Code of Ordinances do not reflect current practices and are in need of updating; and,

WHEREAS, references to City Commission instead of City Council remain in the Municipal Code of Ordinances and should be changed to reflect the City Charter, as amended November 5, 2013.

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

SECTION 1. The Amarillo Municipal Code, Title II, Section 2-2-1 be and hereby is amended to read as follows:

* * *

Sec. 2-2-1 – Regular and Special Meetings

(a) The City Council shall hold regular meetings on Tuesday of each week at the regular meeting place of the City Council, unless otherwise determined by the City Council.

* * *

(e) Proceedings of the City Council shall be governed by and conducted according to the latest edition of Robert’s Rules of Order, as modified by the City Council, unless in conflict with this Section or with applicable state law.

* * *

(g) All meetings of the City Council shall be held in compliance with the Texas Open Meetings Act, as now or hereafter amended.

* * *

SECTION 2. The Amarillo Municipal Code be and hereby is amended to change all references to “City Commission” to “City Council” in accordance with the City Charter, as amended November 5, 2013.

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. Continuation. That nothing in this ordinance (or any code adopted herein) shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance and such prior law is continued in effect for purposes of such pending matter.

SECTION 6. Effective Date. This ordinance shall become effective immediately upon its passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 7th day of March, 2017; and **PASSED** on Second and Final Reading the 14th day of March, 2017.

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney

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Amarillo City Council Agenda Transmittal Memo



Meeting Date	3/14/2017	Council Priority	N/A
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Department	TBD
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Agenda Caption

Agenda Item Summary

This Resolution is requested by the hoteliers in the City .

The resolution supports legislation to be presented to the Texas Legislature to add Amarillo to the list of cities in which a Tourism Public Improvement District can be created. Currently, the Cities of Dallas and Arlington have Tourism PID's and only Fort Worth, Austin and San Antonio have legislative authority to create one, and are all in process of being created.

A Tourism PID is initiated by affirmative vote of the hotels in the area, and administered by a Board of 11 hotel owners. It is funded by a 2% assessment on hotel rooms within the City and the ETJ. The assessment is not a tax, and is itself subject to the HOT tax.

Final approval of the Tourism PID, if legislation is adopted, would be by the City Council. The City would serve as the collection and remittance agency for the PID, collecting the assessment and remitting to the Tourism PID Board, which determines the budget and directs all expenditures for marketing and promotion.

Local Hotel owners voted 64-0 to pursue creation of the Tourism PID.

Requested Action

Approval of the resolution seeking Texas Legislature to enact legislation to permit the establishment of a Tourism Public Improvement District in Amarillo.

Funding Summary

N/A

Community Engagement Summary

N/A

City Manager Recommendation

N/A

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: SUPPORTING PROPOSED 2017 LEGISLATION TO AMEND CHAPTER 372, LOCAL GOVERNMENT CODE, TO ENABLE THE CREATION OF A LOCAL TOURISM IMPROVEMENT DISTRICT IN AMARILLO

WHEREAS, Chapter 372, Local Government Code, currently allows for the creation of a Tourism Public Improvement District in the Cities of Dallas, San Antonio, Austin, Fort Worth and Arlington; and

WHEREAS, the City of Dallas Tourism Public Improvement District was initiated in 2012, and has proven to be a success; and

WHEREAS, Amarillo does not have statutory authority to consider creation of a Tourism Public Improvement District; and

WHEREAS, the hoteliers within the City and Amarillo Visitors Council have unanimously pledged support of creation of an Amarillo Tourism Public Improvement District; and

WHEREAS, if the Texas Legislature passes enabling legislation, a Tourism Public Improvement District could be created only if it is first requested by a petition signed by over sixty percent (60%) of the hotels that would be included within the District, and after public hearings and a majority vote of approval by the City Council; and

WHEREAS, incorporating this item into the City of Amarillo's Legislative Agenda for the 2017 Texas Legislative Session would not obligate the Council to create a Tourism Public Improvement District, but would engender greater municipal authority with respect to public improvement districts.

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

SECTION 1. The City Council hereby endorses and supports approval of legislation to be presented to the 2017 Texas Legislature, which would amend Chapter 372 of the Local Government Code to enable the City of Amarillo to create a Tourism Public Improvement District.

SECTION 2. That this Resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED this 14th day of March 2017.

Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

William M. McKamie, City Attorney



Amarillo City Council Agenda Transmittal Memo



Meeting Date	March 14, 2017	Council Priority	Community Appearance & Address Disadvantaged Areas of the Community
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Department	Building Safety
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Agenda Caption

A PUBLIC HEARING AND A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS:

This resolution and public hearing considers ordering the removal of substandard structures located at 1600 S Palo Duro Street.

Agenda Item Summary

This item is the public hearing to determine if the property at 1600 S Palo Duro Street which consists of a fire damaged single family residence, a detached accessory structure and an accumulation of solid waste constitutes a public nuisance and thereby declared as dangerous structures and order the removal of such structures and accumulations.

Requested Action

Adopt the resolution declaring that certain improvements described herein are a public nuisance, and requiring the taking down and removal of such improvements and accumulations.

Funding Summary

The property owner is responsible to pay all costs associated with the Dangerous Structure process and to abate any nuisances. The property owner will be billed for costs incurred. However, this property is in the Community Development Block Grant (CDBG) target area and if the owner qualifies, CDBG funding may be utilized to pay invoiced costs.

Community Engagement Summary

- A citizen's complaint was received.
- A Building Safety Inspector identified the dangerous structures. Posted the property as unsafe.
- Initiated the Dangerous Structure process.
- The Amarillo Police Department has been called out to this location 5 times since July 2013 (4 years).
- Safety and aesthetics of the community as identified through public meetings in the development of Amarillo's Comprehensive Plan.

Staff Recommendation

It is the staff's recommendation to adopt the resolution declaring certain improvements are public nuisances and requiring the taking down and removal thereof.



RESOLUTION NO. _____

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES, AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

WHEREAS, on the 21st day of February 2017, this Council by resolution called a public hearing for the 14th day of March 2017 for the purpose of determining whether certain conditions constitute a public nuisance; and,

WHEREAS, this Council finds that all notices required by the Amarillo Municipal Code have been complied with and that notice of this hearing has been duly given as directed by this Council; and,

WHEREAS, this Council has listened to the evidence and arguments presented by all persons who appeared before it; and,

WHEREAS, this Council finds that the notice of the Building Official to make the structure safe either by repair or demolition and removal has not been complied with; and,

WHEREAS, this Council finds that the notice of the Building Official to remove rubbish, trash, solid waste and/or unsanitary matter has not been complied with;

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

SECTION 1. The City Council finds that the alleged nuisance condition, address thereof, the legal description of same, and the Interested Persons are as follows:

ADDRESS: 1600 S Palo Duro St

LEGAL: Lot: 1, Block: 2, Alamo Place Addition to the City of Amarillo, Potter County, TX

INTERESTED PERSONS: Shanon Anderson, 1600 S Palo Duro St, Amarillo TX 79106-5917; Claiborn B Dodson, PO Box 149, Amarillo TX 79105-0149

NATURE OF NUISANCE: This property consists of a fire damaged residential structure and an accessory building. The structures are unsecured and open. Little effort has been made to abate the hazards. It is an attractive nuisance to the neighborhood and is considered to be a fire, health and safety hazard.

SECTION 2. This Council hereby finds the Interested Persons failed, neglected, or refused to comply with the Initial Notice of violation to repair or rehabilitate; or to demolish the Dangerous Structure or portion thereof; or, to timely and substantially complete the terms of a Provisional Permit and determines that each of the improvements, buildings and structures described herein are dangerous structures, are structurally unsafe, constitute a fire hazard and are dangerous to human life, and their continued use will constitute a hazard to the safety, health and public welfare and each are hereby declared to be a public nuisance.

SECTION 3. This Council has deliberated its decision, giving due consideration to and weighing the following factors: validity of the violations as alleged by the Building Official; the severity of such violations and any corresponding danger to the public; due regard for private property rights; fair opportunity for the Interested Persons to have been notified of the problems and a corresponding opportunity to repair, remediate, or remove the defects or Dangerous Structure; weighing the private property interests of neighbors affected by further delay or deterioration of the subject property; and any other relevant consideration unique to the circumstances of this case which may materially affect due process and equal protection of involved persons.

SECTION 4. This Council now finds that a public nuisance exists, and has not been timely abated, and now issues the following order(s):

[Select one of the following for structural issues and/or go to next page for trash and weeds]

i _____ the Structure is not a dangerous one or one marked by accumulation of vegetation, debris or trash, and ordering the matter be dismissed and City to dismiss the notice filed in the county real property records; or,

ii _____ finding the Structure or any other improvement of any kind, or any part thereof, is dangerous and ordering its removal ten (10) days after notice of decision; or,

iii _____ the Structure is a danger and ordering its removal ten (10) days after notice of decision, however, further finding that good cause exists to grant a reprieve on that order to allow the Interested Persons in the property to seek to qualify for and obtain a provisional permit during that period, and if obtained then the reprieve shall continue for the duration of such permit or successor permit, as provided in this Section. The reprieve granted under this subsection shall expire upon the later of the expiration of time to apply for and obtain a provisional permit or the expiration of such permit. If at expiration of the reprieve the Building Official finds that the defects that gave rise to the finding of a Dangerous Structure have been abated, then the prior order of the City Council to remove the structure is moot; or, if the defects remain, then the Building Official shall proceed to carry out the City Council's prior order to remove the Dangerous Structure; or,

iv _____ good cause exists to defer the adjudication of the case and directing reinstatement or extension of a prior provisional permit, for a period of time determined by the City Council not exceeding sixty (60) days from date of the hearing. If at the end of the deferral period, the Building Official finds that there has been no substantial progress toward abatement of the defects, then such fact shall be reported to the City Manager who shall request the City Council to set a new hearing and proceed with an adjudication of whether the Structure is dangerous or not, in accordance with the procedures of the Amarillo Municipal Code Sec. 4-3-3 subsection (e).

[Use this option for trash, weeds, etc., either singly or in addition to one of the above]

v _____ The Interested Persons of the Lot, Tract, or Parcel of land with accumulation of rubbish, trash, solid waste and/or unsanitary matter described in the notice of violation are hereby ordered to take down and/or remove the same from the premises within ten (10) days from this order.

SECTION 5. If the Interested Persons of the dangerous structures shall fail, neglect or refuse to comply with this resolution as herein directed, then the Building Official is hereby directed to proceed with the demolition of the various dangerous structures and/or removal of any and all rubbish, trash, solid waste and unsanitary matters described in this resolution, and he may prosecute the Interested Persons as a violator of the provisions of the International Building Code and the Amarillo Municipal Code.

SECTION 6. The Building Official is further directed to determine the cost of such demolition and/or removal and to levy such assessments against the real estate as may be provided by law.

SECTION 7. 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 8. 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 continue in effect.

SECTION 9. That this resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on this _____ day of _____ 2017.

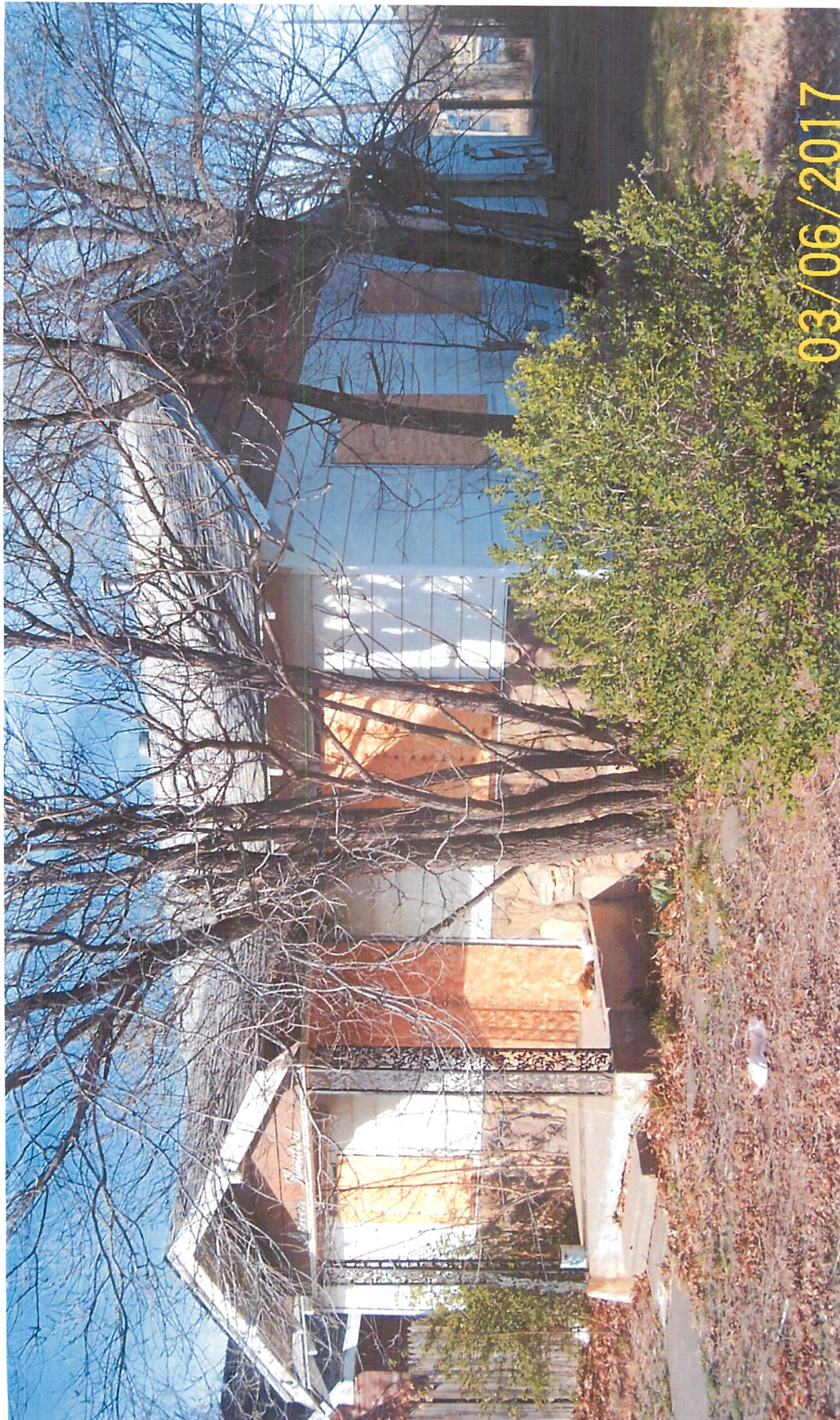
Paul Harpole, Mayor

ATTEST:

Frances Hibbs, City Secretary

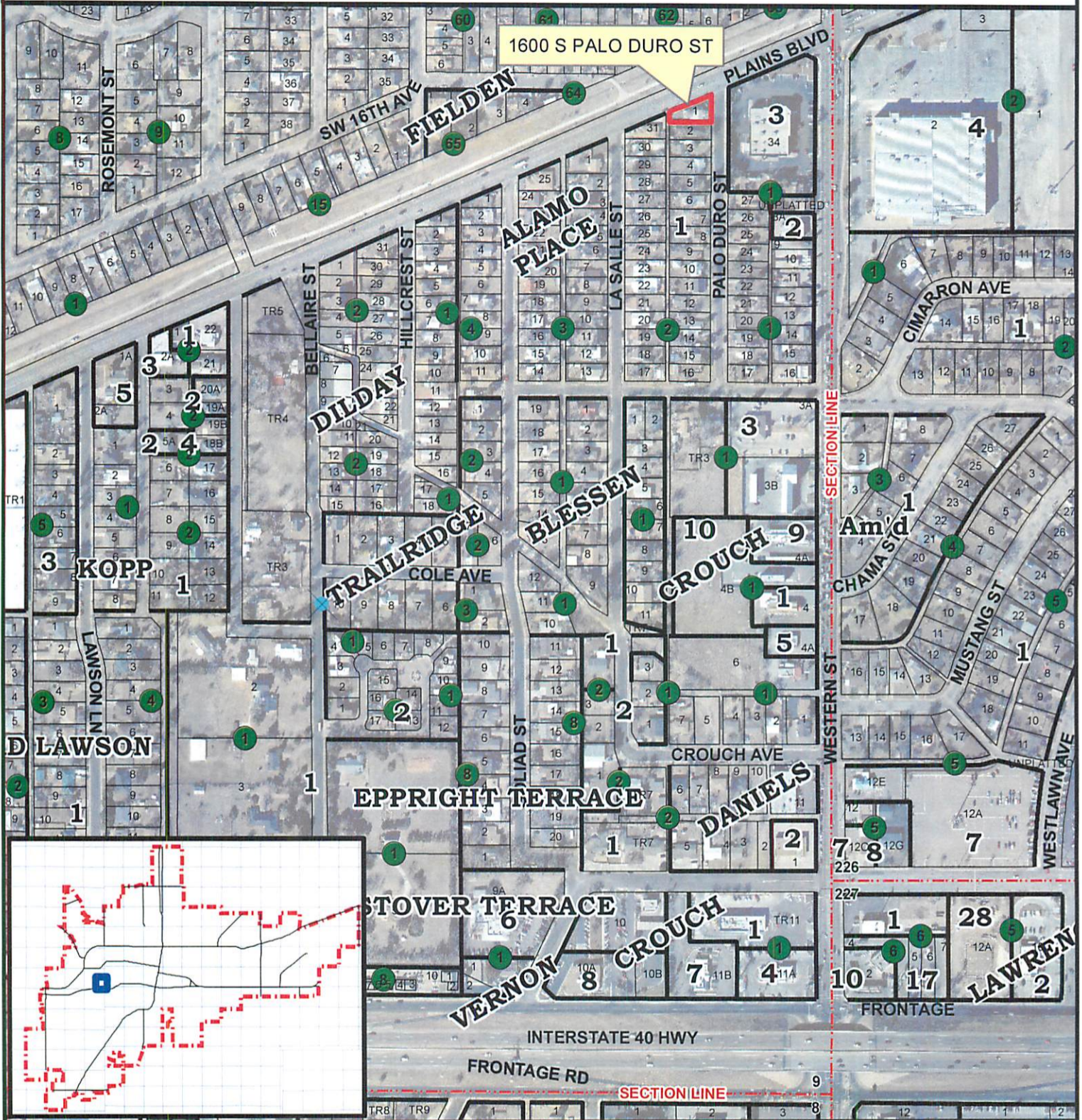
 **NOTICE**
City of Amarillo
Notice of Condemnation Hearing
March 14, 2017 5:00 PM
509 SE 7th Avenue, Amarillo TX
Contact the City Engineer at the Planning Department
The hearing is to determine if this Premises is
Dangerous or a Nuisance and ordering its
removal or abatement
For questions or comments call 806.378.3041

03/06/2017



03/06/2017

DANGEROUS STRUCTURE AT 1600 S PALO DURO ST



1600 S PALO DURO ST

**CITY OF AMARILLO
BUILDING SAFETY DEPARTMENT**

1600 S Palo Duro St - Lot 1, Block 2, Alamo Place
Addition Unit No. 1, Section 9, Block 9, BS&F Survey,
Potter County, Texas.

Parcel # 001-0300-0155

Scale: 1" = 400'
Date: 6-10-16
Vicinity: S Palo Duro St & Plains Blvd



AP: K-12



STATE OF TEXAS §
 COUNTIES OF POTTER §
 AND RANDALL §
 CITY OF AMARILLO §

On the 13th day of February, 2017, the Amarillo Planning and Zoning Commission met in a work session at 2:45 PM to review agenda items, then convened in regular session at 3:00 PM in the City Council Chamber on the third floor of City Hall, 509 East 7th Avenue, Amarillo, Texas, with the following members present:

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD	NO. MEETINGS ATTENDED
Mike Good, Vice-Chairman	N	112	79
Dean Bedwell	Y	197	186
Rob Parker, Chairman	Y	65	53
Rick Thomason	N	35	29
Bowden Jones	Y	26	20
Dick Ford	Y	10	9
Terry Harman	Y	9	9

PLANNING DEPARTMENT STAFF:

AJ Fawver, AICP, CNU-A, Director
 Jeffrey English, Planner I

David Soto, Planner I

Chairman Parker opened the meeting, established a quorum and conducted the consideration of the following items in the order presented. David Soto gave the recommendation for the agenda item.

ITEM 1: Approval of the minutes of the January 23, 2017 meeting

A motion to approve the minutes of the January 23, 2017 meeting was made by Commissioner Bedwell, seconded by Commissioner Jones, and carried unanimously.

ITEM 2: Z-17-06 Rezoning of Block 36, Grandview Addition Unit No. 10, in Section 139, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from General Retail (GR) to Light Commercial (LC). (0.92 Acres) (Vicinity: Nelson St. & SE 27th Ave)

APPLICANT: Che Shadle

Mr. Soto advised the applicant is requesting the zoning change in order to develop the land with an outdoor car lot. The Neighborhood Unit Concept (NUC) follows zoning transitions from areas of lower density, commercial use at section corners, to areas of high density or residential uses located midsection. This zoning request is seeking a higher-intensity commercial use immediately adjacent to residential zoned lots and therefore, does not follow the NUC. Mr. Soto stated staff believes the request is out of character with the surrounding area and if approved, would negatively impact area residents. Mr. Soto stated staff believes is request is not appropriate and recommends denial as submitted.

Chairman Parker asked if anyone wanted to speak in favor of said request. Doug Saunders, 3222 S. Crockett, owner of proposed site, stated he feels Light Commercial zoning would enhance the neighborhood.

Commissioner Ford asked if the applicant plans to use the entire lot as a car lot. Mr. Saunders stated he is in the process of replatting the site into two lots, with the northern portion reserved for the car lot and the southern portion with possible expansion opportunities with Xcel's transformer station. Much discussion was held among the board members with possible scenarios for the proposed site.

Commissioner Ford asked the staff if a PD could be utilized instead in this case. Mr. Soto and Ms. Fawver explained that the Zoning Ordinance does limit when a PD can be utilized (for example, with a minimum acreage) and this property does not meet that standard. Further, a PD is a tool intended for a mix of uses or a type of use which is not already addressed by the pre-

defined categories within the Zoning Ordinance. That is not the case here. Lastly, the staff recommendation would be the same, as even a PD is analyzed against the four criteria presented in the staff presentation and summary.

Commissioner Ford asked what the options were for the Commission in this instance. Ms. Fawver explained that the Commission could approve the item as presented, deny it, or table it if they felt there was additional information necessary for their decision making. However, even replatting the lot into two would not change the staff's recommendation and assessment of the application.

Chairman Parker asked if anyone wanted to speak against said request. No comments were made.

A motion to table Z-17-06 was made by Commissioner Bedwell, seconded by Commissioner Ford, and carried unanimously.

ITEM 3: Public Forum: Time is reserved for any citizen to comment on City zoning or planning concerns; however, the Commission can take no action on any issue raised.

No comments were made.

ITEM 4: Planning Director's Report.

Ms. Fawver advised she is coordinating a Planning & Zoning Commissioner's training session in the upcoming weeks. Items reviewed will include some of the high priority items from the Commissioner's survey, as well as including basic information about the Local Government Code, how zoning ordinances work, the utilization of the Comprehensive Plan, etc. The Planning Department is working on the preparation for another public meeting to discuss the Future Land Use and Character Map along Western St., with possible dates in March. Ms. Fawver stated the second neighborhood plan, the Barrio Neighborhood Plan, has begun with a possible kick-off meeting in the beginning weeks of March.

ITEM 5: Discuss Items for Future Agendas.

No further comments were made and the meeting was adjourned at 3:40 P.M.



AJ Fawver, AICP, CNU-A
Planning & Zoning Commission