

## AGENDAS

**FOR THE AMARILLO CITY COUNCIL WORK SESSION TO BE HELD ON TUESDAY, SEPTEMBER 26, 2017 AT 4:00 P.M. AND THE REGULAR MEETING OF THE AMARILLO CITY COUNCIL AT 5:00 P.M., CITY HALL, 509 SOUTHEAST 7<sup>th</sup> AVENUE, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.**

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**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) Discuss board appointments and appointment process;
  - (3) Update from IT on City's Website; and
  - (4) Discuss nominations needed to the Potter-Randall Appraisal District; and
  - (5) Consider future Agenda items and request reports from City Manager.
- B. The City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:
- (1) Sec. 551.071 - Consult with attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter.
    - (a) Discussion regarding status of negotiations – MPEV lease agreement and related matters.

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### REGULAR MEETING ITEMS

**INVOCATION:** Greg Dowell, Amarillo Central Church of Christ

**RECOGNITION:** Hurricane Harvey Response Team

**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 September 19, 2017.

B. **ORDINANCE NO. 7695:**

(Contact: AJ Fawver, Planning & Zoning Director)

This is the second and final reading of an ordinance considering and possible action on approving the vacation of 80' ROW known as South

Lincoln Street between Southeast 8th Avenue and Southeast 7th Avenue and 80' ROW known as Southeast 7th Avenue. between South Buchanan Street and South Johnson Street along with two 20' wide Public Utility Easements located in Block 111, Plemons Addition Unit No. 1, in Section 170 and Block 112, Mirror Addition Unit No. 1, in Section 155, all of which is located in Block 2, AB&M Survey, Potter County, Texas. (Address: South of 509 Southeast 7th Avenue.)

C. **PURCHASE – ASPHALTIC EMULSION:**

Awarded to Ergon Asphalt & Emulsion, Inc. -- \$108,000.00

This item awards a contract for the purchase of CHFRS-2P Emulsion used by the Street Division to seal cracks in paved streets from November through March.

D. **AWARD – 24” BALL VALVE FOR TRANSFER PS AT OSAGE:**

Award to D. A. Criswell Sales, Inc. -- \$68,975.00

This award is to replace 24” Ball Valve for Transfer PS at Osage.

E. **AWARD – SOFTWARE MAINTENANCE:**

SHI Government Solutions -- \$350,160.00

This represents an agreement for Rimini Street to provide software services for the City's oracle JD Edwards software suite. Under the terms of this agreement Rimini Street will provide support for the City's JD Edwards Enterprise Resource Planning system. The amount owed for the first year of support will be \$65,954.00. Future year renewals are optional and will be equal to a 3 percent increase over the prior-year payment. Unless cancellation is requested prior to the annual renewal, total payments over the 5-year agreement will amount to \$350,160.00.

## REGULAR AGENDA

**NOTE: Agenda items for which a time is indicated will be considered no earlier than the time indicated below, and may be taken out of order.**

**5:15 P.M.**

2. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7696:**

(Contact: AJ Fawver, Planning & Zoning Director)

This is a public hearing and the second and final reading of an ordinance rezoning of Lots 5 and 6, Block 1, Westway Unit No. 5, in Section 6, Block 9, BS&F Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development 91A (PD-91A) to Planned Development 91A (PD-91A). (Vicinity: Southwest 53<sup>rd</sup> Avenue and South Western Street.)

3. **PRESENTATION AND CONSIDERATION OF ORDINANCE NO. 7697:**

(Contact: AJ Fawver, Planning & Zoning Director)

This is a public hearing and the second and final reading of an ordinance rezoning of Lot 5, Block 1, Georgia Plaza Unit No. 2, in Section 184, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 205 (PD-205) to General Retail District (GR). (Vicinity: Southwest 46<sup>th</sup> Avenue and Hardin Drive.)

4. **DISCUSS AND CONSIDER ACTION TO AUTHORIZE THE EXECUTION OF A MPEV AGREEMENT BETWEEN THE CITY OF AMARILLO AND PANHANDLE BASEBALL CLUB, INC.**

5. **DISCUSS AND CONSIDER ACTION TO AUTHORIZE THE EXECUTION OF A NON-RELOCATION AGREEMENT BETWEEN THE CITY OF AMARILLO AND PANHANDLE BASEBALL CLUB, INC.**

6. **RECESS FOR PRESS CONFERENCE AT CITY HALL, 509 SOUTHEAST 7<sup>TH</sup> AVENUE, FRONT STEPS.**

7. **RECONVENE REGULAR MEETING.**

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (Southeast 7<sup>th</sup> 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 22nd day of September 2017.

Amarillo City Council meetings stream live on Cable Channel 10 and are available online at:

[www.amarillo.gov/granicus](http://www.amarillo.gov/granicus)

*Archived meetings are also available.*

# MEMO



AL(4)

To: Jared Miller, City Manager  
From: Michelle Bonner, Assistant City Manager  
Date: September 20, 2017  
Subject: Potter Randall Appraisal District Directors Nominations

The Potter-Randall Appraisal District has requested nominations for the Appraisal Board of Directors. The election process for the Board of Directors includes a submission of nominations by the governing bodies of the District. Below is the calendar for the 2017 election for the District Board of Directors.

10/01/2017	Chief Appraiser gives notice of number of votes
10/15/2017	Governing bodies of the voting districts submit nominations of each position
10/30/2017	Chief Appraiser delivers ballots
12/15/2017	Governing bodies of the voting districts submit votes by resolution
12/31/2017	Chief appraiser submits results to all districts and candidates

Attached is a listing of the Board of Directors including information regarding each member's willingness to serve another two-year term, and the board eligibility criteria. There are twelve members that serve on this Board with the Tax Assessor Collectors from each County serving as nonvoting members, and ten members elected by the governing bodies. Of the ten current Board members there are three members that are not willing to serve an additional term. PRAD has requested that the City provide a list of ten nominations, five for Potter County and five for Randall County by October 15, 2017.

If there is time available at the City Council September 26, 2017 work session agenda I am available to review this process with Council. And, suggest that Council consider a resolution naming the nominations at the October 10, 2017 Council meeting.

Upon receipt of the nominations by the governing bodies, the Chief Appraiser will deliver ballots and ask for the City to vote on the nominations by resolution. The actual voting will be done during November 2017. Each governing bodies is allowed a specific number of votes based on the prior year's levy. For 2017 the City of Amarillo has 605 out of 5,000 votes for Potter County and 620 out of 5,000 votes for Randall County.

## Potter-Randall Appraisal District Board of Directors 2017

Randall County		<i>Willing to Serve Another 2-Year Term</i>	<i>Began Serving</i>
1. Dennis Beene-Chairman	3902 Kileen Dr., Amarillo 79109	Yes	2004
2. Elaine Dollar, Vice Chair	530 Pinto Dr, Amarillo 79118	No	2008
3. Henry H. Hamilton-Secretary	13841 Tangle Aire Pt, Amarillo 79118	Yes	2008
4. Joseph "Joe" W. Shehan	PO Box 150, Canyon 79015 402 Scott Lane, Canyon, 79015	No	2010
5. James Barrington	14 Cherrywood Sq., Canyon 79015	Yes	2012
6. Christina McMurray, Tax A/C	PO Box 997, Canyon, 79015	Tax A/C	2017
Potter County		<i>Willing to Serve Another 2-Year Term</i>	<i>Began Serving</i>
1. Zachary Plummer-Chairman	3104 River Birch Pl, Amarillo 79124	Yes	2006
2. Gilbert Guzman Jr-Vice Chair	PO Box 1377, Amarillo 79105 137 N Rosemont St, Amarillo 79106	Yes	2010
3. Cindy Spanel-Secretary	17710 FM 2575, Amarillo 79108	Yes	2008
4. Kay Ledbetter	3405 Raef Road, Amarillo 79108	Yes	2012
5. Lillie P. Miller	1228 Pecan St., Amarillo 79107	No	2013
6. Sherri Aylor, Tax A/C	PO Box 2289, Amarillo 79105	Tax A/C	2013

*\*\* Section 6.03, Texas PTC places the Tax A/C for each county as a non-voting member on the board of directors of the appraisal district beginning January 1, 1998.*

## Appraisal District Board of Directors Eligibility and Term

- |                  |                    |  |
|------------------|--------------------|--|
| <b>6.03 (a)</b>  | <b>Eligibility</b> | <b>Individual must be a resident of the district and must have resided in the district for at least two years preceding the date the individual takes office. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.</b> |
| <b>6.035 (1)</b> | <b>Eligibility</b> | <b>Individual is disqualified if related within the second degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to an individual who is engaged in the business of appraising property for compensation for use in proceedings under this title or of representing property owners for compensation in proceedings under this title in the appraisal district.</b>           |
| <b>6.035 (2)</b> | <b>Eligibility</b> | <b>Individual is disqualified if he owns property with delinquent taxes. (For exceptions see TPTC Sect. 6.035(2))</b>  |
| <b>6.036</b>     | <b>Eligibility</b> | <b>Interest in Certain Contracts Prohibited<br/>(Please see attached)</b>  |
| <b>6.03 (b)</b>  | <b>Term</b>        | <b>Two year term ending December 31, 2019</b>  |

## Appraisal District Board of Directors Eligibility and Term

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**6.036**

### **Eligibility**

(a) An individual is not eligible to be appointed to or to serve on the board of directors of an appraisal district if the individual or a business entity in which the individual has a substantial interest is a party to a contract with:

(1) the appraisal district; or

(2) a taxing unit that participates in the appraisal district, if the contract relates to the performance of an activity governed by this title.

(b) An appraisal district may not enter into a contract with a member of the board of directors of the appraisal district or with a business entity in which a member of the board has a substantial interest.

(c) A taxing unit may not enter into a contract relating to the performance of an activity governed by this title with a member of the board of directors of an appraisal district in which the taxing unit participates or with a business entity in which a member of the board has a substantial interest.

(d) For purposes of this section, an individual has a substantial interest in a business entity if:

(1) the combined ownership of the individual and the individual's spouse is at least 10 percent of the voting stock or shares of the business entity; or

(2) the individual or the individual's spouse is a partner, limited partner, or officer of the business entity.

(e) In this section, "business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or other entity recognized by law.

(f) This section does not limit the application of any other law, including the common law relating to conflicts of interest, to an appraisal district director.

A



STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 19th day of September 2017, the Amarillo City Council met at 4:00 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON  
ELAINE HAYS  
FREDA POWELL  
EDDY SAUER  
HOWARD SMITH

MAYOR  
COUNCILMEMBER NO. 1  
COUNCILMEMBER NO. 2  
COUNCILMEMBER NO. 3  
COUNCILMEMBER NO. 4

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

JARED H. MILLER  
MICHELLE BONNER  
MICK MCKAMIE  
ANDREW FREEMAN  
FRANCES HIBBS

CITY MANAGER  
ASSISTANT CITY MANAGER  
CITY ATTORNEY  
ECONOMIC DEVELOPMENT MGR.  
CITY SECRETARY

The invocation was given by Harmon Gipson. The Pledge of Allegiance was given by Kevin Woodward.

Proclamations were presented for "National Life Insurance" and "Constitution Week."

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

**PUBLIC COMMENT:**

Cheryl Austin, 166 West Cliffside Drive, stated there are ways to avoid condemnations. James Schenck, 6316 Gainsborough Street, inquired as to any reports on the City's red light cameras. There were no further comments.

**ITEM 1:** Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell to approve Items 1B-G of the consent agenda, seconded by Councilmember Sauer.

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

Motion was made by Councilmember Powell to approve Item 1A as corrected of the consent agenda, seconded by Councilmember Smith.

A. **MINUTES:**

Approval of the City Council minutes of the regular meeting held on September 12, 2017.

B. **ORDINANCE NO. 7693:**

This is the second and final reading of an ordinance amending Amarillo Municipal Code:

- Chapter 2-6, Article VIII, providing for the renaming of the Construction Advisory and Appeals Board to the Construction Advisory and Appeals Commission; and providing for the creation of the Condemnation Appeals Commission.
- Chapter 4-3, Article I, to revise procedures and regulations concerning substandard dangerous structures; providing for severability; providing for repealer; providing for continuation of prior law; providing penalty; and providing for publication and effective date.



- C. **ORDINANCE NO. 7694:**  
This is the second and final reading of an ordinance approving the Municipal Court Judges.
- D. **APPROVAL – PURCHASE OF (4) FOUR FEDERAL SIGNAL 508 SIRENS FOR THE AMARILLO/POTTER/RANDALL OFFICE OF EMERGENCY MANAGEMENT OUTDOOR WARNING SYSTEM:**  
(Contact: Chip Orton, Emergency Management Coordinator)  
This purchase is to replace three older sirens and add one new siren to the Amarillo/Potter/Randall Office of Emergency Management Outdoor Warning System. The locations are as follows:
- Siren #2 – Replace an old siren at 2605 Southwest 1<sup>st</sup> Avenue
  - Siren #3 – Replace an old siren at 4004 Ingram Drive
  - Siren #29 – Add a new siren at Gem Lake and Amarillo Boulevard
  - Siren #63 – Replace an old siren at Westgate Mall
- E. **AGREEMENT FOR SERVICES WITH CENTER CITY OF AMARILLO, INC.:**  
(Contact: Michelle Bonner, Assistant City Manager)  
This item approves a one (1) year agreement with Center City of Amarillo, Inc. for services associated with the preservation, improvement and revitalization of the Central Business District of Amarillo. Two sources of funding are included in the agreement:
- The City will provide \$90,000 for administrative operations.
  - The City will provide \$70,000 as matching funds for a Center City façade grant program up to \$20,000 to a business for exterior building improvements.
- The Tax Increment Reinvestment Zone #1 will provide \$150,000 for matching grants up to \$50,000 for streetscape improvements in the City's right of way.
- F. **APPROVAL – PROFESSIONAL SERVICES AGREEMENT – AMENDMENT #2 ENGINEERING SERVICES – FILTER IMPROVEMENTS 1-4 AT OSAGE WATER TREATMENT PLANT:**  
(Contact: Russell Grubbs, Director of Utilities)  
Alan Plummer Associates, Inc.
- |                     |             |
|---------------------|-------------|
| Original Contract:  | \$64,120.00 |
| Previous Amendment: | \$20,500.00 |
| Current Amendment:  | \$15,000.00 |
| Revised Contract:   | \$99,620.00 |
- This item would approve Amendment #2 to a January 7, 2014 agreement for engineering services to perform additional engineering construction services. This amendment provides for the additional services by Alan Plummer Associates, Inc.
- G. **APPROVAL -- INTERLOCAL AGREEMENT WITH POTTER AND RANDALL COUNTIES FOR THE APPOINTMENT AND COMPENSATION OF DESIGNATED NIGHT MAGISTRATES:**  
(Contact: Mick McKamie, City Attorney)  
The City, Potter County and Randall County have reached an Interlocal Agreement to appoint and fund designated night magistrates to receive after-hours contacts from law enforcement agencies in the two-county area, to review affidavits for search and arrest warrants, and to provide juvenile warnings.

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

## **REGULAR AGENDA**

**ITEM 2:** Mayor Nelson presented an ordinance considering and possible action on approving the vacation of 80' ROW known as South Lincoln Street between Southeast 8th Avenue and Southeast 7th Avenue and 80' ROW known as Southeast 7th Avenue between South Buchanan Street and South Johnson Street along with two 20' wide Public Utility Easements located in Block 111, Plemons Addition Unit No. 1, in Section

170 and Block 112, Mirror Addition Unit No. 1, in Section 155, all of which is located in Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 4:0 vote from the Planning and Zoning Commission. (Address: South of 509 Southeast 7th Avenue.) This item was presented by AJ Fawver, Planning Director. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7695**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS DETERMINING LACKOF PUBLIC NECESSITY FOR RIGHT-OF-WAY AND NEARBY PUBLIC UTILITY EASEMENTS IN THE VICINITY OF SOUTHEAST 8<sup>TH</sup> AVENUE AND SOUTH BUCHANAN STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY AND NEARBY PUBLIC UTILITY EASEMENTS; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

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

**ITEM 3:** Mayor Nelson presented an ordinance rezoning of Lots 5 and 6, Block 1, Westway Unit No. 5, in Section 6, Block 9, BS&F Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development 91A (PD-91A) to Planned Development 91A (PD-91A). (Vicinity: Southwest 53<sup>rd</sup> Avenue and South Western Street.) This item was presented by AJ Fawver, Planning and Zoning Director. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Smith, seconded by Councilmember Hays, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7696**

**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 SW 53<sup>rd</sup> AVE. & S WESTERN ST, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**ITEM 4:** Mayor Nelson presented an ordinance rezoning of Lot 5, Block 1, Georgia Plaza Unit No. 2, in Section 184, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 205 (PD-205) to General Retail District (GR). (Vicinity: Southwest 46<sup>th</sup> Avenue and Hardin Drive) This item was presented by AJ Fawver, Planning and Zoning Director. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7697**

**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 SOUTHWEST 46<sup>TH</sup> AVENUE AND HARDIN DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**ITEM 5:** Mayor Nelson presented a resolution approving the 2017/2018 fiscal year budget for the Tax Increment Reinvestment Zone Number Two (East Gateway TIRZ). This budget is recommended for approval by the TIRZ #2 Board of Directors. This item was presented by Michelle Bonner, Assistant City Manager. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that the following captioned resolution be passed:

**RESOLUTION NO. 09-19-17-1**

**A RESOLUTION OF THE CITY OF AMARILLO CITY COMMISSION: ADOPTING THE BUDGET OF THE TAX INCREMENT REINVESTMENT ZONE NO. 2, CITY OF AMARILLO FOR THE FISCAL YEAR OCTOBER 1, 2017, TO SEPTEMBER 30, 2018.**

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

**ITEM 6:** Mayor Nelson presented a resolution authorizing the 2018 Edward Byrne memorial Justice Assistance Grant (JAG) Application for the Amarillo Police Department. Motion was made by Councilmember Sauer, seconded by Councilmember Smith that the following captioned resolution be passed:

**RESOLUTION NO. 09-19-17-2**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AUTHORIZING 2018 APPLICATION FOR EDWARD BYRNE JUSTICE ASSISTANCE GRANT; AUTHORIZE INTERLOCAL AGREEMENT TO SHARE GRANT FUNDS WITH POTTER COUNTY; AUTHORIZING ADMINISTRATIVE ADJUSTMENTS TO DOCUMENTS AS NEEDED; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.**

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

**ITEM 7:** Mayor Nelson presented a resolution authorizing the Amarillo Police Department to apply for a grant for rifle resistant body armor. This item was presented by Chief Drain, Amarillo Police Department. Motion was made by Councilmember Sauer, seconded by Councilmember Powell, that the following captioned resolution be passed:

**RESOLUTION NO. 09-19-17-3**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS ("CITY") AUTHORIZING THE SUBMISSION OF A FUNDING YEAR ("FY") 2018 GRANT APPLICATION TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION (CJD); DESIGNATING THE MAYOR TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO CITY'S PARTICIPATION IN THE CJD GRANT PROGRAM; AND PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.**

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

**ITEM 8:** Mayor Nelson presented a resolution approving the 2017/2018 Budget for the Amarillo-Potter Events Venue District. This budget is funded through a 5% car rental tax and a 2% hotel occupancy tax. The Amarillo-Potter Events Venue District operates and maintains voter approved entertainment venues within the City. This budget is recommended for approval by the Amarillo Potter Events Venue District Board. This item was presented by Michelle Bonner, Assistant City Manager. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned resolution be passed:

**RESOLUTION NO. 09-19-17-4**

**A RESOLUTION OF THE CITY OF AMARILLO, TEXAS: APPROVING THE PROPOSED OPERATING BUDGET FOR THE FISCAL YEAR 2017-2018 FOR THE AMARILLO POTTER EVENT VENUE DISTRICT.**

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

Mayor Nelson advised that the meeting was adjourned.

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

\_\_\_\_\_  
Ginger Nelson, Mayor



# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	September 26, 2017	<b>Council Priority</b>	Infrastructure
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<b>Department</b>	Planning	<b>Contact Name</b>	AJ Fawver
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### Agenda Caption

Address: South of 509 SE 7<sup>th</sup> Avenue

Consideration and possible action on an ordinance approving the vacation of 80' ROW known as South Lincoln Street between SE 8th Ave. & SE 7th Ave. and 80' ROW known as SE 7th Ave. between S Buchanan St. and S Johnson St. along with two 20' wide Public Utility Easements located in Block 111, Plemons Addition Unit No. 1, in Section 170 and Block 112, Mirror Addition Unit No. 1, in Section 155, all of which is located in Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 4:0 vote from the Planning and Zoning Commission.

### Agenda Item Summary

This requested vacation is for the purpose of closing streets and former alleys (which are now PUEs and have been since 1967 and 1988) to get the ground ready for the MPEV construction.

Per Section 12, "Dedications and Vacations" of the City of Amarillo's Development Policy Manual, the developer is required to pay the fair market value of the "use" of the land to the city; since the property is already owned by the city, this requirement is unnecessary. Also, street signs have been posted to give citizens a phone number to contact for questions and a notice that the streets will be vacated and eventually closed per the "Dedications and Vacations" Section 12 of the City of Amarillo's Development Policy Manual.

Planning, Utilities, and Engineering Departments have reviewed the vacations, and concluded that there are no issues.

### Requested Action

Planning staff and Planning & Zoning Commissioners have reviewed the associated ordinance and exhibit and recommend the City Council approve the item as submitted.

### Funding Summary

Chapter 272 of the Texas Local Government Code allows the conveyance of an easement for fair market value when the easement is being vacated. At the City Commission level, it requires a resolution for passage. The resolution is used in the vacation of an easement, which the developer is required to pay the fair market value. This fair market value requirement was waived by the Deputy City Manager for Development Services.

# Amarillo City Council Agenda Transmittal Memo



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## Community Engagement Summary

No mailing notices were required. Street signs were posted to inform the public that the streets will be closed eventually and to contact the planning department if they had any questions.

The item was considered by the Planning and Zoning Commission in a public hearing on September 11<sup>th</sup> at which there were no public comments.

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## Staff Recommendation

Staff and P&Z Commissioners recommend the approval of this Ordinance.

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ORDINANCE NO. 7695

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR RIGHT-OF-WAY AND NEARBY PUBLIC UTILITY EASEMENTS IN THE VICINITY OF SOUTHEAST 8<sup>TH</sup> AVENUE AND SOUTH BUCHANAN STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY AND NEARBY PUBLIC UTILITY EASEMENTS; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

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**WHEREAS**, the Planning and Zoning Commission of the City of Amarillo found that no public necessity currently exists for the right-of-way and public utility easement described herein and recommends to the City Council for such right-of-way and public utility easement be vacated; and

**WHEREAS**, the City Council reviewed said recommendation and considered all relevant information pertaining to the proposed vacation described herein, and finds that such right-of-way and public utility easement is no longer needed for public purposes; and

**WHEREAS**, the City Council further determines that the vacation of said right-of-way and easement is not detrimental or injurious to the community's public health, safety or general welfare and is in the community's best interests.

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

**SECTION 1.** The City Council of the City of Amarillo hereby vacates and abandons for public purposes the herein-described right-of-way and public utility easement:

V-17-05 Vacation of 80' ROW known as South Lincoln Street between SE 8th Ave. & SE 7th Ave. and 80' ROW known as SE 7th Ave. between S Buchanan St. and S Johnson St. along with two 20' wide Public Utility Easements located in Block 111, Plemons Addition Unit No. 1, in Section 170 and Block 112, Mirror Addition Unit No. 1, in Section 155, all of which is located in Block 2, AB&M Survey, Potter County, Texas. (Vicinity: SE 8th Ave. & S Buchanan St.)

**SECTION 2.** City Manager is authorized to execute an instrument of conveyance to abutting land owner(s) as allowed or required by law.

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

**SECTION 4.** 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.

**SECTION 5.** This Ordinance shall become and be effective on and after its adoption.

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

\_\_\_\_\_  
Ginger Nelson, Mayor

**ATTEST:**

\_\_\_\_\_  
Frances Hibbs, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
William M. McKamie, City Attorney

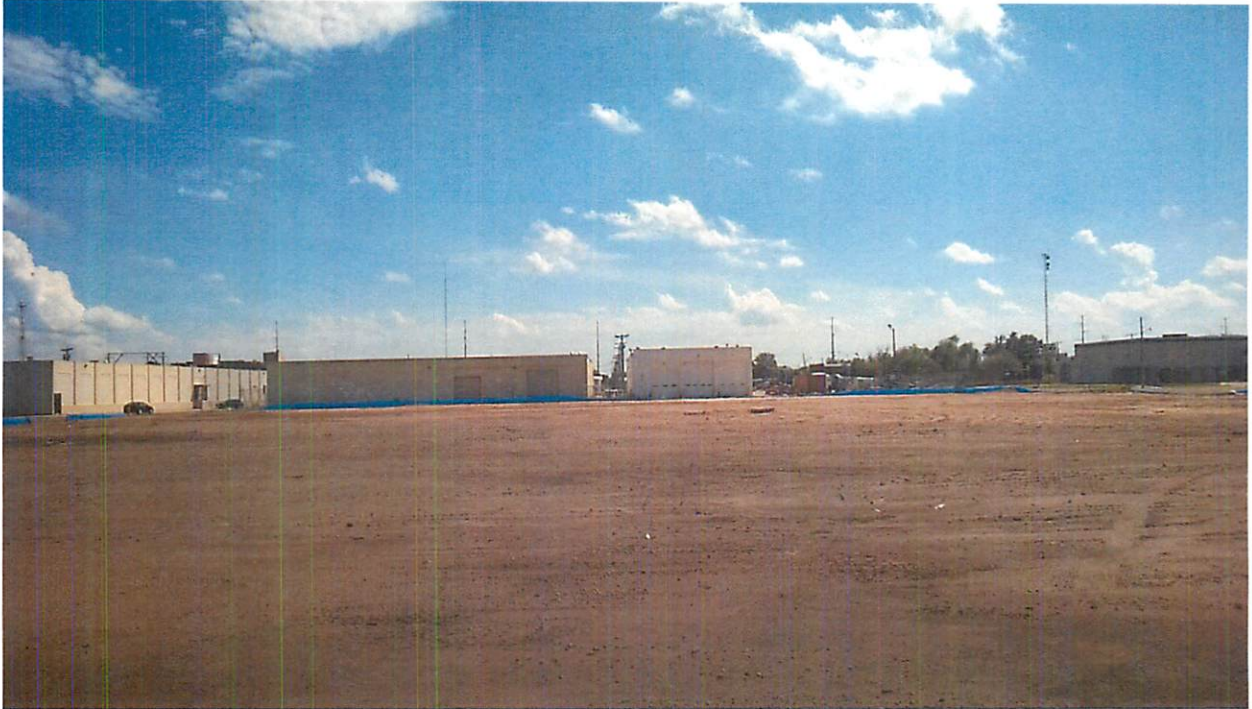


Looking north up S Lincoln Street (80' ROW) towards City Hall.



Looking south down S Lincoln Street (80' ROW) away from City Hall.





Looking south down the East Public Utility Easement (PUE 20'), alley vacated in 1967.



Looking west down SE 7<sup>th</sup> Avenue in front of city hall.



Looking east down SE 7<sup>th</sup> Avenue in front of City Hall.



Looking north up the west Public Utility Easement (PUE 20'), alley vacated in 1988.



Photos taken days later when notice signs were posted, looking down SE 7<sup>th</sup> Ave in front of City Hall.



Signage at the north entrance of S Lincoln Street in front of city hall.



Signage at the east entrance to SE 7<sup>th</sup> Ave along S Johnson Street in front of City Hall.



Signage at the south entrance to S Lincoln Street at the intersection of SE 8<sup>th</sup> Ave. City Hall in background.



# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	09/26/2017	<b>Council Priority</b>	Long Term Plan for Infrastructure
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<b>Department</b>	Street / 1420
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### Agenda Caption

Purchase – Asphaltic Emulsion CHFRS-2P: Award to Ergon Asphalt & Emulsion, Inc. – \$108,000.00. This item awards a contract for the purchase of CHFRS-2P Emulsion used by the Street Division to seal cracks in paved streets from November through March.

### Agenda Item Summary

CHFRS-2P is an asphaltic emulsion used by the Street Division to seal cracks in paved streets throughout the City

### Requested Action

Award this contract to Ergon Asphalt & Emulsion, Inc. in the amount of \$108,000.00 (\$1.80 per gallon). This cost per gallon is an increase of 20% above last year's contract unit cost.

Ergon Asphalt & Emulsions, Inc. submitted a bid of \$1.80/gal picked up at their plant in Lubbock, TX, or \$1.95/gal delivered to the City's Service Center in Amarillo. To ensure the most cost effective price was selected for the City, the Street Division secured quotes for transportation of the CHFRS-2P from two (2) local companies. Kimrad Transport submitted the lowest quote for transportation in the amount of \$0.1329/gal. Therefore, the Street Division will secure transportation of the CHFRS-2P separately.

### Funding Summary

Funding in the amount of \$120,000.00 for the purchase of CHFRS-2P Emulsion is available in the 2017/2018 Street Division budget. The \$108,000.00 cost is 10% less than budgeted. No State or Federal funds will be used for the purchase of this material.

### Community Engagement Summary

CHFRS-2P Emulsion is used by the Street Division to seal cracks in paved streets throughout the City. Crack sealing is a cost effective preventative maintenance technique designed to preserve and extend the life of the City's paved streets.

### Staff Recommendation

Street Division recommends acceptance of the bid as offered.

Bid No. 5813 Asphaltic Emulsion CHFRS-2P Annual Contract  
 Opened 4:00 p.m., August 18, 2017

To be awarded as one lot	Ergon Asphalt & Emulsion Inc	Wright Asphalt Products Company
Line 1 Asphalt, AC (Asphalt/Cement) specialized product used to seal cracks in paved streets CHFRS-2P Asphaltic Emulsion, per specifications 60,000 GA		
Unit Price	\$1.800	\$2.39
Extended Price	108,000.00	143,424.00
Bid Total	108,000.00	143,424.00

Award by Vendor 108,000.00

D



# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	September 26, 2017	<b>Council Priority</b>	N/A
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<b>Department</b>	Surface Water Treatment
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### Agenda Caption

Award – 24” Ball Valve for Transfer PS at Osage

Award to D. A. Criswell for \$68,975.00

This award is to replace 24” Ball Valve for Transfer PS at Osage.

### Agenda Item Summary

This item is award of bid for the replacement 24” Ball Valve for Transfer PS for use by the Surface Water Treatment Plant.

### Requested Action

Consider approval and award of bid #5826 to D.A. Criswell for the 24” Ball Valve for Transfer PS at Osage.

### Funding Summary

Funding for this award is available in the Surface Water Treatment(52220).

### Community Engagement Summary

N/A

### Staff Recommendation

City Staff is recommending approval and award of bid #5826 to D.A. Criswell.

Bid No. 5826 24" Ball Valve for Transfer Pump Station at Osage  
Opened 4:00 p.m., August 24, 2017

To be awarded as one lot D A Criswell Sales Inc

Line 1 Valves, Iron Body: Angle, Check,  
Gate, Globe, etc, 24-inch ball valve for  
Transfer Pump Station at Osage Water  
Treatment Plant, per specifications

1 ea		
Unit Price	\$68,975.000	
Extended Price		68,975.00

Bid Total 68,975.00

Award by Vendor 68,975.00



# Amarillo City Council Agenda Transmittal Memo



E

<b>Meeting Date</b>	September 26, 2017	<b>Council Priority</b>	N/A
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<b>Department</b>	Information Technology, Rich Gagnon
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## Agenda Caption

Award – Software Maintenance  
SHI Government Solutions -- \$350,160.00

This represents an agreement for Rimini Street to provide software support services for the City's Oracle JD Edwards software suite.

## Agenda Item Summary

Under the terms of this agreement Rimini Street will provide support for the City's JD Edwards Enterprise Resource Planning system. The amount owed for the first year of support will be \$65,954.00. Future year renewals are optional and will be equal to a 3 percent increase over the prior-year payment. Unless cancelation is requested prior to the annual renewal, total payments over the 5-year agreement will amount to \$350,160.00.

## Requested Action

Approval of award to SHI Government Solutions in the amount of \$350,160.00.

## Funding Summary

This purchase will be funded from 62021.69300.

## Community Engagement Summary

N/A

## Staff Recommendation

Staff recommends approval of award.

Bid No. 5820 JD Edwards Annual Software Support Renewal  
Opened 4:00 p.m., August 29, 2017

To be awarded as one lot SHI Government Solutions

Line 1 Support and Update Services,  
Microcomputer Software, Rimini Street  
Support (year 1), Rimini Street Part #  
NON-RIMIN-STMA 1, per specifications  
1 yr  
Unit Price \$65,954.000  
Extended Price 65,954.00

Line 2 Support and Update Services,  
Microcomputer Software, Rimini Street  
Support (year 2), Rimini Street Part #  
NON-RIMIN-STMA 2, per specifications  
1 yr  
Unit Price \$67,933.000  
Extended Price 67,933.00

Line 3 Support and Update Services,  
Microcomputer Software, Rimini Street  
Support (year 3), Rimini Street Part #  
NON-RIMIN-STMA 3, per specifications  
1 yr  
Unit Price \$69,971.000  
Extended Price 69,971.00

Line 4 Support and Update Services,  
Microcomputer Software, Rimini Street  
Support (year 4), Rimini Street Part #  
NON-RIMIN-STMA43, per specifications  
1 yr  
Unit Price \$72,070.000  
Extended Price 72,070.00

Line51 Support and Update Services,  
Microcomputer Software, Rimini Street  
Support (year 5), Riministreet Part #  
NON-RIMIN-STMA 5, per specifications

1 Yr

Unit Price \$74,232.000

Extended Price 74,232.00

**350,160.00**

Bid Total

350,160.00

Award by Vendor





# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	September 26, 2017	<b>Council Priority</b>	Community Appearance
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<b>Department</b>	Planning Department	<b>Contact Person</b>	AJ Fawver
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### Agenda Caption

Vicinity: SW 53<sup>rd</sup> Ave. & S Western St.

Rezoning of Lots 5 and 6, Block 1, Westway Unit No. 5, in Section 6, Block 9, BS&F Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development 91A (PD-91A) to Planned Development 91A (PD-91A).

### Agenda Item Summary

This tract of land was zoned General Retail (GR) before it was changed to PD-91 in 1977, with an amendment following years later being approved in 1982. The property has been zoned Planned Development District 91-A (PD-91A) since then. The proposed new buildings meet city standards regarding setbacks and building code.

The items associated with this Planned Development hearing are:

- the establishment of PD-91A regulations and the associated site plan for the proposed new additions of the existing PD-91A site plan.

Per Section 4-10-104 of the Zoning Ordinance, a site plan shall be approved and filed as part of the Planned Development ordinance, meaning the approval of the PD ordinance shall also constitute approval of the associated site plan.

As for the Neighborhood Unit Concept that was adopted in the 1980s, this request does not follow the NUC; it appears this is mainly because Interstate 27 (I-27) cuts right through this section map (K-15). This allows for the retail and commercial development patterns to follow along this interstate route, while the rest of the section adheres to the NUC pattern. This property is in an area that follows the I-27 corridor, established prior to the adoption of the NUC.

The adopted Comprehensive Plan contains a number of action strategies that are to be followed when making decisions about land use, development, and other community elements. These include:

- Future Land Use Map: General Commercial allows a wide range of commercial retail and service uses at varying scales and intensities (*page 2.13, Land Use and Community Character*).
- Encourage infill development to achieve more efficient utilization of the City's existing resources and infrastructure. (*page 3.3, Growth Management & Capacity*).
- Promote infill development of various types as appropriate areas to reduce urban sprawl and duplication of public services thereby saving tax dollars. (*page 3.3, Growth Management & Capacity*).

# Amarillo City Council Agenda Transmittal Memo



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Given the above, the resulting site plan conforms to the city's standards per the Site Plan Ordinance Sec. 4-10-226.

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## **Requested Action**

The applicant is requesting a Planned Development District Amendment of 5.58 acres from Planned Development District 91-A to Planned Development District 91-A in order to expand on the current site and add additional storage capacity to the U-Haul location.

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## **Funding Summary**

N/A

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## **Community Engagement Summary**

The item was distributed to all applicable internal and external entities. Notices have been sent out to 26 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.

The item was recommended for approval by 4:0 vote of the Planning and Zoning Commission at its September 11, 2017 public meeting.

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## **City Manager Recommendation**

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

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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 SW 53<sup>RD</sup> AVE. & S WESTERN ST, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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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 5 and 6, Block 1, Westway Unit No. 5, in Section 6, Block 9, BS&F Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development 91A (PD-91A) to Planned Development 91A (PD-91A) for additional storage.

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 September, 2017 and PASSED on Second and Final Reading on this the \_\_\_\_\_ day of September, 2017.

\_\_\_\_\_  
Ginger Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
William M. McKamie, City Attorney



Looking southwest from SW 53<sup>rd</sup> Ave towards the existing building located on the property for consideration.



Looking north across SW 53<sup>rd</sup> Ave from the property of consideration, that property is zoned GR.



Looking west at the northside of the existing property along SW 53<sup>rd</sup> Ave.



Looking south from the property of consideration at Interstate 27, Lots to the south of here zoned LC.





Looking east from the property of consideration at Interstate 27 and S Western St. This Gas station lot seen here is also zoned GR.



# Amarillo City Council Agenda Transmittal Memo



<b>Meeting Date</b>	September 26, 2017	<b>Council Priority</b>	Community Appearance
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<b>Department</b>	Planning Department	<b>Contact Person</b>	AJ Fawver
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## Agenda Caption

Vicinity: SW 46<sup>th</sup> Avenue & Hardin Drive

Rezoning of Lot 5, Block 1, Georgia Plaza Unit No. 2, in Section 184, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 205 (PD-205) to General Retail District (GR).

## Agenda Item Summary

Planning Department Staff's analysis of requests for zoning change 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 recommended 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 existing zoning and development patterns in the area.

The original PD-205 zoning district was created for the placement of a plumbing shop water center for Culligan of Amarillo which appears to have never been developed on the site since the rezoning took place, which changed the lot from GR (which is what is currently being requested with this application) to PD zoning. This rezoning request would eliminate the current PD zoning which limited the use very exclusively to one proposal and allow other types of retail-related uses which were previously allowed prior to the established PD.

This rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which designates this area for a future "General Commercial" land use. The Comprehensive Plan states that the development type in this designation should be that associated with a wide range of commercial retail and service uses, at varying scales and intensities depending on the site. GR allows for a wide range of retail and related uses while prohibiting more intensive commercial types of uses which would be better suited for a more intensive designation of "industrial".

The Neighborhood Unit Concept is also a key piece of the adopted plan, in which zoning transitions from areas of higher density at section line corners to areas of lower density toward the center of the section. This concept of development ensures that commercial areas will have less of an impact to residential areas. This rezoning request does follow the Neighborhood Unit Concept as it would allow for a higher density type of uses near the section corner at SW 45th Avenue and South Georgia Street. The request would also not change the general intensity of use on the lot as the PD allowed a retail use currently.

# Amarillo City Council

## Agenda Transmittal Memo



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This section currently follows the Neighborhood Unit Concept with greater intensity of uses such as retail and commercial at the section corners and residential development toward the center.

The adopted Comprehensive Plan contains a number of action strategies that are to be followed when making decisions about land use, development, and other community elements. One of these strategies is an emphasis on infill development and encouraging development in existing undeveloped portions of the city where utility services are already available. (page 3.3, Growth Management & Capacity) This action strategy is supported in this situation as the requested zoning change would create the opportunity to develop a wider range of retail options while maintaining the same intensity of uses. The PD that was established on the site had indicated a specific use which appears to have never been developed by the owner. The owner has recently sold the lot to a developer who wants to establish a different retail use than that specifically established within the PD ordinance.

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### Requested Action

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The applicant is requesting the rezoning of Lot 5, Block 1, Georgia Plaza Unit No. 2, in Section 184, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 205 (PD-205) to General Retail District (GR) in order to develop the site with a retail oriented building.

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### Funding Summary

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N/A

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### Community Engagement Summary

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The item was distributed to all applicable internal and external entities. Notices have been sent out to 36 property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department has received 3 calls inquiring about the request; however, once the location of the request was clarified no caller expressed any concerns.

The item was recommended for approval by 4:0 vote of the Planning and Zoning Commission at its September 11, 2017 public meeting.

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### City Manager Recommendation

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

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ORDINANCE NO. 7697

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 SOUTHWEST 46<sup>TH</sup> AVENUE AND HARDIN DRIVE, RANDALL 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 Lot 5, Block 1, Georgia Plaza Unit No. 2, in Section 184, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development District 205 (PD-205) to General Retail District (GR).

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 September, 2017 and PASSED on Second and Final Reading on this the \_\_\_\_\_ day of September, 2017.

\_\_\_\_\_  
Ginger Nelson, Mayor

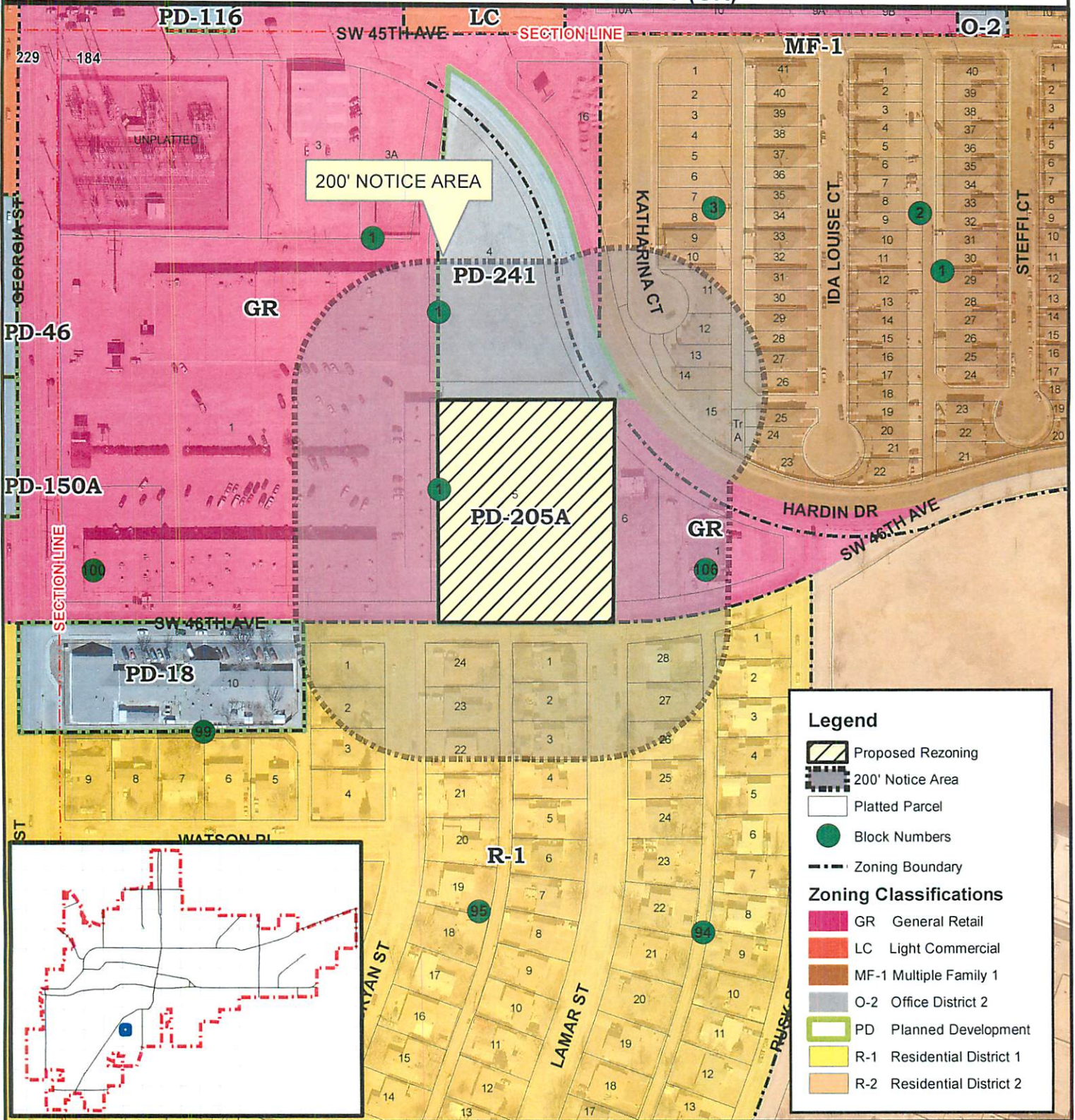
ATTEST:

\_\_\_\_\_  
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
William M. McKamie, City Attorney

**CASE Z-17-26  
REZONING FROM PLANNED DEVELOPMENT 205 (PD-205)  
TO GENERAL RETAIL DISTRICT (GR)**

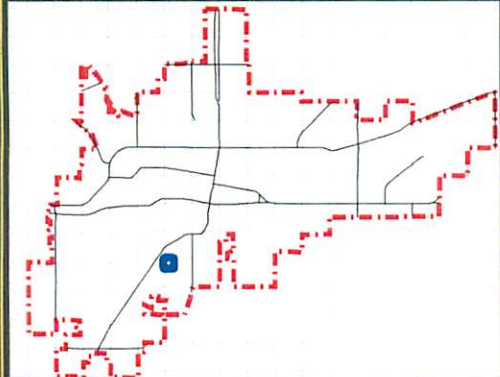


**Legend**

- Proposed Rezoning
- 200' Notice Area
- Platted Parcel
- Block Numbers
- Zoning Boundary

**Zoning Classifications**

- GR General Retail
- LC Light Commercial
- MF-1 Multiple Family 1
- O-2 Office District 2
- PD Planned Development
- R-1 Residential District 1
- R-2 Residential District 2



**CITY OF AMARILLO  
PLANNING DEPARTMENT**

**Scale: 1 inch = 200 feet**  
**Date: 8/30/2017**



Rezoning of Lot 5, Block 1, Georgia Plaza Unit No. 2, in Section 184, Block 2, AB&M Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from Planned Development 205 (PD-205) to General Retail District (GR).

Applicant: Tod Kitts  
Vicinity: SW 46th Ave. & Hardin Dr.

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.