AMARILLO CITY COUNCIL REGULAR MEETING VIA VIDEO CONFERENCE NOTICE IS HEREBY GIVEN IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020.

A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, DECEMBER 8, 2020 AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS BY VIDEO CONFERENCE (IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS ALSO CALLED "SOCIAL DISTANCING" TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19)). THERE WILL BE NO PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE.

City Council Mission: Use democracy to govern the City efficiently and effectively to accomplish the City's mission.

This Agenda, and the Agenda Packet, are posted online at:
https://www.amarillo.gov/city-hall/city-government/city-council

The video meeting is hosted through Zoom. The meeting is broadcast on the City's website at: www.amarillo.gov. The Zoom link to join the meeting is: https://amarillo.zoom.us/j/330267295 and the conference bridge number for Zoom is: Telephone # 4086380968 when prompted for meeting ID enter: 330267295#. All callers will be muted for the duration of the meeting.

This meeting will be recorded and the recording will be available to the public in accordance with the Open Meetings Act upon written request.

Please note: The City Council may take up items out of the order shown on any Agenda. The City Council reserves the right to discuss all or part of any item in an executive session at any time during a meeting or work session, as necessary and allowed by state law. Votes or final decisions are made only in open Regular or Special meetings, not in either a work session or executive session.

INVOCATION: Ramon Diaz, Walking by Faith Missions Church

PROCLAMATION: "100th Anniversary of the Amarillo Association of REALTORS Day"

PUBLIC ADDRESS
(For items on the agenda for City Council consideration)
The public will be permitted to offer public comment on agenda items. Public Address signup times are available from Sunday 8:00 a.m. until Tuesday 12:45 p.m. at https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form or by calling the City Secretary's office at (806) 378-3014. Please call in at 1:00 p.m. at T**elephone # 4086380968 when prompted for meeting ID enter: 330267295#**.

AGENDA

1. City Council will discuss or receive reports on the following current matters or projects.

   A. Review agenda items for regular meeting and attachments;
   B. Coronavirus Update;
   C. Update on Texas Tech University Vet School;
   D. Update from Illegal Dumping Task Force;
   E. Update on Ports-to-Plains – Kevin Carter;
   F. Review draft Ordinance Boards and Commissions Eligibility;
   G. Discuss Draft Meeting Calendar;
   H. Eastridge Neighborhood Plan Update;
   I. Report and updates from City Councilmembers serving on outside Boards:
      Beautification and Public Arts Advisory Board
      Environmental Task Force
      Pedestrian and Bicycle Safety Advisory Committee; and
   J. Request future agenda items and reports from City Manager.

2. **CONSENT ITEMS**:
It is recommended that the following items be approved and that the City Manager be authorized to execute all documents necessary for each transaction:

THE FOLLOWING ITEMS MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COUNCILMEMBER, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

A. **CONSIDER APPROVAL – MINUTES**:
Approval of the City Council minutes for the regular meeting held on November 17, 2020, and special meetings held on November 20, 2020 and November 23, 2020.

B. **CONSIDERATION OF ORDINANCE NO. 7892**:
(Contact: Andrew Freeman, Managing Director of Planning and Development Services)
This item is the second and final reading to consider an ordinance expanding the current boundary and approving an amended final project and finance plan for Tax Increment Reinvestment Zone No. 2.

C. **CONSIDERATION OF ORDINANCE NO. 7894 – BUDGET AMENDMENT**:
(Contact: Laura Storrs, Assistant City Manager)
This is the second and final reading of an ordinance to amend the Heritage Hills Public Improvement District 2020/2021 budget included in the City of Amarillo 2020/2021 Budget.

D. **CONSIDER APPROVAL -- REPAIR AND UPGRADE THE RUNWAY WEATHER INFORMATION SYSTEM (RWIS)**:
(Contact: Michael W. Conner, Director of Aviation)
Awarded to Vaisala, Inc. -- $88,075.00
This item considers a proposal which encompasses the evaluation, replacement, calibration, upgrade, and installation costs to the existing system. The upgrade will assist in efforts to meet Federal Aviation Administration regulatory standards and allow the Airport to continue to provide a safe operational environment for the traveling public. Vaisala, Inc. is a proprietary vendor that provided and helps maintain the Airport's current RWIS System.

E. **CONSIDER APPROVAL – INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND POTTER COUNTY SHERIFF'S OFFICE**:
(Contact: Chip Orton, Director of Emergency Management)
This item is consideration of an interlocal agreement between the City of Amarillo and Potter County Sheriff's Office (PCSO) for use of PCSO facilities as an alternate site for emergency communications and emergency management.

F. **CONSIDER AWARD – PURCHASE OF BAUER SELF-CONTAINED BREATHING APPARATUS (SCBA) BOTTLE COMPRESSOR**:
(Contact: Sam Baucom, Deputy Fire Chief)
Awarded to August Industries, Inc. -- $65,650.50
This item is to consider award for the purchase of a SCBA bottle compressor. This purchase will add to the current inventory of SCBA bottle compressors used by the Amarillo Fire Department (AFD) as a necessary component of firefighter safety.

G. **CONSIDER AWARD – PURCHASE OF 100 SELF-CONTAINED BREATHING APPARATUS (SCBA) BOTTLES**:
(Contact: Sam Baucom, Deputy Fire Chief)
Awarded to Casco Industries, Inc. -- $81,400.00
This item is to consider award for the purchase of 100 Mine Safety Appliances (MSA) SCBA bottles. This purchase will add to the current inventory of SCBA bottles used by the Amarillo Fire Department (AFD) as a necessary component of firefighter safety.

H. **CONSIDER AWARD -- PAPER GOODS SUPPLY AGREEMENT**:
(Contact: Trent Davis, Director of Purchasing)

Empire Paper	$ 972.00
Mavich	$ 39,982.80
Pyramid School Products	$ 1,512.00
Central Poly Corporation	$ 59,840.00
Total Award	$102,306.80

This item considers the award of the annual paper goods supply agreement.

I. **CONSIDER AWARD – PURCHASE OF GLOCKS AND MAGAZINES**:
(Contact: Trent Davis, Director of Purchasing)
Awarded to GT Distributors, Inc. -- $55,105.50
This award consists of the purchase of Glock 43x's, 19's, Glock magazines for both 17's and 19's for the Amarillo Police Department.

J. **CONSIDER APPROVAL – PROMOTIONAL PRODUCTS ANNUAL CONTRACT**:
(Contact: Trent Davis, Director of Purchasing)
Best evaluated proposer: Cenevo Worldwide Limited (not to exceed $60,000.00)
This item approves an annual contract for promotional products to be used by various City departments.

K. **CONSIDER APPROVAL – CHANGE ORDER NO. 3 FOR STREET MAINTENANCE COMMUNITY INVESTMENT PROGRAM, PROPOSITION 1**:
(Contact: Matthew Thomas, City Engineer)
Intermountain Slurry Seal, Inc. -- $(209,706.30)
This item is to consider approval of Change Order No. 3 to the construction contract for the maintenance of streets within Amarillo. This change order will establish final quantities, expand the scope of microsurfacing to include Southeast 3rd Avenue and Criss Street, exclude microsurfacing on Farmers Avenue from Georgia Street to BNSF, and replace all crosswalks with Type A in accordance with the Traffic Department's directives. This change order will also add 25 days to the contract completion date.

Original Contact:	$11,135,638.50
Current Change order:	$ (209,706.30)
Previous Change Orders:	$ 281,855.26
Revised Contract Total:	$11,207,787.46

L. **CONSIDER APPROVAL -- REPAIR OF PUMP #6 AT 34TH STREET PUMP STATION**:
(Contact: Jonathan Gresham, Director of Utilities)
Odessa Pumps and Equipment -- $94,414.00
This item considers approval for Pump #6 at the 34th Pump Station for repair, and associated labor for installation of the pump.

M. **CONSIDER APPROVAL -- SOUTHWESTERN PUBLIC SERVICE COMPANY ELECTRICAL UTILITY EASEMENTS**:
(Contact: Andrew Freeman, Director of Planning and Development Services)
This item considers two Southwestern Public Service Company Electrical Utility Easements being a 0.969 acre tract and a 0.187 tract of land in Section 167 and Section 60, Block 2, A.B.&M. Survey, Potter County, Texas.

N. **CONSIDER AWARD – REFUSE CONTAINERS**:
(Contact: Raymond Lee, Director of Public Works)

Roll Offs of America/USA	$550,000.00 3-yard side refuse containers
Roll Offs of America/USA	$148,500.00 8-yard front load refuse containers
Total	$698,500.00

This item approves the purchase of 1,000 3-yard side refuse containers and 150 8-yard front load refuse containers.

O. **CONSIDER AWARD – ANIMAL FOOD/FEED FOR ANIMAL SHELTER**:
(Contact: Trent Davis, Purchasing Agent)
Legend & White Animal Health Corp. -- $76,950.00
This is the annual award for animal food/feed for the Amarillo Management & Welfare shelter.

P. **CONSIDER APPROVAL – STOP LOSS INSURANCE**:
(Contact: Sandy Elliott, Benefits Manager)
Stealth Partner Group – Est. Annual Amount $416,796.24 CY2021
This award is for the City's Major Medical (Medical/Rx) Stop Loss Insurance for plan year 2021.

Q. **CONSIDER ADOPTION – AMARILLO CITY TRANSIT PUBLIC TRANSPORTATION AGENCY SAFETY PLAN**:
(Contact: Marita Wellage-Reiley, Transit Director)
This item considers the adoption of the Amarillo City Transit Public Transportation Agency Safety Plan to protect the citizens, employees, and the assets of the City. City Council adoption is required for the receipt of federal funding.

3. **NON-CONSENT ITEMS**:

A. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7895**:
(Contact: Andrew Freeman, Managing Director of Planning and Development Services)
This item is a public hearing and first reading to consider an ordinance rezoning a 4.2 acre tract of unplatted land in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 394 for an outdoor new/used auto sales lot. (Vicinity: Soncy Road and Pilgrim Drive.)

B. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7896**:
(Contact: Andrew Freeman, Managing Director of Planning and Development Services)
This item is a public hearing and first reading to consider an ordinance rezoning Lot 19A, Block 3, Estancia Addition Unit No. 2, in Section 24, Block 9, B.S.&F. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Office District 1 and Residential District 3 to General Retail District. (Vicinity: Ravenwood Drive and R.M. 1061.)

C. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7897**:
(Contact: Andrew Freeman, Managing Director of Planning and Development Services)
This item is a public hearing and first reading to consider an ordinance rezoning a 8.95 acre tract of land being portions of Tract 8 and Tract 12, C.R. Austin's Subdivision, in Section 4, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 and Agricultural District to Moderate Density District. (Vicinity: Scotty Drive and Coronado Trail.)

D. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7898**:
(Contact: Andrew Freeman, Managing Director of Planning and Development Services)
This item is a public hearing and first reading to consider an ordinance rezoning a 110.39 acre tract of unplatted land in Section 93, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Light Industrial District. (Vicinity: Northeast 24th Avenue and Loop 335.)

E. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7899**:
(Contact: Andrew Freeman, Managing Director of Planning and Development Services)
This item is a public hearing and first reading to consider an ordinance rezoning a portion of Lots 2 through 6 and all of Lots 7 through 17, Block 3, a portion of Lot 1 and all of Lots 2 through 9, Block 4, and Lots 1 through 12, Block 5, all in Amended West Amarillo Industrial Park Unit No. 5 plus Lot 16A, Block 5, West Amarillo Industrial Park Unit No. 25, All in Section 224, Block 2, A.B.&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Light Industrial District to Manufactured Home District. (Vicinity: North Forest Street and Northwest 12th Avenue.)

F. **DISCUSS AND CONSIDERATION OF ORDINANCE NO. 7900**:
(Contact: Bryan McWilliams, City Attorney)
This item discusses and considers an ordinance codifying and affirming the voter approved amendment to the City of Amarillo Charter, Article V, Section 12(a). On November 3, 2020, the majority of voters voting in a special election of the City of Amarillo approved an amendment to the City of Amarillo home rule Charter, Article V, Section 12(a) and this ordinance now affirms that change and authorizes the codified version of the Charter in the Municipal Code of Ordinances be amended to conform to and enact that election result.

G. **CONSIDER APPROVAL – CITY OF AMARILLO 2020 INVESTMENT POLICY**:
(Contact: Debbie Reid, Director of Finance)
This item approves the City of Amarillo's 2020 Investment Policy.

4. **EXECUTIVE SESSION**:
City Council may convene in Executive Session to receive reports on or discuss any of the following pending projects or matters:

1) Section 551.087 – Deliberation regarding economic development negotiations; discussion of commercial or financial information received from an existing business or business prospect with which the city is negotiating for the location or retention of a facility, or for incentives the city is willing to extend, or financial information submitted by the same:
   (a) Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect:
   - Project # 20-06-04 (Manufacturing)
   - Project # 20-08-05 (Transportation & Warehousing)

2) Section 551.072 – Discuss the purchase, exchange, lease, sale, or value of real property and public discussion of such would not be in the best interests of the City's bargaining position:
   (a) Purchase of real property located in the northwest quadrant of the TIRZ #1 Boundary.

Amarillo City Hall is accessible to individuals with disabilities through its main entry on the south side (601 South Buchanan Street) of the building. An access ramp leading to the main entry is located at the southwest corner of the building. Parking spaces for individuals with disabilities are available in the south parking lot. City Hall is equipped with restroom facilities, communications equipment and elevators that are accessible. Individuals with disabilities who require special accommodations or a sign language interpreter must contact the City Secretary's Office 48 hours prior to meeting time by telephoning 378-3013 or the City TDD number at 378-4229.

Posted this 4th day of December 2020.

Regular meetings of the Amarillo City Council stream live on Cable Channel 10 and are available online at:
http://amarillo.gov/city-hall/city-government/view-city-council-meetings
Archived meetings are also available.

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 17th day of November 2020, the Amarillo City Council met at 1:00 p.m. for a regular session meeting held via conference and in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

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

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

JARED MILLER	CITY MANAGER
KEVIN STARBUCK	DEPUTY CITY MANAGER
FLOYD HARTMAN	ASSISTANT CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Isaac Butler.

A proclamation was presented to "Floyd Anthony, National Association for the Advancement of Colored People (NAACP)."

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

PUBLIC ADDRESS: There were no comments.

ITEM 1:

A. Review agenda items for regular meeting and attachments;
B. Coronavirus Update; and
C. Request future agenda items and reports from City Manager.

CONSENT ACTION ITEMS:

ITEM 2: 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 the consent agenda as presented, seconded by Councilmember Smith:

A. **MINUTES**:
Approval of the City Council minutes for the regular meeting held on November 10, 2020.

B. **CONSIDERATION OF ORDINANCE NO. 7889**:
(Contact: Andrew Freeman, Managing Director of Planning and Development Services)
This item is the second and final reading to consider an ordinance rezoning a 5.04 acre tract of unplatted land in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways, to change from Agricultural District to Amended Planned Development 375A for expansion of existing operations for a parking lot related to business operations. (Vicinity: Pilgrim Drive and Soncy Road.)

C. **CONSIDERATION OF ORDINANCE NO. 7890**:
(Contact: Andrew Freeman, Managing Director of Planning and Development Services)
This item is the second and final reading to consider an ordinance vacating a 3,928 square foot portion of North Adams Street right-of-way situated south of Northwest First Avenue, in Section 169, Block 2, A.B.&M. Survey, Potter County, Texas (Vicinity: North Adams Street and Northwest 1st Avenue.)

D. **CONSIDERATION OF ORDINANCE NO. 7891**:
(Contact: Kevin Carter, President and CEO)
This item is the second and final reading to consider an ordinance designating certain areas of the City as Reinvestment Zone No. 11 for commercial and industrial tax abatement. The zone is approximately 4.85 acres. (Vicinity: Amarillo Boulevard and Point West Parkway.)

E. **CONSIDER AWARD – SELECTRON IVR FIVE (5) YEAR AGREEMENT**:
(Contact: Ismael Rivera, Jr., Building Official)
Awarded to Selectron - $282,917.28
This agreement is to continue using services from Selectron for Building Safety's IVR permitting activities for the next five (5) years.

F. **CONSIDER AWARD – IT INFRASTRUCTURE HARDWARE**:
(Contact: Rich Gagnon, Information Technology Director)
Awarded to Weaver - $188,014.92
This item represents the purchase of IT infrastructure hardware for the City's Virtual Desktop Infrastructure (VDI) as part of the Federal CARES Act grant.

G. **CONSIDER APPROVAL – APD BOMB TEAM RESPONSE VEHICLE – FY2020 HOMELAND SECURITY GRANT PROGRAM**:
(Contact: Chip Orton, Director of Emergency Management)
Grapevine Dodge Chrysler Jeep - $249,564.00
This item is to consider the purchase of an APD Bomb Team Response Vehicle which is 100% funded as part of the FY2020 Homeland Security Grant Program. This vehicle will enhance the team's response and replace a previous truck that is at the end of useful life.

H. **CONSIDER APPROVAL – CHANGE ORDER #1, CREDIT FOR CIVIC CENTER ROOF REPLACEMENT**:
(Contact: Jerry Danforth, Director of Facilities & C.I.P.)

Northline Construction, Inc.	$6,150,291.00
Change Order #1 above contingency	$ 11,672.19
Balance amount	$6,161,963.19
Change Order #1 Credit	($ 282,555.80)
Revised Total	$5,879,407.39

This item is to consider approval of a credit of $282,555.80.

I. **CONSIDER APPROVAL – PROFESSIONAL SERVICES AGREEMENT WITH KSA ENGINEERS, INC. FOR RPR AND WARRANTY PHASE SERVICES – HOLLYWOOD ROAD WASTEWATER RECLAMATION FACILITY DIGESTER MIXING IMPROVEMENTS**:
(Contact: Matthew Thomas, City Engineer)
KSA Engineers, Inc. - $142,000.00
This item is to consider approval of the professional services agreement, which includes additional services in the scope of work to provide: 1) resident project representative/inspection services, and 2) warranty phase services.

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.

NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson presented the first reading of an ordinance expanding the current boundary and approving an amended final project and finance plan for Tax Increment Reinvestment Zone No. 2. This item was presented by Andrew Freeman, Managing Director of Planning and Development Services. 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. 7892

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: EXPANDING THE CURRENT BOUNDARY AND APPROVING AN AMENDED FINAL PROJECT AND FINANCE PLAN FOR TAX INCREMENT REINVESTMENT ZONE NO. 2; APPROVING CITY PARTICIPATION IN THE EXPANDED AREA; PROVIDING RATIFICATION, SEVERABILITY, AND REPEALER; 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 3B: Mayor Nelson presented a resolution canvassing the returns and declares the results of the special election held on November 3, 2020. This item was presented by Frances Hibbs, City Secretary. Motion was made by Councilmember Powell, seconded by Councilmember Smith that the following captioned resolution be passed:

RESOLUTION NO. 11-17-20-1

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD NOVEMBER 3, 2020.

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 3C: Mayor Nelson presented the first reading of an ordinance to amend the Heritage Hills Public Improvement District 2020/2021 budget included in the City of Amarillo 2020/2021 Budget. This item was presented by Laura Storrs, Assistant City Manager. Motion was made by Councilmember Powell, seconded by Councilmember Smith that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7894

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET AMENDMENTS PERTAINING TO THE FISCAL YEAR 2020-2021 BUDGET; 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 3D: Mayor Nelson presented a resolution authorizing the City of Amarillo to publish notification of the City's intention to issue certificates of obligation not to exceed $1,050,000. The proceeds will be used for costs incurred for acquiring, construction, improving and equipping park facilities in the Greenways Public Improvement District. This item was presented by Laura Storrs, Assistant City Manager and Steven Adams, Specialized Public Finance, Inc. Motion was made by Councilmember Powell, seconded by Councilmember Smith that the following captioned resolution be passed:

RESOLUTION NO. 11-17-20-2

A RESOLUTION OF THE AMARILLO CITY COUNCIL, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

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 3E: Mayor Nelson presented some feedback she received on the Propositions that did not pass. She stated she appointed a small committee to gather more information on the possibility of public/private funding for a new Civic Center. They will begin looking at different options. The Legislation is meeting in May, and some of their ideas may require legislative approval. She further stated she was disappointed in the misinformation, and there was not an alternate plan brought to Council. She stated she invited Mr. Fairly to meet with Council to review and discuss his ideas. The Proposition A plan was studied by experts and cancelling the plan is not a plan, and a new plan would need to be reviewed with a feasibility study. She further stated it was important to acknowledge that this plan was not rushed and there were many opportunities to be weighed on. The timeline for a new plan would be approximately six months away for a

project of this size. The committee will bring back ideas and she encouraged Council to bring forward their ideas as well as citizens. Councilmember Hays stated it would be valuable to have a voice from both sides asking questions and looking for solutions. Mayor Nelson replied it was also important not to have a conflict of interest, and it would be wise to steer away from anyone that may have a conflict or a relationship with a possible team.

ITEM 3F: Mayor Nelson stated this item discussed and considers the acquisition of property 500 South Grant Street, 621 South Johnson Street, and 707 South Johnson Street, Amarillo, Texas, and funding options. This item was presented by Jared Miller, City Manager. Mr. Miller stated these properties are currently owned by Amarillo Hardware. This item would also allow Council to withdraw purchasing these properties, if they so chose. He stated Council has three options: 1) to not buy the properties; 2) buy them with cash; or 3) issue Certificates of Obligation to purchase these properties. Andrew Freeman, Managing Director of Planning and Development Services, recapped the property map and what had been previously approved by City Council. The purchase amount is $4,750,000, plus closing costs. He stated the feasibility study was set to end on November 19, 2020. The closing date would be on November 30, 2020. The environmental site assessment did not indicate any hazardous substances or petroleum products. The breakdown for the properties are as follows:

500 S. Grant Street	$1,575,000
621 S. Johnson Street	$3,000,000
707 S. Johnson Street	$170,000
Total	$4,745,000

Mr. Miller said the asking price was reduced right before the Council meeting today to match the appraisal costs. Ms. Storrs stated there are several options for funding if Council decides to move forward with the purchase: 1) to use excess cash reserves; or 2) issue Certificates of Obligation. She stated the numbers are preliminary, but measures were put in place when the pandemic began. They had slowdown the spending, hiring freezes, capital projects and other projects postponed, etc. She stated they are not seeing revenues at normal levels. She stated the City has been fortunate to utilize grant funding to fund operations that are working to address Covid-19. Ms. Storrs stated that they have done a full analysis of the reserves and there are sufficient reserves if Council so chooses to fund this purchase from excess reserves and still maintain the City's AAA bond rating. Mayor Nelson inquired how conservative the revenues have been calculated over the next six months. Ms. Storrs expressed the uncertainty of COVID, and the impacts on our sales and occupancy taxes. Sales tax is the City's largest revenue source and it is up over 12% from the same time period last year. Mayor Nelson inquired if Council wanted to move forward in purchasing the buildings and, if so, moving forward with Certifications of Obligation or excess reserves. Councilmember Hays stated she supported purchasing the properties. She stated there had been no land acquired implementing the new Civic Center. This piece of property would have completed the strategic acquisitions necessary to handover land necessary for a future Council to design, and something the community would want to support. She further stated the Amarillo Hardware Building would make a beautiful City Hall. Councilmember Smith stated he supports moving forward and purchasing the properties. He stated turning the Amarillo Hardware Building into a new City Hall could be done for less than updating the current City Hall. He is also in favor of using reserves. Councilmember Hays stated acquiring the property would provide the opportunity for future use. Mr. Miller stated at a future date he would bring a project to demolish the buildings that will not be used in the future and create parking for the future City Hall. Councilmember Sauer stated he was in favor of purchasing the properties with the reserves, and it would provide more space for city services. Councilmember Powell stated she was for moving forward with purchasing the properties with cash reserves. We may be spending more than $30 million to update City Hall. Mayor Nelson stated there have been many challenges the last three years working on this project. As downtown continues to grow the price tag will go up. Even though Proposition A failed, the needs at City Hall and the Civic Center still exists. She encouraged taking this small step giving future Councils the opportunity to move forward. She also was fine with using the reserves. Motion was made by Councilmember Powell to approve this motion for $4,745.00 plus closing costs, 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.

ITEM 3G and **ITEM 3H** where rendered moot.

ITEM 3I: Mayor Nelson presented this item. This item was presented by Kevin Carter, President and CEO. Parties include City of Amarillo and NexCore Group, LLC, Physician Reliance, LLC (together, "Recipient") and Parkwest Corporate Center, Ltd. Mr. Carter stated McKesson is considering constructing a new Regional Cancer Treatment Center in Amarillo, in addition to the current facility. This center would bring in around 48,000 patients annually from Texas, New Mexico, Oklahoma & Kansas. Ten to fifteen percent traveling from outside of Texas and forty-five from outside of the Amarillo MSA. McKesson is considering two investment opportunities – the Amarillo facility or a completely different facility in Central Ohio, requiring the same amount of capital. Highlights of the project include:

- Construction of a new 50,000 square foot facility on 4.85 acres located in the Point West Development.
- 27 new employees projected and nine (9) transferring from current location
- $3,300,000 new payroll projected
- $32,900,000 in Capital Expenditure

AEDC is asking the City Council to approve an abatement of future taxes on the construction and equipment upgrades. The City Incentive Guidelines adopted in 2019 qualify the project for 60% for a 6-year period on the new construction and equipment. Motion was made by Councilmember Powell, seconded by Councilmember Smith that the following item be approved as presented.

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 3J: Mayor Nelson stated there were several appointments needed for boards and commissions:

Motion was made by Councilmember Powell to reappoint Warren Coble and Brian McCullough to the Advisory Committee for People with Disabilities, seconded by Councilmember Hays.

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 Hays to appoint Melissa Walker to the Advisory Committee for People with Disabilities, seconded by Councilmember Powell.

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 reappoint Cecil Brown to the Amarillo Economic Development Corporation Board of Directors, 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 Hays to reappoint Dr. Sam Bass and Eddie Boyd to the Amarillo Health Facilities Corporation, seconded by Councilmember Smith.

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 Smith to appoint Patrick Williams to replace Larry Day on the Amarillo Health Facilities Corporation, seconded by Councilmember Hays.

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 Smith to reappoint Patrick Williams on the Amarillo Hospital District Board of Managers, 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 Sauer to appoint Michelle Bonner to replace Sam

Lovelady on the Amarillo Hospital District Board of Managers, seconded by Councilmember Hays.

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 reappoint Michael Haning and Paul Matney on the Amarillo Local Government Corporation, seconded by Councilmember Smith.

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 reappoint Tod Mayfield on the Amarillo-Potter Events Venue District Board of Directors, seconded by Councilmember Smith.

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 Smith to reappoint Eddy Sauer on the Beautification and Public Arts Advisory Board, seconded by Councilmember Hays.

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 reappoint Sterling McKinney, Rhonda Dittfurth, Jason Boyett, Andi Wardlaw, Denise Chesnut and Kelley Sims on the Beautification and Public Arts Advisory Board. Councilmember Powell rescinded her motion.

Councilmember Hays stated the staggering of terms would help this board to allow for more contributors. Councilmember Sauer there were two unexpired terms filled during the year.

Motion was made by Councilmember Sauer to reappoint Sterling McKinney (2-year term), Rhonda Dittfurth (1-year term), Jason Boyett (3-year term), Andi Wardlaw (3-year term), Denise Chesnut (2-year term) on the Beautification and Public Arts Advisory Board, seconded by Councilmember Smith.

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 Sauer to appoint Stephanie Jung to replace Kelley Sims on the Beautification and Public Arts Advisory Board, seconded by Councilmember Powell.

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 reappoint Austin Sharp to the Center City Tax Increment Reinvestment Zone #1, seconded by Councilmember Smith.

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 reappoint Jinger White and Mildred Darton to the Community Development Advisory Committee, seconded by Councilmember Hays.

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 appoint Amanda Holcomb to replace David Chapman to the Community Development Advisory Committee, seconded by Councilmember Hays.

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.

Councilmember Hays inquired as to the duties and responsibilities of the Condemnation Appeals Commission. Mr. Hartman stated the prerequisite was to be on the Construction Advisory and Appeals Commission. He further stated they meet as the properties are ready for consideration.

Motion was made by Councilmember Powell to reappoint Joel Favela, Jr., Richard Constancio, James Banes and Tom Roller to the Condemnation Appeals Commission, seconded by Councilmember Smith.

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.

Mr. Hartman stated the Construction Advisory and Appeals Commission provides an avenue where there is latitude on design site plans and setbacks. The public can appeal and this board also hears the appeals for variances and waivers.

Motion was made by Councilmember Powell to reappoint Frank Wilburn to the Construction Advisory and Appeals Commission, seconded by Councilmember Smith.

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 Sauer to appoint Robert Martin to replace Jeff Neeley to the Construction Advisory and Appeals Commission, seconded by Councilmember Hays.

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.

Councilmember Hays stated that Mr. Reed had indicated that he would consider being reappointed to another board.

Motion was made by Councilmember Powell to reappoint Jashmin Patel to the East Gateway Tax Increment Reinvestment Zone Number Two Board of Directors, 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 appoint Tracy Shea to replace Chris Reed on the East Gateway Tax Increment Reinvestment Zone Number Two Board of Directors, 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 reappoint Adam Shaer, John Zimmer, Howard Smith, David Moody, Roger Gloe, Tim Dillon and Blair Snow, ex-officio, on the Environmental Task Force, seconded by Councilmember Smith.

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.

Councilmember Smith stated at the last meeting this board was extended another two years.

Motion was made by Councilmember Hays to appoint Faithe Schwartzengraber to replace Michael Graham on the Environmental Task Force. Councilmember Hays moved to table this appointment, seconded by Councilmember Smith.

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 asked that this item be brought on a future agenda. Mr. Miller stated they will discuss the ordinance and any action needed to make this change and bring back

this Environmental Task Force appoint.

Motion was made by Councilmember Powell to reappoint Seth Thomason on the Greenways Public Improvement District Advisory Board, seconded by Councilmember Smith.

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 appoint Tommy Staffford and Jeff Greenlee to replace Don Carthel and Page Butler on the Greenways Public Improvement District Advisory Board, seconded by Councilmember Hays.

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 appoint Bruce Fielder to replace Kenneth Bates on the Library Advisory Board, seconded by Councilmember Smith.

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 Mayor Nelson to appoint Howard Rodriguez Mori to fill a vacancy on the Library Advisory Board, 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 reappoint Terry Price and Luke Austin on the Parks and Recreation Board, seconded by Councilmember Smith.

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.

Councilmember Hays inquired why there were so many vacancies. Mr. Kashuba stated one park board member moved out of the area, and the other had health issues. The other three board members stated their workload would not allow them to continue serving.

Motion was made by Councilmember Hays to appoint Jeff Brain to fill one of the vacancies on the Parks and Recreation Board, 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 Sauer to appoint Eric Hunter to fill one of the vacancies on the Parks and Recreation Board, seconded by Councilmember Hays.

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.

Mr. Miller stated in other cities the Beautification or Public Arts Boards also serve on the Parks and Recreation Board. Councilmember Hays stated it would be a good move and helpful to appoint a Councilmember to the Parks and Recreation Board. She stated she would be interested in hearing more information on combining this Board. Councilmember Sauer expressed he would like to hold off until the Beautification Board is complete, and in place before folding the two committees into one.

Motion was made by Mayor Nelson to appoint Councilmember Elaine Hays on the Parks and Recreation Board, seconded by Councilmember Powell.

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 Mayor Nelson to appoint Jonathan Grammer to replace Gerald Maulkuch on the Parks and Recreation Board, 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 Hays to table the other two appointments until they have further discussion, 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 reappoint Cleve Turner, Marc Franklin and Wendell Davies to the Pinnacle Public Improvement District Advisory Board, 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 reappoint Rob Parker and Royce Gooch on the Planning and Zoning Commission, seconded by Councilmember Hays.

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 Mayor Nelson to appoint Fredrick J. Griffin to replace Bowden Jones on the Planning and Zoning Commission, seconded by Councilmember Smith.

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 Sauer to appoint Renee Whitaker to replace Jonathan Morris on the Planning and Zoning Commission, seconded by Councilmember Hays

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 reappoint Dick Fausset to the Point West Public Improvement District Advisory Board, seconded by Councilmember Smith.

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 reappoint Kevin Carter to the Ports-to-Plains Board of Directors, seconded by Councilmember Smith.

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.

Councilmember Hays asked for Mr. Carter to provide an update on a future agenda.

Motion was made by Councilmember Powell to reappoint Linda Brian and Jerry Williams to the Texas Panhandle Centers, 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 reappoint Scottie South, Charlie Graham and Jimmy Muncy to the Traffic Advisory Board, seconded by Councilmember Hays.

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.

Mr. Hartman explained four ZBA members were up for reappointments which are voting members and one alternate. The alternates are promoted to voting members when a vacancy occurs.

Councilmember Hays pointed out that Mr. Davis and Mr. Rhynehart have been serving

since 2013.

Mr. Hartman suggested moving Mr. Patel up next year but reappoint the four this year.

Motion was made by Councilmember Powell to reappoint Paul French, Craig Davis, Chris Rhynehart, Cory Mathis on the Zoning Board of Adjustment, seconded by Councilmember Smith.

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 appoint Tim Dillon as an alternate to replace Jackie Payne on the Zoning Board of Adjustment, seconded by Councilmember Smith. Councilmember Powell amended her motion to include reappointment of Johnnie O'Dell as an alternate on the Zoning Board of Adjustment, seconded by Councilmember Smith.

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: Mr. McWilliams advised at 5:00 p.m. that the City Council would convene in Executive Session per Texas Government Code: 1) Section 551.087 – Deliberation regarding economic development negotiations; discussion of commercial or financial information received from an existing business or business prospect with which the city is negotiating for the location or retention of a facility, or for incentives the city is willing to extend, or financial information submitted by the same: Discussion regarding commercial or financial information received from a business prospect and/or to deliberate the offer of a financial or other incentive to a business prospect: Project # 20-06-04 (Healthcare); and Project # 20-08-05 (Transportation and Warehousing).

Mr. McWilliams announced that the Executive Session was adjourned at 5:45 p.m. and recessed the regular meeting.

ATTEST:

Frances Hibbs, City Secretary

Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 20th day of November 2020, the Amarillo City Council met at 3:00 p.m. for a special meeting held via conference and in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

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

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

JARED MILLER	CITY MANAGER
KEVIN STARBUCK	DEPUTY CITY MANAGER
FLOYD HARTMAN	ASSISTANT CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	CITY SECRETARY

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

Mr. Miller stated many people have been asking for something more effective to stop the rising COVID statistics. An internal task force landed on utilizing the Texas Health Code, Section 341.011 to curve or reduce the hospitalization rates.

Anthony Spanel, Environmental Health Director, presented proposed Ordinance No. 7893, which addresses COVID-19 Pandemic Emergency Measures. This ordinance would only be in force when the city is operating in levels orange or red. He stated a warning would be issued and businesses will be allowed to correct any discrepancies, the last step would be enforcement. There has been no enforcement on any of the current protocols. The Environmental Health Department has provided education and on-site training to businesses. GA29 is currently not practicable to enforce. The City of Amarillo has reached out to many cities and the Attorney General to see how they are handling COVID, and the effectiveness of this type of ordinance. This ordinance would only apply to businesses in the City of Amarillo. He stated they are asking for effort and for businesses to try their very best at the minimum standards.

Councilmember Smith inquired if the cities listed gave them the possibility to fine businesses, individuals, or both. Mr. Spanel replied that most municipalities are doing it as a business approach. Councilmember Sauer inquired if Council had the ability to put a timeline in the ordinance. Mr. Miller stated this ordinance would only be enforced when the city is operating in code orange or red. It could also be a date certain. Councilmember Smith inquired if other cities were educating the public. The rate of voluntary compliance has been astronomical. Mayor Nelson inquired why governmental offices were excluded. Mr. Spanel replied this ordinance is based on the Health and Safety Code, and government offices are exempt from state statutes. Mayor Nelson inquired if wearing masks was enforceable. Mr. McWilliams stated in GA29 there are legal hurdles, and operational perimeters that limit the ability to enforce masks wearing.

NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson presented the first reading of an ordinance considering an ordinance declaring a site that fails to meet certain minimum standards designed to prevent the transmission of COVID-19 as a public nuisance. This item was presented by Jared Miller, City Manager. Mayor Nelson opened a public hearing. Cheryle Cooper, stated any ordinance against patrons, fines and citations are evil and not enforceable by law. All the Governor's orders are null and void. She stated Council should be ashamed. The COVID guidelines are unconstitutional, unethical and force

healthy people to be spreaders. It impinges people rights to move freely, religions freedoms, natural law and the need to follow in faith and not in fear. Whit Walker, M.D., 4015 Pinehurst Drive, stated he has cared for patients who have died from COVID. This disease is stopped by wearing masks. He compared the rate of deaths to World War II. He encouraged wearing masks and passing this ordinance. Logan Grimm, 6802 Zapata Lane, stated this was a voluntary compliance, and it would be very hard to enforce. This ordinance would issue compliance under threat and that is why they would comply. He stated there needed to be a set of standards for control. Control is not the American way, people's choices should be left to the people. Connie Danner, 1521 South Fannin Street, stated she was a small business owner and enforcement is asking businesses to violate HIPPA. A citation would be unlawful and useless and not fair to any business in town. She encouraged Council to vote no. Mike Fisher, 4410 Van Kriston Drive, stated he was told El Paso COVID patients are being sent to Amarillo. He stated they cannot fine businesses. He also inquired about the definition of enforcement. Claudette Smith, 7606 Cervin Drive, stated that Governor Abbott's orders are not law, and are not constitutional. Private citizens or business owners are being asked to enforce this ordinance. GA32 states a fine cannot exceed $1,000. This would be a costly resource that the city does not have. It puts the city in a vulnerable position. It is unequal and unfair treatment, and additional lawsuits will be filed. It exposes private businesses. Rosie Powell, 1727 Jennifer Drive, stated she understands each side, but her heart goes out in favor of the ordinance for health reasons. Jennifer Tucker, stated she was against the measure putting business owners against their clients and customers. She further stated each of us has authority and choice. Rick Bickle, stated it was false information and that masks are not working.

Councilmember Sauer asked for clarification on the 5% active cases requiring hospitalization. Councilmember Hays inquired about the patients residences. Ms. Stoughton stated most hospitalized residents are local because the hospitals are full and they not able to do transfers. Councilmember Hays inquired if the hospitals were accepting transfers from El Paso. Ms. Stoughton replied they have not received transfers from El Paso. Councilmember Hays asked for an accurate percentage on patients. Mayor Nelson stated the majority of residents are from Potter and Randall Counties.

Victoria _____ stated she was embarrassed and it was an insult to all of us. Josh Knapp, thanked the Council and Mayor. He stated there has been a lot of lives lost in Texas and in the Panhandle. This virus should be taken very seriously. He inquired if Council has considered compliance costs, and asked if businesses would have a choice. Michael Ford, stated this City Council meeting was not posted as a emergency meeting, and therefore the ordinance cannot be approved on first reading. Mr. McWilliams replied the City Charter allows for an ordinance to be passed on an emergency measure. Mr. Ford stated he was upset that he has two minutes to discuss a six page ordinance which was released one hour before the meeting. He further stated the public has been told to wear masks and they are high touch items themselves. April Demil, stated she was against this ordinance because it will hurt small businesses. She stated the people she knows that have had COVID have had very little symptoms. Henry Moses, stated masks are not helping this virus. Dr. Assadourian, supported the Council on mandating wearing masks. He stated this pandemic has a rapid surge and citizens are getting infected in unprecedented numbers. In-patients have been restricted and patients are getting placed on waiting list and some have succumbed while waiting. Overall, the mortality rate will rise and become more evident. While waiting for a vaccine there is a need to stop the loss of life and educate citizens. Dr. Dan Hendicks, stated hospitals are filled to capacity. The education and appeals to individuals have failed as evidenced by the rates. He encouraged Council to vote for this ordinance. Sara Hogan, thanked Council for everything they are doing, for the city, and the healthcare workers. She is wearing a mask and doing what is best for everyone that is around her. Putting this ordinance in place would be helpful. There are a lot of options for people who do not want to wear a mask. Andee Barnett, stated she was a registered nurse who does not currently work in healthcare. She stated her nurse friends are exhausted. James Schenck, 6216 Gainsborough Road stated the need to be careful about an overreach. He stated masks are being worn. Some small businesses have not been able to open. He inquired if GA29 allowed people with disabilities to have to wear masks. Kit Rudd, 6850 Grande Drive, stated his daughter is a nurse in ICU. He stated he doesn't wear a mask. He stated this ordinance crosses the line, and the City will have a hard time taking it back. The virus is very serious but fining businesses that don't enforce the mandate is wrong. Kelsey ___, stated she reiterated what people have all ready said.

The majority of the people are abiding, but it is unconstitutional. She inquired why there was a rise in the number of flu and strep cases. She further stated much like crib deaths, Rebreath disease can be caused from wearing a mask. Wearing masks may cause acne because of the bacteria on the skin, and not wearing them correctly. Christy ____, stated it was unconstitutional and she was against mask wearing. She stated it was wrong to be telling people they have to do something. She inquired how people would build immunity. She further asked Council to stop putting extra ordinances on businesses to make them fail. Rebecca _____, stated nothing about this ordinance is okay. She stated there have been a lot of illusions about good studies. The ordinance could increase polarization by putting businesses against their patrons. She stated the hospitals were bringing in patients from other cities, the patients are not all from Potter and Randall Counties. Todd S., stated this ordinance would be passing the buck to small businesses to try to get them to enforce mask wearing. He stated he was totally against this ordinance. Hanna Brinson, encouraged Council to do something and to stop waiting on the Governor or President to act. The death toll is too high. Children in school wear masks why not adults, too. Tammy Tabor, stated as a community we have not taken every precaution. The effects on our healthcare are devastating. Frances Montgomery, stated she was a small business owner and would prefer Council vote this ordinance down because it was an over reach and abuse of power. It would be detrimental to the businesses. Randy _____, stated the City wants businesses to come to Amarillo, this would discourage people wanting to open and run a business. Wearing masks does not build immunity. He stated he will not shop in Amarillo if this ordinance passes. He also stated he believed kids in schools should not have to wear masks. Ethan _____, stated that most people calling in are not licensed medical professionals. This is not political this is a pandemic. This is a matter of life and death. It has already taken too many people's lives. Fritz Danner, commented on Dr. Assadourian's comments. He stated healthcare workers are getting COVID. They are the very workers that should be the most careful and protected. He stated precautions are taken and masks wearing is not preventing the healthcare workers from getting the illness and demonstrates the ineffectiveness of masks. Justin ___, stated he practices at a hospital in Spearman. He stated the last 8-9 transfers have been moved to other cities, Dallas, Midland, etc. BSA and NWTH are full, what used to take 10-15 minutes to secure a bed now takes hours. This displaces both patients and families.

Signed up but did not appear: Rachel Basinger, 3517 South Lamar Street, Dan Hendrick, Norma Burney, 1016 South Georgia Street, Deborah Welch, Cara Hendricks, Richard Herman, Smajo Beckanovic, Gracy Taylor, Dallas Arnold, Jimmy Campbell, Shelly Mixon, Shawn Tucker, Reba Russell, and Christie Schrader.

There were further no comments. Mayor Nelson closed the public hearing. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7893

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AN ORDINANCE DECLARING A SITE THAT FAILS TO MEET CERTAIN STANDARDS DESIGNED TO PREVENT THE TRANSMISSION OF COVID-19 AS A PUBLIC NUSIANCE; AUTHORIZING CIVIL AND CRIMINAL ENFORCEMENT; AND DECLARING AN EMERGENCY MEASURE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Councilmember Sauer would like to discuss the length and timing of this ordinance. He stated setting it at red and orange is too long. He stated a definitive date would be better. Mr. Spanel discussed the contents of the ordinance. Councilmember Hays stated she would be against this ordinance because it was impossible for businesses to control. She further stated this ordinance makes the assumption that people aren't wearing masks, the vast majority are wearing them. Dr. Milton stated he believed with extra precautions more people may feel safer. Mr. McWilliams stated he expected a metric may encapsulate the Council's desires. Ms. Stoughton stated level red is the most critical but at level orange they need to be proactive and not reactive. She stated the need to have protective measures in place so we don't slip back into level red. Mayor Nelson stated hospitals are in a desperate situation and there is no easy option. The only reason this is being considered is because we are breaking records with the number of patients at the hospitals. She would like the ordinance to be as narrow as

possible. Councilmember Sauer stated he liked the 15% metric and he was willing to have this conversation again. He also inquired how this ordinance would be taken out of the books. Mr. McWilliams stated it would not be in our municipal code, it is a temporary thing, to attack the problem in an efficient way. Ms. Stougton stated as the vaccine is rolled out it will be done in phases. The timelines are between July and October before they are available to the general public. Dr. Milton stated it falls back to public health measures, which is mask wearing and social distancing. Ms. Stoughton stated the hospital workers are exhausted. It is critical to have a bed for someone at the hospital when someone gets sick. Councilmember Hays stated that Council is incredibly appreciative of our healthcare workers.

Motion was amended by Councilmember Powell to reflect the seven-day metric of 15% from orange to 15% hospitalization rate based on the Governor's standards. The motion was seconded by Councilmember Sauer.

Councilmember Powell stated she has listened with her ears and heart. She stated it was her responsibility to think about the majority of the citizens. All citizens have to be responsible, increase compliance, businesses and patrons need to be responsible. The medical professionals know more about this virus. Councilmember Hays spoke about the ordinance being temporary. She stated it was government over reach and has no end in sight. Mayor Nelson stated she feels the burden on the hospitals. She stated it would be short-term. Councilmember Sauer stated when the city sheltered-in-place the numbers went down. Dr. Milton stated the virus is in control, and we need to take measures to get that under control by wearing masks. Councilmember Hays replied this is not a discussion about masks, this ordinance is about putting the responsibility of wearing masks on businesses. Dr. Milton stated our country in 1918 went through a pandemic. Those who kept social distance had less loss of life. Councilmember Smith stated it was a difficult situation. Several people say it would be an infringement on their freedoms, but many freedoms are limited. Ms. Stoughton presented public health measures that have been proven to work. Mayor Nelson inquired about the minimum standards definition. She asked for the language to reflect the Governor's orders. Councilmember Hays thanked Casie Stoughton for the statistics. She stated this ordinance was punishing the business owners and they were being held responsible. She stated she wants to reduce and take the pressure off the hospitals, but she was in a disagreement with the method moving this burden to the businesses. Mayor Nelson thanked the community and everyone who called, texted and posted on Facebook. Our community has been more engaged to face this pandemic together. All the options are bad options, she stated she has been asking for months for people to voluntarily wear masks, increase their immune systems, and the need to continue having those conversations.

Councilmember Smith called the motion. Councilmember Hays stated the ordinance was threatening the businesses with enforcement. She stated it would be unconstitutional, maybe illegal, and she felt there are other methods that have not been utilized.

Voting AYE were Mayor Nelson, Councilmembers Powell, Smith and Sauer; voting NO was Councilmember Hays; the motion carried by a 4:1 vote of the Council.

The first motion as amended was called.

Voting AYE were Mayor Nelson, Councilmembers Powell, Smith and Sauer; voting NO was Councilmember Hays; the motion carried by a 4:1 vote of the Council.

Mayor Nelson closed the meeting.

ATTEST:

_____ _____

Frances Hibbs, City Secretary Ginger Nelson, Mayor

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On 23rd day of November 2020, the Amarillo City Council met at 11:00 a.m. for a special meeting held via conference and in the Council Chamber located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

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

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

JARED MILLER	CITY MANAGER
KEVIN STARBUCK	DEPUTY CITY MANAGER
FLOYD HARTMAN	ASSISTANT CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
STEPHANIE COGGINS	ASSISTANT TO THE CITY MANAGER
FRANCES HIBBS	CITY SECRETARY

Mayor Nelson asked for a moment of silence for the recent passing of Judge Ernie Houdashell.

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

PUBLIC ADDRESS:

Claudette Smith, 7606 Cervin Drive, stated the ordinance is potentially dangerous and has been reported to Texas Attorney General for review. She stated masks destroy businesses and the economy. Council should not be forcing business owners to be against their customers. She stated the consensus on Friday indicated the majority of the people were against this ordinance. She further stated local government was over-stepping their boundaries. Mike Fisher, 4410 Van Kriston Drive, stated Council does not care about citizens with COVID. Cheryle Cooper, stated she was firmly against the ordinance. She stated not one person had mentioned the survivability rate or building of the immune system. Patty Schniederjan, stated she agreed with Ms. Smith and Ms. Cooper. She stated they should not be forcing something against the will of the people and Council was taking advantage of their powers. Colin Cummins, stated if only half the employees in a business are wearing a mask he does not support the business. He is in support of this ordinance. Masks have shown to work but there is a need for a greater compliance. His business, Yellow Street Food has complied with the Governor's orders. Steve Pair, voiced his support of this ordinance. He stated the community comes together when things get tough. Now, healthcare needs our help and they are asking for the Council's assistance. Dr. William Biggs, 1215 South Coulter, Amarillo Medical Specialists, stated lives are in the balance on the decisions made today. There is an explosion of patients coming into the hospitals. The hospitals are going from bad to worse, and there is a need for ICU beds, and beds may not be available. Many patients will die or suffer. Until there is a vaccine we need to impose wearing masks because the next few months will be difficult. We can do better, pulling all of Amarillo together. He encouraged Council to mandate mask wearing and the wisdom to understand the need. Josh Knapp, 2 Cambridge Road, inquired why the fines were so high, and what if the business could not pay the fine. He stated he understood the gravity of the situation, but not the ordinance. He stated business owners have not been approached to help with compliance. He further stated the need to launch a campaign and placing of signs. He believed people want to help, but do not like interference and being forced to mandate. Michael Ford, inquired what version of the ordinance Council was considering. He stated he sent Council a seven page letter. He further stated wearing or not wearing a mask has never been conclusive that they will save lives. Tolk Persons, encouraged Council to pass this ordinance for health and safety reasons. He stated the ordinance was not a government overreach, and was no

different than other laws, requiring a business to enforce a rule. Randy _____, 7811 Tarter, stated by passing this ordinance it would damage businesses. A virus has overthrown our liberty. People should be free to choose how to conduct their lives. He further stated Council was unfit to rule. Dr. Reg Martin, stated he currently serves as the medical director. The community is currently seeing a massive increase in the number of positives cases for COVID. The ICU rooms and every ventilator are being used. Masks decrease the spread of airborne viruses. He encouraged passing of this ordinance. Take care of this community. Wearing a mask is a selfless thing an individual can do to effect this change. There were no further comments. Signed up but did not appear: Marcus Rogers, 16801 Dove Prairie Road, Ricky _____, Jimmy _____, Kit Rudd, 6850 Grande.

NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson presented the second and final reading of an ordinance declaring a site that fails to meet certain minimum standards designed to prevent the transmission of COVID-19 as a public nuisance. This item was presented by Jared Miller, City Manager.

Mr. McWilliams stated the Governor's mandate GA29 is for each person. This ordinance is for enforcement of State law which has been on the books for decades. It minimizes the transmission of this highly communicable disease. All persons have been asked to follow GA29 for months. This ordinance puts those measureable standards in place to minimize transmission. Mayor Nelson inquired how the fine amount was derived. Mr. McWilliams stated under Chapter 54.004, of the Local Government Code, a homerule city's fine, that does so is a safety matter, cannot exceed $2,000. Council is free to lower the fine. This just sets the maximum amount. Mayor Nelson inquired who sets the amount. Mr. McWilliams replied the amount would be set by a judge in court. Mayor Nelson inquired what would happen if a person could not pay the fine. Mr. McWilliams replied it would be handled the same as a traffic ticket, discussed in court, and there are numerous options for which to pay depending on the ability to pay. Motion was made that the following captioned ordinance be passed second and final reading by Councilmember Powell, seconded by Councilmember Sauer:

ORDINANCE NO. 7893

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AN ORDINANCE DECLARING A SITE THAT FAILS TO MEET CERTAIN STANDARDS DESIGNED TO PREVENT THE TRANSMISSION OF COVID-19 AS A PUBLIC NUSIANCE; AUTHORIZING CIVIL AND CRIMINAL ENFORCEMENT; AND DECLARING AN EMERGENCY MEASURE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Councilmember Hays stated she was trying to make the best possible decision. The goal of this ordinance is to increase compliance in hopes to reduce the number of cases, and reduce the strain on the hospitals. The first step is to raise awareness. The City has been dealing with COVID for many months, and we now have the citizens' attention, which we did not have before. She commented on the video the hospitals have prepared, and stated it is very effective and raises awareness on what is going on in our city. She is concerned this ordinance will increase resistance. She stated she supports wearing a mask and supports healthcare workers, but the ordinance misdirects and is punitive to businesses. Councilmember Powell stated the healthcare system is on the brink, and they have heard from medical professionals and they are not being able to take care of everyone. City Council is called to lead in this situation, more so than any other situation they have faced. Council needs to do all they can to limit the virus. They have pleaded with the citizens and some are still not all wearing masks. The City has lost more than 250 people, friends and neighbors to COVID. Wearing a mask is a small price to pay and it gives our healthcare workers a break. She further stated it is time to step up and lead. She also gave her condolences to Judge Houdashell's family. Councilmember Sauer stated this has been the toughest decision he has had to be a part of. He stated small businesses are important and they are the life of the community. The healthcare community has been ravaged. Mayor Nelson declared an emergency declaration on March 18, five days after Governor Abbott. He stated the need for help however it can be done. There is no intention of

punitive damages, but we are in desperate times and in need of desperate help. Each one of us can do more. We are at a critical crossroads. Councilmember Smith stated he agreed with Councilmember Sauer. He has spoke with a lot of people, and received a lot of emails, but his personal opinion has not changed since Friday. Every person has a right to vote their own conscious. We have an emergency, what we have been doing has not worked. Hopefully, the vaccines will be available soon, but it may take months, and there is a need to do something now. Mayor Nelson stated she also agreed with Councilmember Sauer. This is a crisis, and it needs immediate action from us. Staff has been having weekly press conferences, and they have been handing out signs since March. We have gotten the attention of the people, we know the problem is real and dire. This ordinance is all about helping the hospitals. Helping medical workers who have been working hard over the last eight months. It is difficult to ask businesses to do more than they have been doing, but this ordinance is asking businesses to post signs and ask people to wear masks. This ordinance is not asking businesses to enforce wearing a mask. There is a priority for your employees to be wearing masks. This ordinance comes out of the state statute. This ordinance will benefit hospital workers and each one of us will have access to healthcare, if needed. It was been brought up that this ordinance might be unconstitutional or illegal. Mr. McWilliams replied this ordinance is legal and constitutional, and has been utilized for decades before this pandemic to effectuate a possible contradiction having to do with diseases. It is within the bounds of homerule city powers. Mayor Nelson urged every citizen to help our hospital workers.

Mayor Nelson called for a vote on this motion

Voting AYE were Mayor Nelson, Councilmembers Powell, Smith and Sauer; voting NO was Councilmember Hays; the motion carried by a 4:1 vote of the Council.

Mayor Nelson closed the meeting.

ATTEST:

_____ _____

Frances Hibbs, City Secretary Ginger Nelson, Mayor

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Economic Development and Redevelopment

Department	Planning and Development Services	**Contact Person**	Andrew Freeman, Managing Director - Planning and Development Services

Agenda Caption

CONSIDERATIONOF ORDINANCE NO. 7892:

This item is a second and final reading to consider an ordinance expanding the current boundary and approving an amended final project and finance plan for Tax Increment Reinvestment Zone No. 2.

Agenda Item Summary

Over the past year, the TIRZ #2 Board has been researching the possibility of expanding the current boundary to encompass additional vacant and/or under developed land directly adjacent to the existing Zone. This was initially due to specific interest from developers, but went further to identify other property that meets the criteria to be included in a reinvestment zone. The main criteria met per Chapter 311 of the Tax Increment Financing Act is that the properties be predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the municipality.

The additional area to be considered would increase the Zone from 940 acres to 1,389 acres, or a difference of 449 acres. Over 1,000 acres of the Zone is identified as vacant undeveloped land.

The taxable base value for the zone would increase from $39,981,487 to $41,431,055 or a difference of $1,449,568.

The final project and finance plan has been amended to show an additional $30 million in possible commercial, industrial, and residential activity that may occur due to support from the TIRZ. Key goals were adjusted to add development of new residential units to help spur new retail development, and development of new commercial/industrial businesses in the area. It is also worth noting the plan has been revised to reflect the recreation and athletic facilities to be developed as either public or private.

Requested Action

Approve as presented

Funding Summary

N/A

Community Engagement Summary

This expansion and amendments were discussed during multiple TIRZ #2 Board meetings over the past year. The board is in favor of the expansion and also voted to approve the amendments to the final project and finance plan during their September 17, 2020 meeting. The item passed unanimously.

Staff Recommendation

Staff recommends approval as presented

11/4/20-mwn

ORDINANCE NO. 7892

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: EXPANDING THE CURRENT BOUNDARY AND APPROVING AN AMENDED FINAL PROJECT AND FINANCE PLAN FOR TAX INCREMENT REINVESTMENT ZONE NO. 2; APPROVING CITY PARTICIPATION IN THE EXPANDED AREA; PROVIDING RATIFICATION, SEVERABILITY, AND REPEALER; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Amarillo City Council (the "City Council") desires to continue promoting the process of development or redevelopment of a certain contiguous geographic area in the City of Amarillo (the "City"), which as described in Ordinance No. 7627, enacted on November 8, 2016, which created Tax Increment Reinvestment Zone #2 (the "Zone") in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, the City Council enacted Ordinance No. 7698, on December 12, 2017, which adopted the Final Project and Financing Plan (the "Plan"), modifying the Board's composition and project approval procedure, and agreement to participate in the Zone; and

WHEREAS, pursuant to Texas Tax Code, Section 311.007, the City Council now desires to expand the current boundary to include additional contiguous acreage to benefit the Zone, as identified by Exhibit A; and,

WHEREAS, notice of the public hearing to expand the boundary was published in a newspaper of general circulation in the City on November 9, 2020, which satisfies the requirement of Section 311.003(c) of the Texas Tax Code and that publication of the notice occurred not later than the seventh day before the date of the public hearing; and,

WHEREAS, pursuant to Texas Tax Code, Section 311.011, the board of directors for the Zone has prepared an amended "Plan" to incorporate changes related to the expanded boundary, which is attached to this ordinance as Exhibit B, and now submits same for approval by the governing body of the municipality which created the zone; and,

WHEREAS the City Council finds that the proposed amended Plan: (i) is as consistent as possible with the previous Plan approved by the Board and City Council; (ii) is feasible; (iii) conforms to the master plan of the municipality; and, (iv) finds that the amended Plan continues to meet all the findings of fact found in Section 1 of Ordinance No. 7627; and,

WHEREAS, on November 17, 2020 a public hearing was conducted by the City Council

on amending the boundary of the Zone and the Plan, and its benefits to the city and to property in the Zone, and afforded a reasonable opportunity for (i) all interested persons to speak for or against the creation of the Zone, its boundaries or the concept of tax increment financing (ii) owners of real property in the Zone to protest inclusion of their property in the Zone, as required by Sections311.003(c) and (d) of the Texas Tax Code;;

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

SECTION 1. That the amended boundary in Exhibit A and Amended Final Project and Finance Plan attached as Exhibit B be and hereby is approved and adopted for Tax Increment Reinvestment Zone #2, City of Amarillo, Texas.

SECTION 2. That the City hereby agrees to participate in the Zone's expanded boundary by depositing each year during the term of the Zone to the credit of the TIF Fund, beginning with the 2020 tax year an amount equal to 100% of the Tax Increment produced from the annual ad valorem tax rate levied by the participating entity on the Captured Appraised Value times Collection Rate, upon the same terms and conditions stated in the Participation Agreements with other participating entities, which are hereby incorporated by reference.

SECTION 3. That Ordinance No. 7698, Section 5, is hereby amended in part, to read as follows:

Section 5. Determination of Tax Increment Base

The Tax Increment Base for the Zone is $41,431,055 which is the sum of the original boundary's tax base of $39,981,487 as of January 1, 2016 and the additional acreage value of $1,449,568 as of October 1, 2020, which is the total appraised value of all taxable real property located in the reinvestment zone in the year of the Zone's original and amended designations.

SECTION 4. All other terms and provisions of Ordinance No. 7627 and Ordinance No. 7698 not specifically amended herein are hereby ratified and same shall remain in full force and effect as adopted on November 8, 2016 and December 12, 2017.

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

SECTION 6. 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 7. 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 17th day of November, 2020; and PASSED on Second and Final Reading the 8th day of December, 2020.

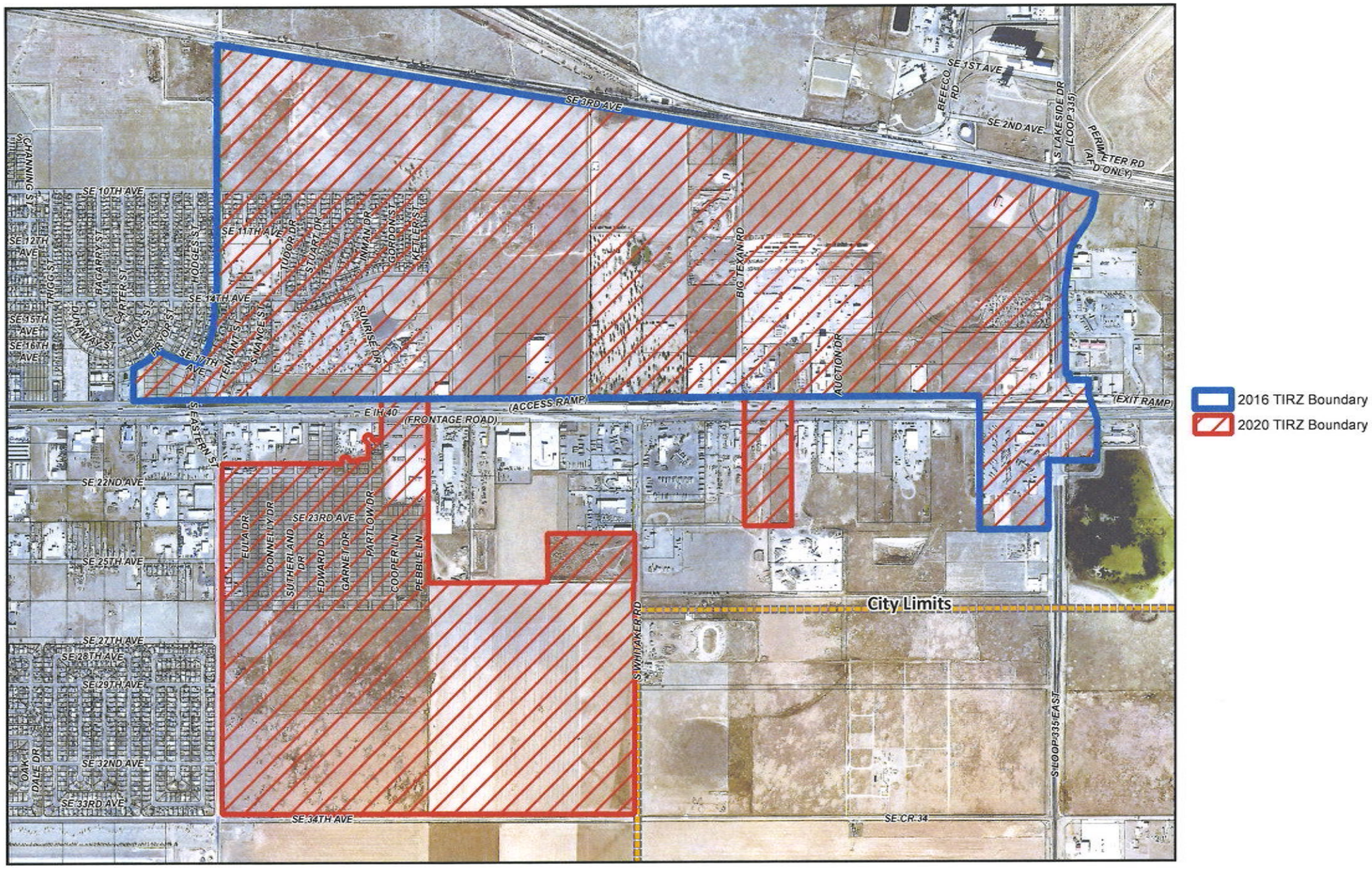
_____
Ginger Nelson, Mayor

ATTEST:

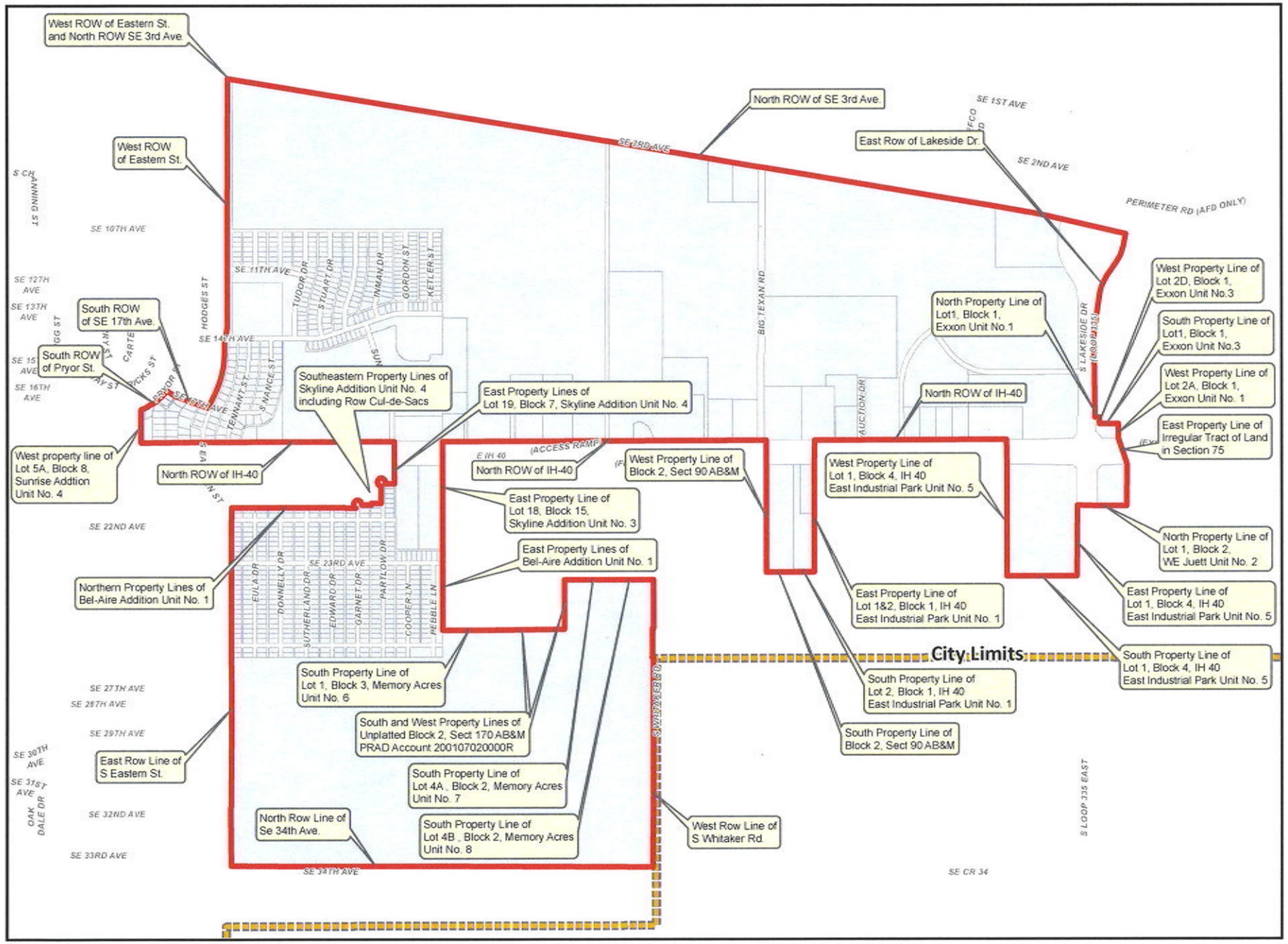
_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney


SE 3RD AVE
SE 1ST AVE
SE 2ND AVE
REEFCO RD
S LAKESIDE DR (LOOP 335)
PERIMETER RD (AFD ONLY)
CHANNING ST
SE 10TH AVE
SE 11TH AVE
SE 12TH AVE
SE 14TH AVE
SE 15TH AVE
SE 16TH AVE
SE 17TH AVE
TUDOR DR
STUART DR
NIMAN DR
GORDON ST
KETTLER ST
HODGES ST
TRIGG ST
FAGARR ST
CARTER ST
RICASS ST
DUNAWAY ST
PRYOR ST
TEMPLANT ST
SNANCE ST
SUNRISE DR
BIG TEXAN RD
AUCTION DR
E IH 40
(ACCESS RAMP)
(FRONTAGE ROAD)
(EXIT RAMP)
SEASTERN ST
SE 22ND AVE
SE 23RD AVE
SE 25TH AVE
SE 27TH AVE
SE 28TH AVE
SE 29TH AVE
SE 32ND AVE
SE 33RD AVE
SE 34TH AVE
OAK DR
DALE DR
EULA DR
DONNELLY DR
SUTHERLAND DR
EDWARD DR
GARNEY DR
PARTLOW DR
COOPER LN
PEBBLE LN
S WHITAKER RD
City Limits
SE CR 34
S LOOP 335 EAST
2016 TIRZ Boundary
2020 TIRZ Boundary

Boundary Description











TIRZ

TAX INCREMENT REINVESTMENT ZONE | EAST GATEWAY

East Gateway Tax Increment Reinvestment Zone
Final Project and Financing Plan
Amarillo, Texas

October 2020

Inserted new logo

Overview of the TIRZ and Project Objectives

The Interstate 40/Loop 335 intersection will one day represent a major gateway into the City of Amarillo. The area is currently blessed with major attractions and economic generators including the world-famous Big Texan Steakhouse and several truck service facilities. The area also however, is the site of numerous vacant tracts of land, closed businesses, blighted conditions, poor drainage, and undersized infrastructure. With the assistance of strategic public investments the area is poised for substantial private investment and economic growth. Opportunities include the relocation and expansion of the Big Texan Steakhouse, development of several limited service hotels, development of a full-service hotel and related recreation facilities, redevelopment of truck service facilities, redevelopment of a recreation vehicle park and introduction of a public or private competitive indoor athletic facility.

The East Gateway TIRZ as envisioned celebrates Amarillo's heritage as a place where travelers are introduced to the hospitality and opportunities of the Panhandle, where they are able to rest from their journey, enjoy a meal unlike any they have ever experienced and participate in unique recreation and entertainment opportunities. Through these activities and the economic growth associated with them, area residents will realize increased tax revenues, an attractive eastern gateway into Potter County and the City of Amarillo and new economic, recreation, and entertainment opportunities.

The objectives of the East Gateway TIRZ include:

Redevelopment of key economic generators –

Opportunities exist within the TIRZ to redevelop; the Big Texan Steakhouse, underperforming fueling stations into contemporary auto and truck service facilities, and an underperforming RV park into a modern high-quality RV park.

Introduction of new economic opportunities –

Opportunities exist within the TIRZ to introduce new residential, retail outlets, hotels, ~~and~~ restaurants, and commercial/industrial businesses where currently either vacant land or underperforming or closed businesses exist.

Introduction of new entertainment and recreation opportunities –

Opportunities exist within the TIRZ to introduce new public or private athletic facilities (indoor and outdoor) to accommodate competitive tournament play, new aquatic facilities, and new ~~entertainment~~ facilities geared toward family entertainment.

Address Infrastructure challenges –

Opportunities exist with the TIRZ to address several long-standing infrastructure challenges including reconstruction of the I40/Loop 335 intersection to enhance capacity, drainage of and through the area, wastewater collection capacity, increased water service, and completion of a collector and arterial street network.

Key Performance Measures for the TIRZ include:

Restaurant, Retail and Entertainment

It is projected that within the timeframe of the TIRZ there will be several new hotels, a number of new retail outlets, and new entertainment venues representing a projected $100 Million in new construction value.

Timing/Phasing:

It is projected development will occur as infrastructure (both public and private) is developed. The first phases of development will likely be those readily served by existing infrastructure or infrastructure that is readily expanded or constructed. These first phases are likely to include the construction of hotels fronting on the I40 access roads, the Big Texan Steakhouse relocation, and the relocation and redevelopment of the existing RV park. This first phase of development is likely to be followed by the construction of additional hotels (including a planned full-service hotel), retail outlets, entertainment venues, auto and truck fueling facilities, etc. This phase of development is dependent upon the completion of extensive public and private infrastructure and the development of a~~the~~ public or private recreation facility.

The public or private recreation facility is anticipated to be constructed between the first phase of development and the second phase as described earlier. AThe public version of the facility would~~will~~ not be constructed until the cash flow from the tax increment is sufficient to support debt service needed to construct the facility. The facility is critical to the success of the area by both meeting a local demand for additional recreation opportunities but also hosting regional tournaments thereby creating additional demand in the area for lodging, dining, and entertainment.

Implementation

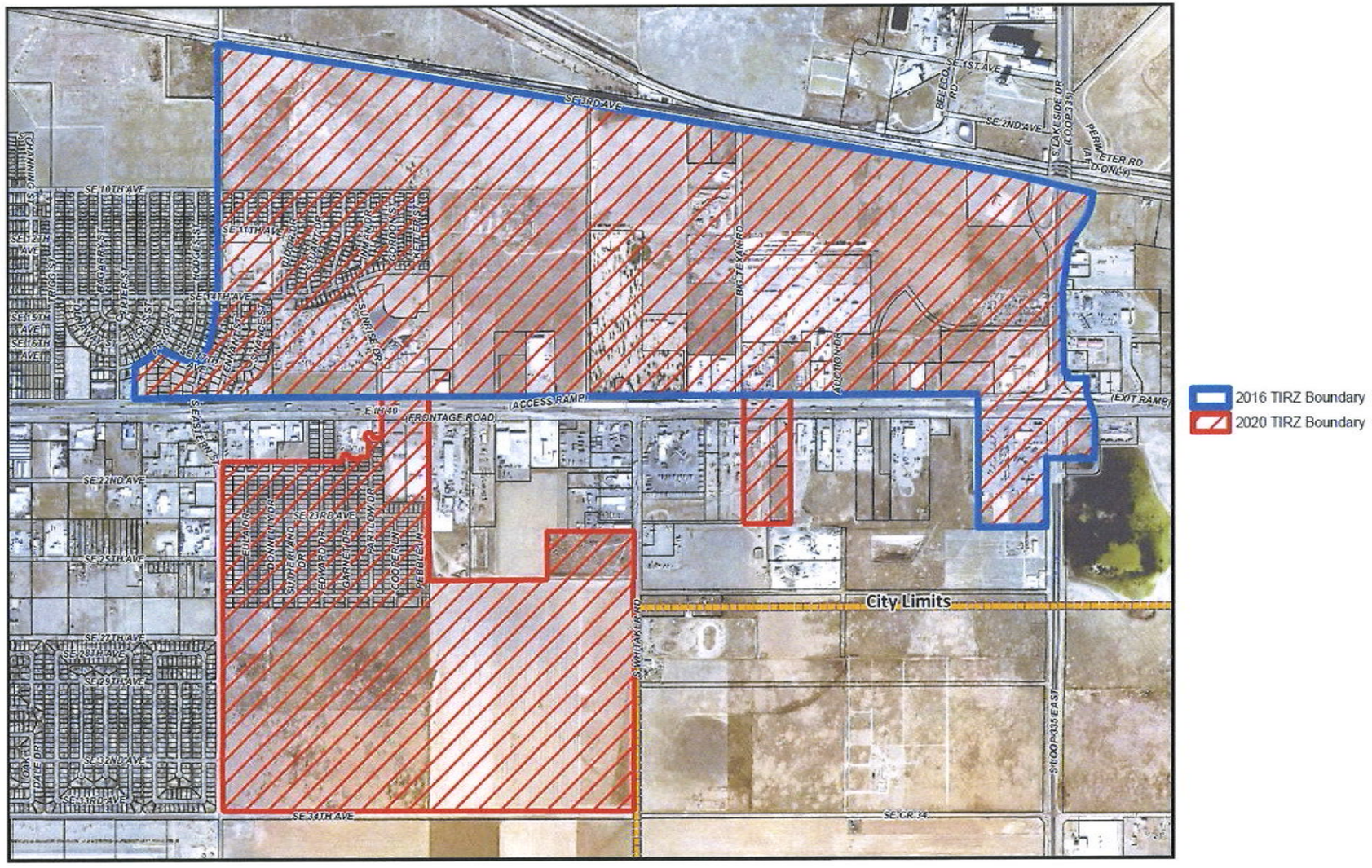
To realize the potential of the TIRZ area implementation of key public improvements are necessary and are noted in the following:

- Participation in 380 economic development agreements
- TxDOT I40/Loop 335 intersection construction
- City lift station and force main replacement and upgrade
- City water main extensions
- City participation in arterial and collector street construction
- City participation in street drainage construction
- Construction of an indoor athletic facility
- Aesthetic enhancements and landscaping of the primary gateway
- TIRZ related project costs per Section 311 of the Texas Tax Code

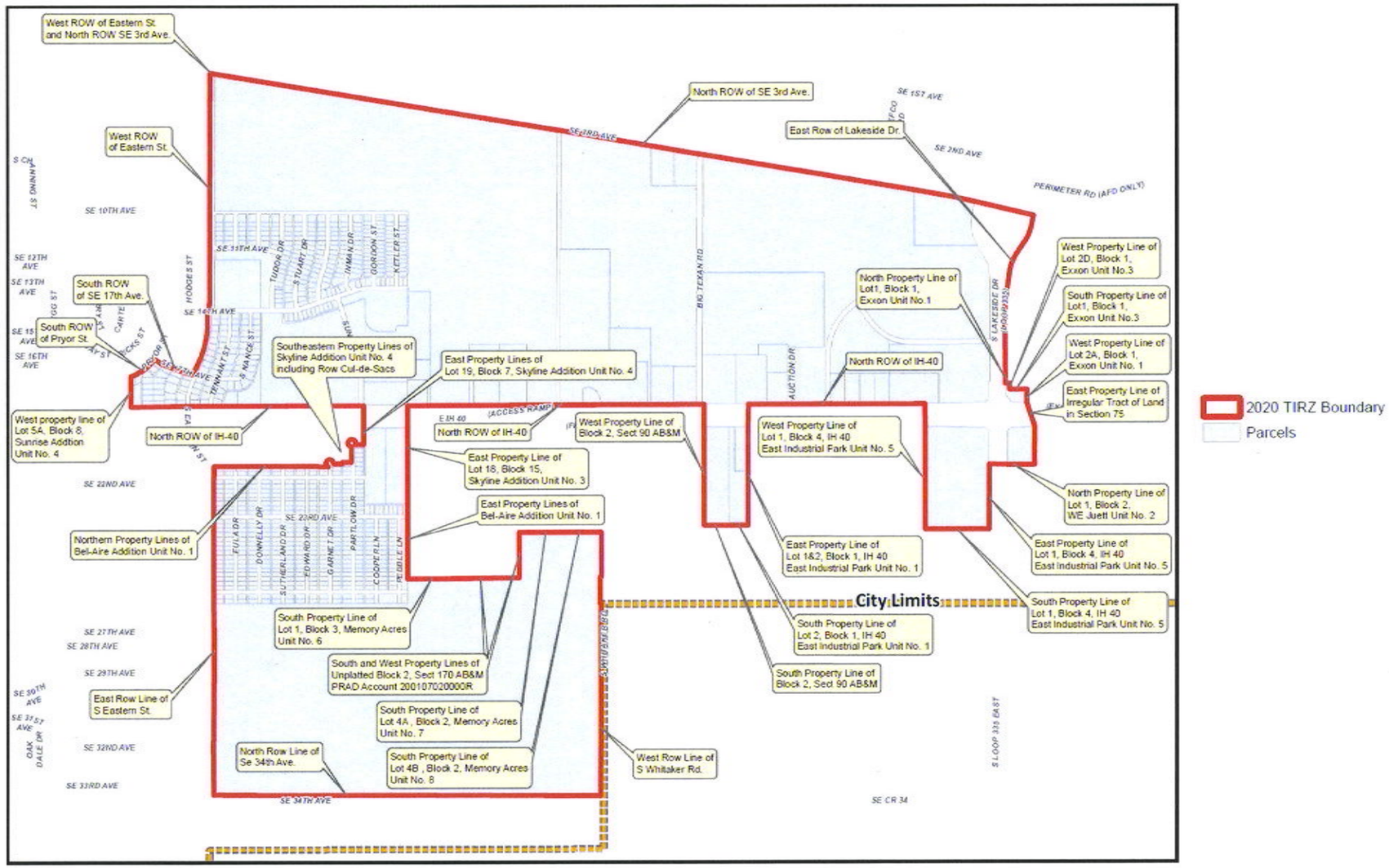
Total estimated costs of the above public initiatives to be financed by the proposed TIRZ:

- Projected TIRZ Revenue Available for Infrastructure Reimbursement - $10 Million
- Projected TIRZ Revenue Available for Public Athletic Facility Construction Debt Service - $22.4 Million (assumes $15 Million debt for 20 years at 3% interest rate)
- Projected TIRZ Revenue Available for Aesthetic and Landscaping Improvements - $2.2 Million
- Any TIRZ Revenues generated in excess of that projected would be used to continue to reimburse the City for Infrastructure expenditures

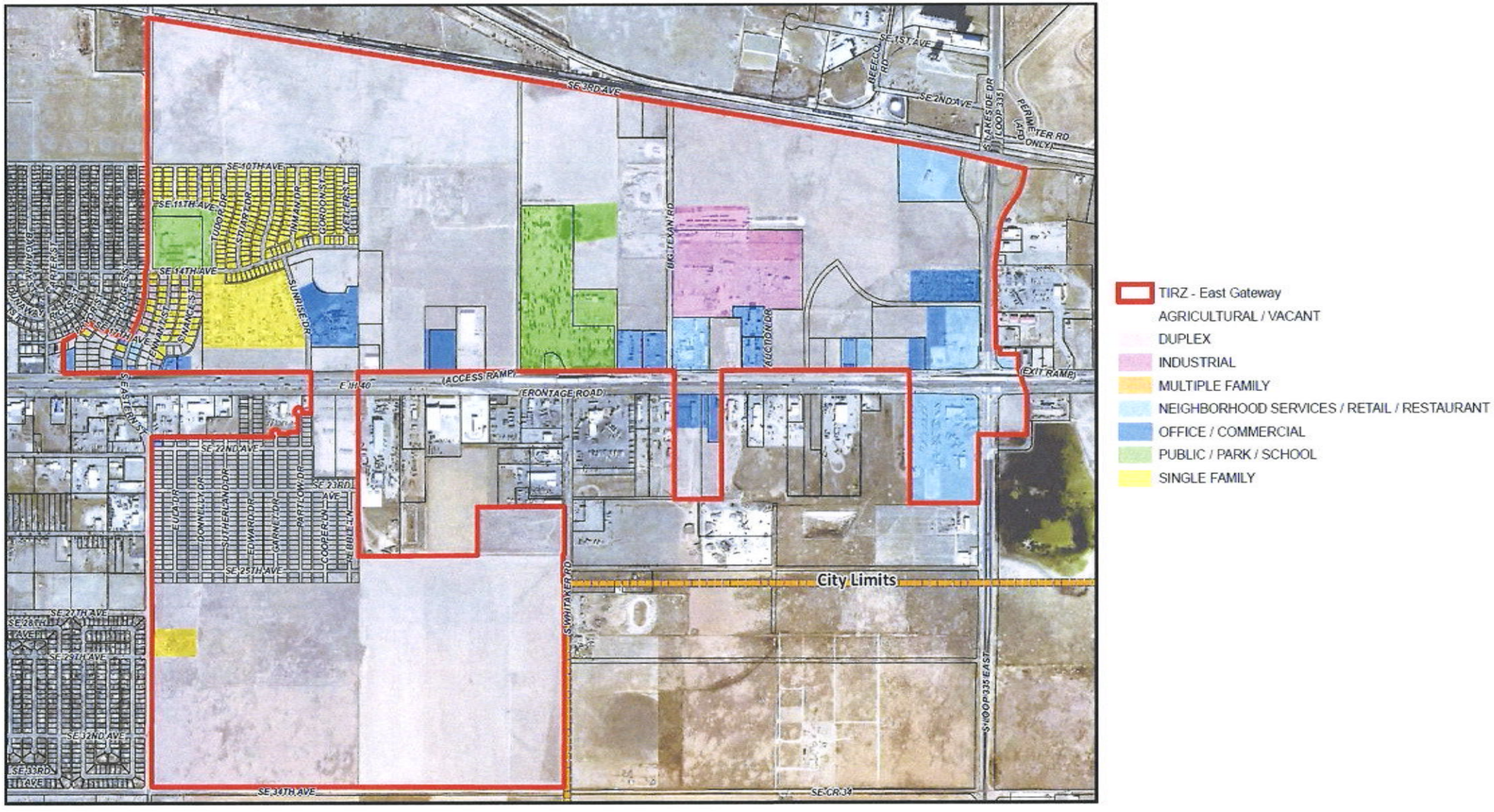
Comparison of 2016 and 2020 Boundaries Inserted new map



Boundary Description

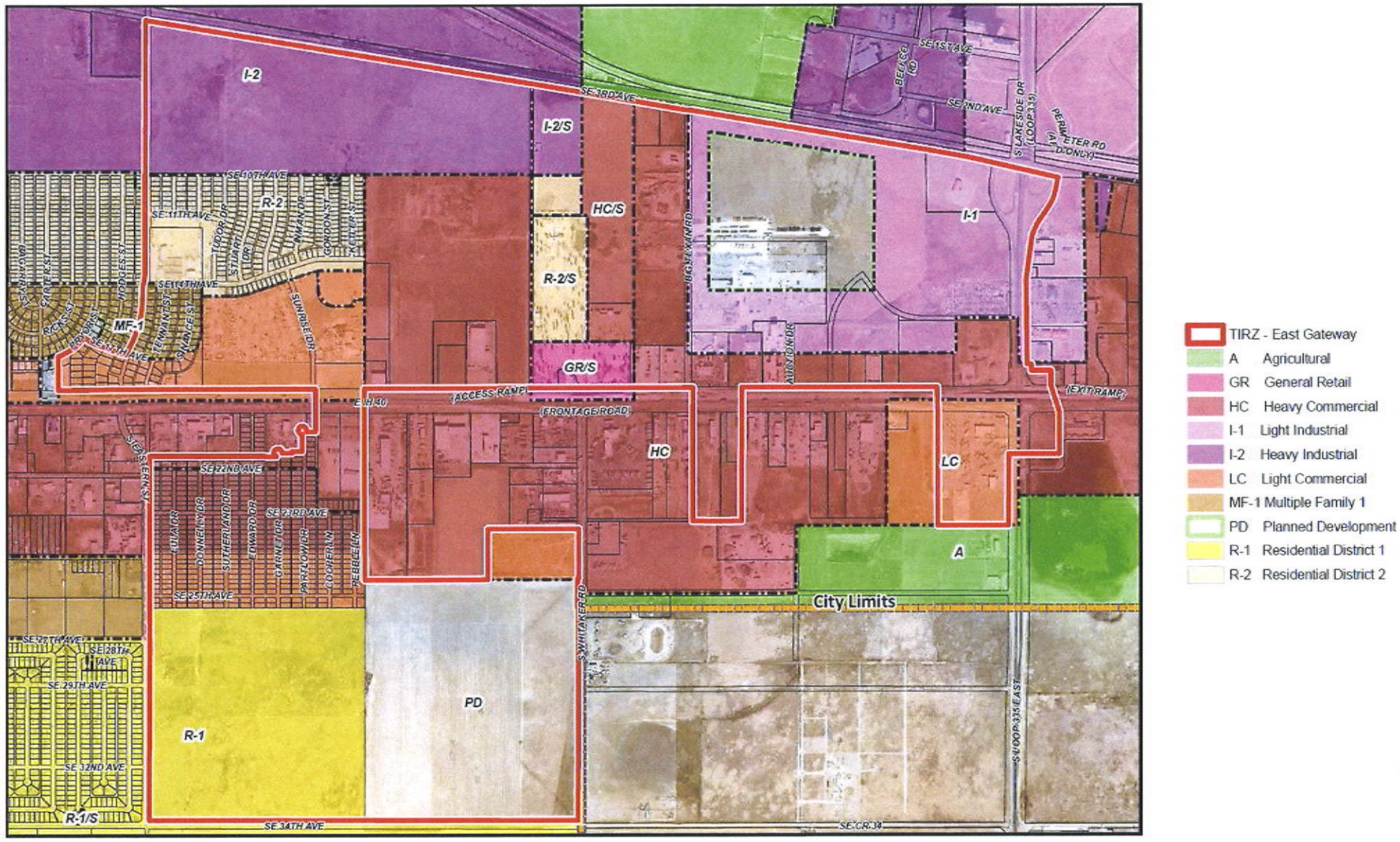


Existing Land Use

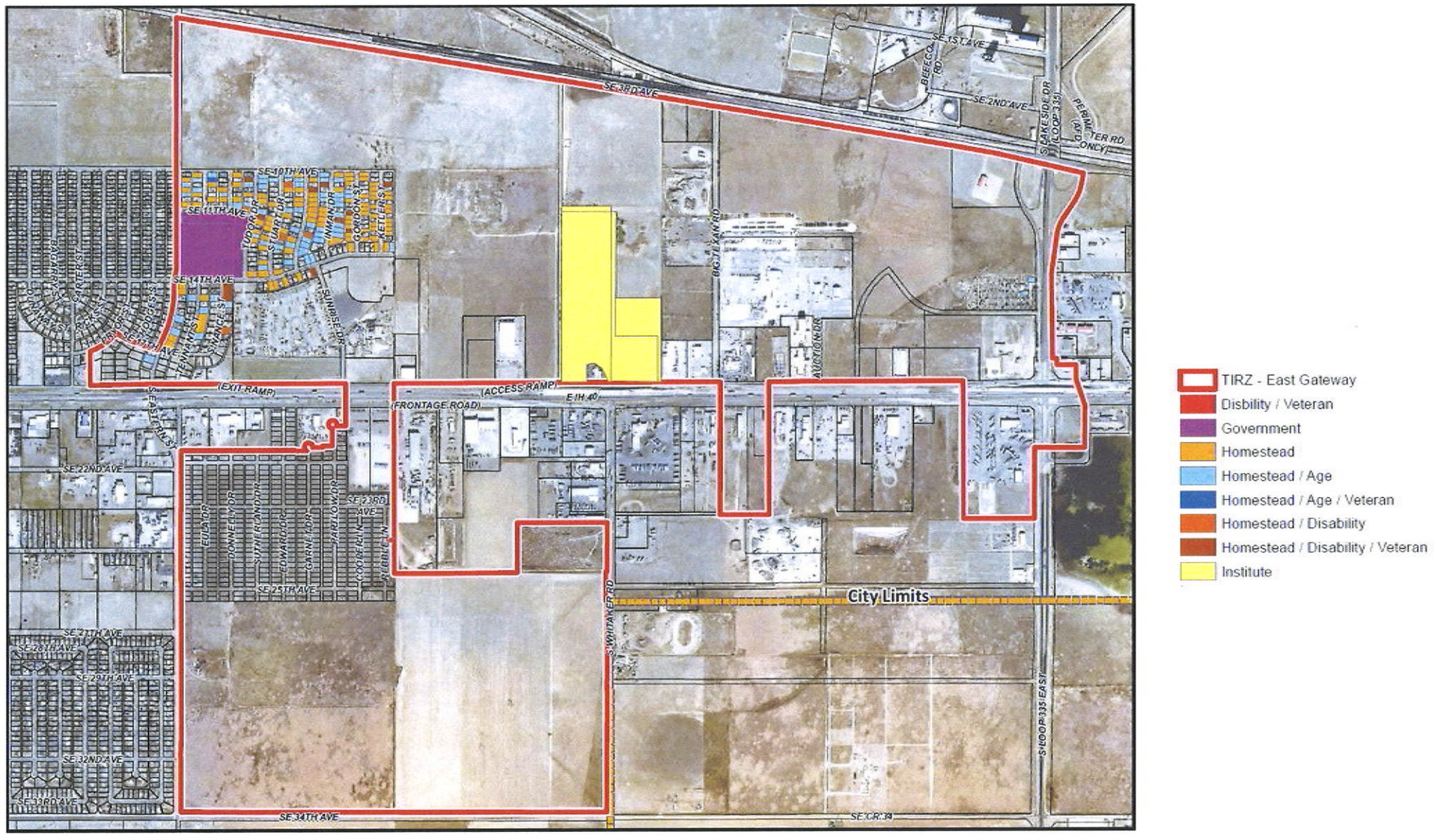


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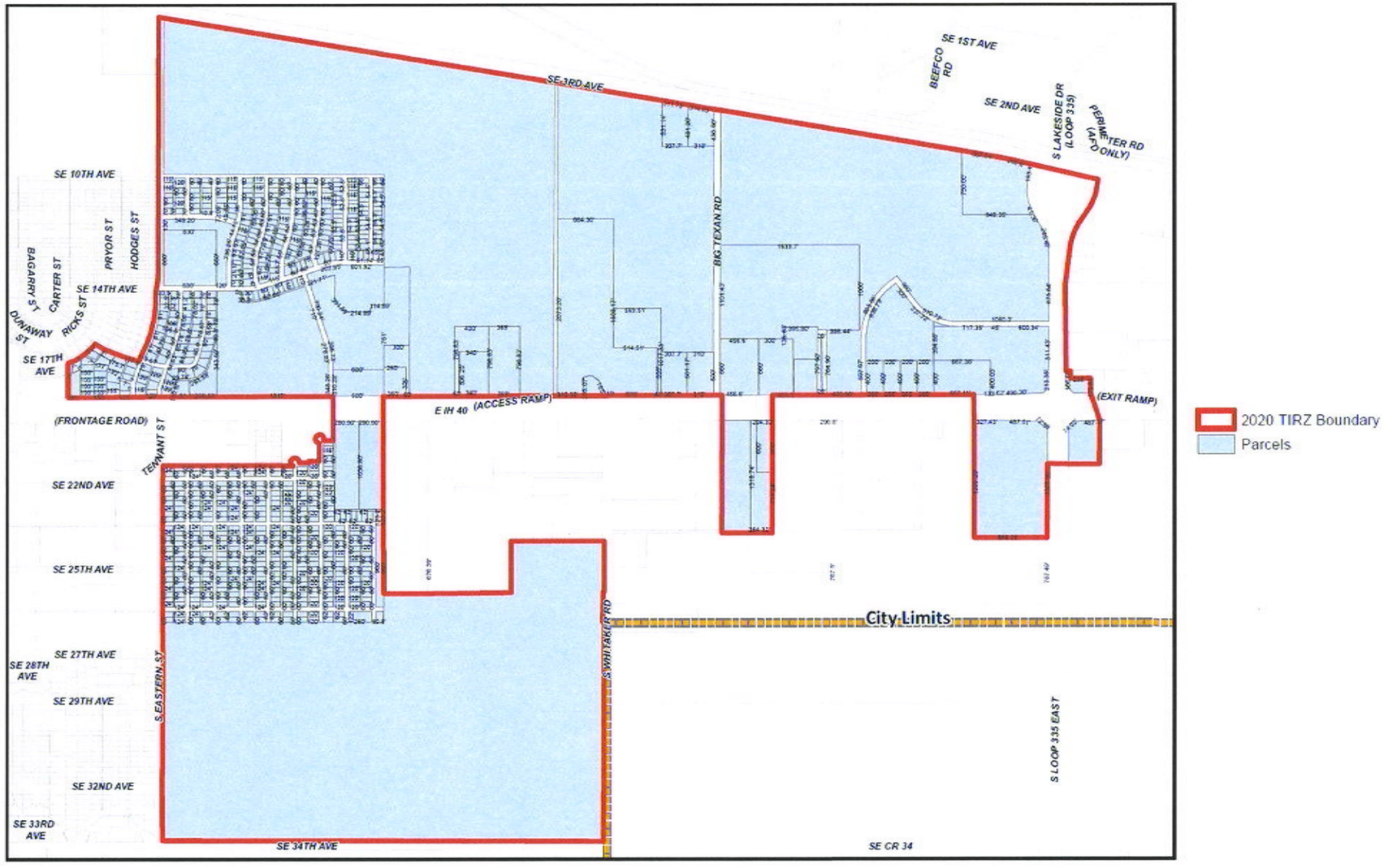
Existing Zoning



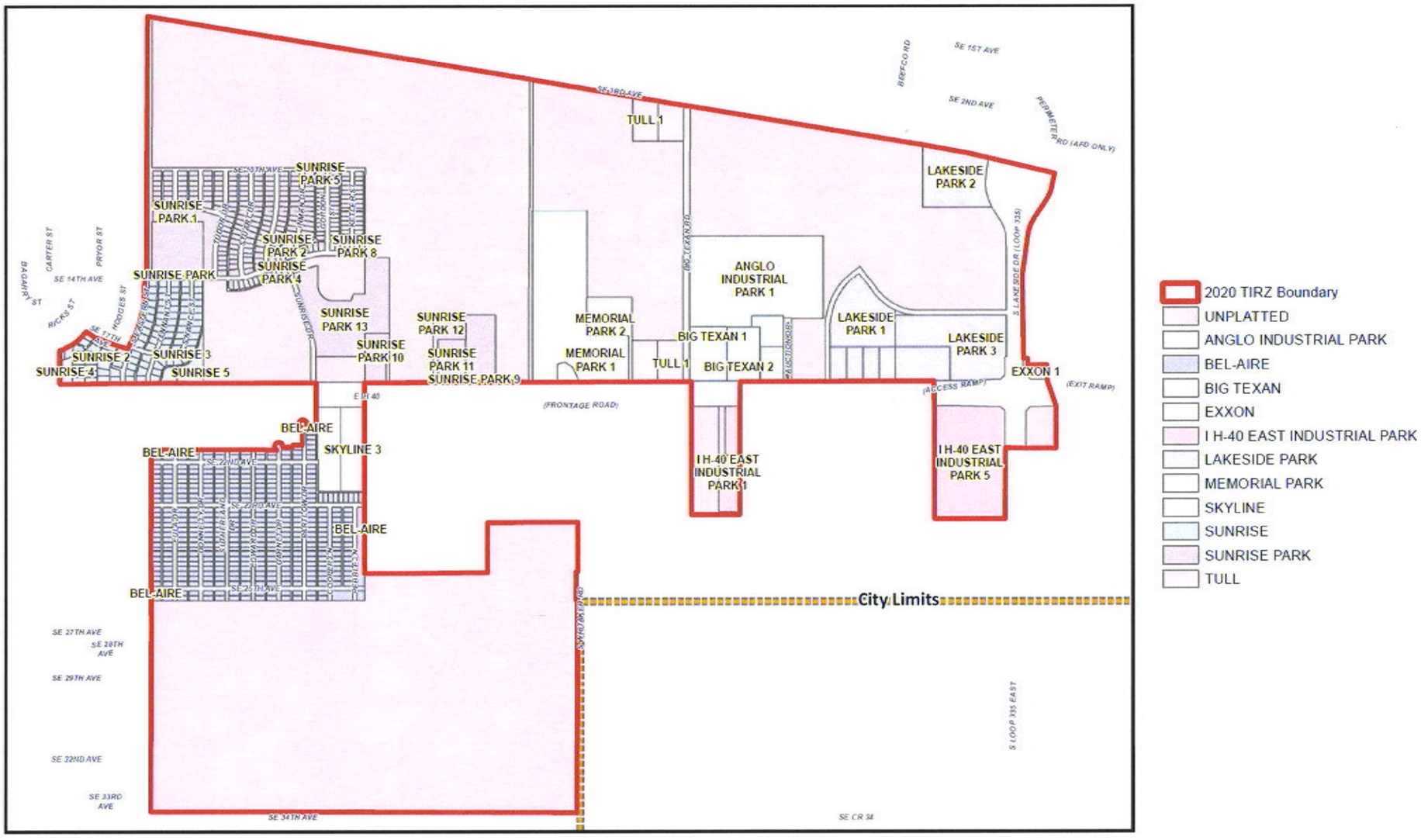
Existing Tax Exemptions



Lot Dimensions



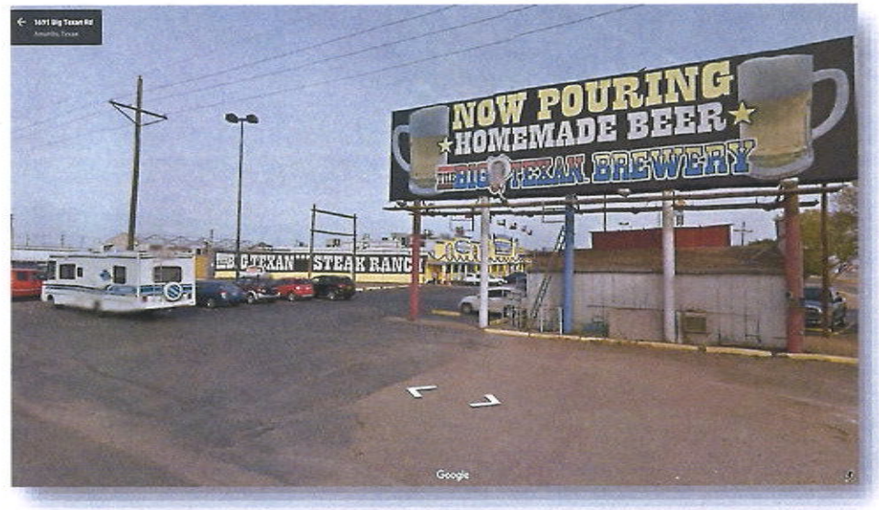
Existing Subdivisions

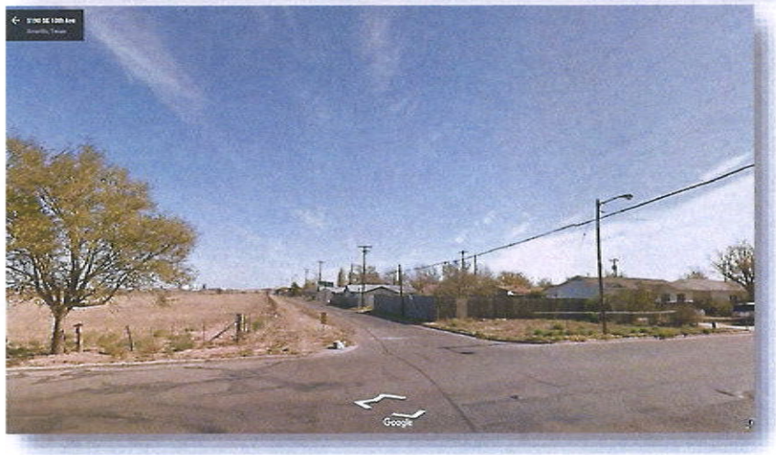


Current Development Characteristics

The TIRZ area currently is a mix of vacant undeveloped land, retail and restaurant uses and limited residential development. The TIRZ area encompasses approximately 1,389 ~~940~~ acres in total and includes approximately 300 single family homes on approximately 52 acres of land, two RV parks, approximately a dozen businesses, a private cemetery, and approximately 1,024 ~~575~~ acres of vacant undeveloped land.









Key Objectives and Goals of the East Gateway TIRZ

The objectives of the East Gateway Tax Increment Reinvestment Zone (TIRZ #2) are as follow:

- Establish a dedicated revenue stream used to:
  - facilitate the development of needed public infrastructure in the area
  - facilitate the development of needed public or private athletic facilities in the area

All in an effort to:

- stimulate and facilitate new private investment resulting in the redevelopment of an area suffering from underdevelopment and blighted conditions

Key Goals:

- Development of new retail and entertainment venues contributing additional property and sales tax revenue
- Relocation and expansion of the Big Texan Steakhouse resulting in increased customer attraction contributing additional property and sales tax revenue
- Redevelopment of the existing Big Texan Steakhouse resulting in the retention of customers and continuing to contribute property and sales tax revenues
- RV Park contributing additional property and sales tax revenue
- Retail outlets contributing additional property and sales tax revenue
- Entertainment venues contributing additional property and sales tax revenue
- Auto and truck service outlets contributing additional property and sales tax revenue
- Full-service hotel contributing additional property and HOT tax revenue
- Limited-service hotels contributing additional property and HOT tax revenue
- Development of new public or private recreation and athletic facilities
- Development of new residential units to help spur new retail development
- Development of new commercial/industrial businesses in the area





Partnerships and Development Strategies

The eastern portion of the city of Amarillo, in the vicinity of I40 and Loop 335 has significant potential for development and economic growth but for the limitations and constraints associated with public infrastructure an facilities. Proximity to I40 and its tens of thousands of vehicle trips each day, the presence of the Big Texan Steakhouse and the intersection of Amarillo's Loop are all positive attributes. The potential for a large mixed use development area catering to the traveling public and serving as a recreation, entertainment, and hospitality destination is significant if these limitations and constraints can be overcome.

To achieve the success of this area a number of partnerships need to be forged along with a series of strategic actions taken:

- Partnerships between the private property owners/developers/businesses and the City of Amarillo is critical for the success of this area. Partnerships include timely extensions of public infrastructure by the City, land dedications by the property owners for the development of infrastructure and an athletic facility, and significant private development.
- Partnership between the local taxing entities is critical for the success of this area. The willingness of the City of Amarillo, Potter County, Amarillo College and the Panhandle Groundwater District to consent that the incremental increase in property tax revenues be placed within the TIRZ fund and reinvested within the TIRZ in the manner noted in the adopted Project and Financing Plan is critical for the success of this area. Through this mutual investment all taxing entities (including those not directly participating in the TIRZ) will benefit from new growth and development of this area through increased investments, increased property tax revenue, increased sales tax revenue, increased employment, etc.

The strategic actions necessary to realize the objectives of the East Gateway TIRZ are straightforward yet critical.

- Once the TIRZ is established the City will begin to immediately address deficient infrastructure in the area by extending streets and utilities as necessary in coordination with planned private development. Concurrent with these public investments private parties in the area will initiate new development – first with the construction and operation of new limited service hotels, the relocation and redevelopment of the existing RV park, and the relocation and development of the Big Texan Steakhouse. As incremental tax revenue is generated it will be used to reimburse the City for the costs associated with the extension of necessary streets and utilities.
- The next strategic actions include the donation of land by private parties to the City to enable the construction of an public athletic facility which will be built and operated by the City and used to meet local recreation demands and host tournaments. In addition to meeting local recreation need this facility is anticipated to generate additional economic opportunities for the properties in close proximity and throughout the area through attracting visitors participating and attending athletic tournaments. The activities in the athletic facility are expected to generate additional retail, restaurant, entertainment, and hotel demand which in turn will generate additional property tax revenue, sales tax revenue, hotel occupancy tax revenue and employment. This action is dependent on there being enough annual incremental tax revenue generated to sustain debt service on any debts issued by the City to finance the construction of the athletic facility. An alternative to the public facility would be identifying and encouraging private sector investment to build and operate the new facility.
- The final strategic actions include continued extension (and reimbursement) of needed streets and infrastructure, private hotel, retail, ~~and~~ entertainment, residential, and commercial/industrial development. Specific notable projected private development associated with this action includes a full service hotel, a large truck service facility, and various retail and entertainment outlets closely associated with the relocated Big Texan Steakhouse. Further public improvements that may be undertaken with this action if funds exist may include aesthetic enhancements at the primary entrance to this gateway including landscaping, decorative signage, etc.

It is anticipated that the majority of infrastructure investment and private development will occur within the first ten years of the TIRZ, with the proposed athletic facility occurring within the first five years of the TIRZ and the aesthetic improvements occurring in the latter years of the TIRZ.

Historic Tax Values

City of Amarillo Taxable Value Analysis

Year	2010	2011	2012	2013	2014	2015	2016
Total	$ 10,055,707,732	$ 10,257,946,329	$ 10,456,402,589	$ 10,760,454,171	$ 11,100,054,718	$ 11,542,059,264	$ 12,065,465,099
Increment		$ 202,238,597	$ 198,456,260	$ 304,051,582	$ 339,600,547	$ 442,004,546	$ 523,405,835
% Change		2.01%	1.93%	2.91%	3.16%	3.98%	4.53%

TIRZ Original Area Taxable Value Analysis

Year	2010	2011	2012	2013	2014	2015	2016
Total	$ 38,651,958	$ 39,475,611	$ 40,525,858	$ 40,812,525	$ 41,256,940	$ 41,441,870	$ 39,981,487
Increment		$ 823,653	$ 1,050,247	$ 286,667	$ 444,415	$ 184,930	$ (1,460,383)
% Change		2.13%	2.66%	0.71%	1.09%	0.45%	-3.52%

TIRZ New Expanded Area Taxable Value Analysis

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total	$1,238,898	$1,236,829	$1,318,019	$1,226,621	$1,207,262	$1,204,699	$1,449,568	$1,300,389	$1,303,101	$1,448,992	$1,449,568
Increment		$(2,069)	$81,190	$(91,398)	$(19,359)	$(2,563)	$244,869	$(149,179)	$2,712	$145,891	$576
% Change		-0.17%	6.56%	-6.93%	-1.58%	-0.21%	20.33%	-10.29%	0.21%	11.20%	0.04%

Comparative Taxable Values

	2010-2015 % Growth	2015-2016 % Growth
City of Amarillo	14.78%	4.53%
TIRZ Original Area	7.22%	-3.52
TIRZ New Expanded Area	#DIV/0!	1.03

This information helps illustrate how the TIRZ area taxable value and increases in that value compare to the same for the City of Amarillo as a whole. This information helps yield an understanding in the growth trends for both the City and the TIRZ area and helps to serve as a baseline for future comparisons to determine the effectiveness of the TIRZ and associated public investments.

Tax Increment Projections

The Project and Financing Plan details investments projected to occur over the thirty year term of the TIRZ. These investments and related public improvements would not occur without strategic public/private partnerships facilitated by the TIRZ and the related implementation steps. The TIRZ will be a key part of attracting new restaurants, retail outlets, entertainment venues, hotels, and other uses. These investments result in $34.6 Million of tax increment financing revenue ($17.7 Million NPV).

TIRZ Participation

Four taxing entities have agreed to participate in the East Gateway TIRZ contributing 100% of the new incremental ad valorem revenue for the full term of the TIRZ.

- City of Amarillo
- Potter County
- Amarillo College
- Panhandle Groundwater District

All participating jurisdictions will continue to receive business personal property tax revenues

No sales taxes will be contributed to the TIRZ

No school districts will participate in the TIRZ

For the purposes of preparing a financial model it was assumed that development will occur in phases with revenues increasing year over year. It is anticipated that the majority of development will be complete and fully contributing to the TIRZ revenue by Year 5 when a projected $100 Million in new construction value is projected to be complete.

A financial model was built with the assumption that 2016 represents the Base Year, the TIRZ remains in effect for 30 years, that all participating entities participate at a level of 100% of the available increment and that $100 Million of new construction value was added during the TIRZ period – see details regarding the assumption on the next page. Using these assumptions a financial model was built which projects total TIRZ revenue of approximately $34.6 Million (NPV of $17.7 Million) with annual revenues ranging from approximately $8000 in Year 1 to $1.6 Million by Year 30. It is anticipated the annual revenues will be dedicated to reimburse the City for expenditures on the construction of infrastructure up until the point where the annual cash flow generates revenue sufficient to support annual debt service associated with the costs to construct the public athletic facility (estimated at $15 Million requiring an annual debt service of approximately $1 Million). Annual revenues above that necessary to support the annual debt service will be used to continue to reimburse the City for infrastructure expenditures and for aesthetic and landscaping improvements at the primary entrance to the gateway – see details regarding the financial model on the following pages.

- Projected TIRZ Revenue Available for Infrastructure Reimbursement - $10 Million
- Projected TIRZ Revenue Available for Athletic Facility Construction Debt Service - $22.4 Million (assumes $15 Million debt for 20 years at 3% interest rate)
- Projected TIRZ Revenue Available for Aesthetic and Landscaping Improvements - $2.2 Million
- Any TIRZ Revenues generated in excess of that projected would be used to continue to reimburse the City for Infrastructure expenditures

Assumptions

TIF Created:	FY 2016/2017
TIF Expanded:	FY 2020/2021
TIF Original Base:	39,981,487
Taxable Base Year:	2016 and 2020
TIF New Base:	41,431,055
Taxing Entities:	All Except School
TIF Expiration:	12/31/2046

Real Property Tax (when originally created)		**Participation**	
City of Amarillo	0.35072	100%	0.35072
Potter County	0.66402	100%	0.66402
Panhandle Groundwater District	0.00790	100%	0.00790
Amarillo College	0.20750	100%	0.20750
Amarillo ISD	1.18000	0%	0.00000
	2.41014		1.23014

Source Name	Description	SF	New Construction Value	New Taxable Value (assumption of 75% of construction values)
TIRZ Area				
Revenue #1	Hotels and RV Park		69,500,000	52,125,000
Revenue #2	Retail		28,500,000	21,375,000
Revenue #3	Restaurants		2,000,000	1,500,000
Revenue #4	Other (i.e. Commercial, Industrial, Residential)		30,000,000	22,500,000
Total			130,000,000	97,500,000

Source Name	Description	SF	Base Taxable Value
Revenue A	1.5% Base Growth in TIRZ Core Area		41,431,055

Development Assumptions and Summary

A financial model was created in order to determine potential revenue streams for purposes of capturing tax increment.

Base value assumptions includes a 20~~16~~20 taxable value of $~~39,981,487~~41,431,055.

The 30-year term assumes accruing tax increment through five years from the following:

Real Property Increment (100%) All tax jurisdictions except the school district
New Development- Hotels and RV Park development in the TIRZ
New Investment: $69.5 million

New Development - Retail
New Investment: $28.5 million

New Development - Restaurants
New Investment: $2.0 million

New Development - Other (i.e. Commercial, Industrial, Residential)
New Investment: $30.0 million

Annual growth on base property values
$41.4 million

TIBZ Revenue Model

Project Plan and Estimated Costs

To attract the projects and investments outlined in the previous section of this Plan it will be necessary to carry out the following public improvements and initiatives:

- Participation in 380 economic development agreements
- TxDOT I40/Loop 335 intersection construction
- City lift station and force main replacement and upgrade
- City water main extensions
- City participation in arterial and collector street construction
- City participation in street drainage construction
- Construction of an indoor athletic facility
- Aesthetic Enhancements and Landscaping of the primary gateway
- TIRZ related project costs per Section 311 of the Texas Tax Code (see below)

Total estimated costs of the above public initiatives to be financed by the proposed TIRZ:

- Projected TIRZ Revenue Available for Infrastructure Reimbursement - $10 Million
- Projected TIRZ Revenue Available for Athletic Facility Construction Debt Service - $22.4 Million (assumes $15 Million debt for 20 years at 3% interest rate)
- Projected TIRZ Revenue Available for Aesthetic and Landscaping Improvements - $2.2 Million
- Any TIRZ Revenues generated in excess of that projected would be used to continue to reimburse the City for Infrastructure expenditures



Section 311.002 Definitions related to TIRZ related project costs

Sec. 311.002. DEFINITIONS. In this chapter:

(1) "Project costs" means the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred by the municipality or county designating a reinvestment zone that are listed in the project plan as costs of public works, public improvements, programs, or other projects benefiting the zone, plus other costs incidental to those expenditures and obligations. "Project costs" include:

(A) capital costs, including the actual costs of the acquisition and construction of public works, public improvements, new buildings, structures, and fixtures; the actual costs of the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and fixtures; the actual costs of the remediation of conditions that contaminate public or private land or buildings; the actual costs of the preservation of the facade of a public or private building; the actual costs of the demolition of public or private buildings; and the actual costs of the acquisition of land and equipment and the clearing and grading of land;

(B) financing costs, including all interest paid to holders of evidences of indebtedness or other obligations issued to pay for project costs and any premium paid over the principal amount of the obligations because of the redemption of the obligations before maturity;

(C) real property assembly costs;

(D) professional service costs, including those incurred for architectural, planning, engineering, and legal advice and services;

(E) imputed administrative costs, including reasonable charges for the time spent by employees of the municipality or county in connection with the implementation of a project plan;

(F) relocation costs;

(G) organizational costs, including the costs of conducting environmental impact studies or other studies, the cost of publicizing the creation of the zone, and the cost of implementing the project plan for the zone;

(H) interest before and during construction and for one year after completion of construction, whether or not capitalized;

(I) the cost of operating the reinvestment zone and project facilities;

(J) the amount of any contributions made by the municipality or county from general revenue for the implementation of the project plan;

(K) the costs of school buildings, other educational buildings, other educational facilities, or other buildings owned by or on behalf of a school district, community college district, or other political subdivision of this state; and

(L) payments made at the discretion of the governing body of the municipality or county that the governing body finds necessary or convenient to the creation of the zone or to the implementation of the project plans for the zone.

(2) "Project plan" means the project plan for the development or redevelopment of a reinvestment zone approved under this chapter, including all amendments of the plan approved as provided by this chapter.

(3) "Reinvestment zone financing plan" means the financing plan for a reinvestment zone described by this chapter.

(4) "Taxing unit" has the meaning assigned by Section 1.04.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Amended by: Acts 2005, 79th Leg., Ch. 1094 (H.B. 2120), Sec. 35, eff. September 1, 2005. Acts 2011, 82nd Leg., R.S., Ch. 1032 (H.B. 2853), Sec. 1, eff. June 17, 2011.

Sec. 311.010. POWERS AND DUTIES OF BOARD OF DIRECTORS. (a) The board of directors of a reinvestment zone shall make recommendations to the governing body of the municipality or county that created the zone concerning the administration of this chapter in the zone. The governing body of the municipality by ordinance or resolution or the county by order or resolution may authorize the board to exercise any of the municipality's or county's powers with respect to the administration, management, or operation of the zone or the implementation of the project plan for the zone, except that the governing body may not authorize the board to:

(1) issue bonds;

(2) impose taxes or fees;

(3) exercise the power of eminent domain; or

(4) give final approval to the project plan.

(b) The board of directors of a reinvestment zone and the governing body of the municipality or county that creates a reinvestment zone may each enter into agreements as the board or the governing body considers necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes. An agreement may provide for the regulation or restriction of the use of land by imposing conditions, restrictions, or covenants that run with the land. An agreement may during the term of the agreement dedicate, pledge, or otherwise provide for the use of revenue in the tax increment fund to pay any project costs that benefit the reinvestment zone, including project costs relating to the cost of buildings, schools, or other educational facilities owned by or on behalf of a school district, community college district, or other political subdivision of this state, railroad or transit facilities, affordable housing, the remediation of conditions that contaminate public or private land or buildings, the preservation of the facade of a private or public building, the demolition of public or private buildings, or the construction of a road, sidewalk, or other public infrastructure in or out of the zone, including the cost of acquiring the real property necessary for the construction of the road, sidewalk, or other public infrastructure. An agreement may dedicate revenue from the tax increment fund to pay the costs of providing affordable housing or areas of public assembly in or out of the zone.

(c) Subject to the approval of the governing body of the municipality that created the zone, the board of a zone designated by the governing body of a municipality under Section 311.005(a)(4) may exercise the power granted by Chapter 211, Local Government Code, to the governing body of the municipality that created the zone to restrict the use or uses of property in the zone. The board may provide that a restriction adopted by the board continues in effect after the termination of the zone. In that event, after termination of the zone the restriction is treated as if it had been adopted by the governing body of the municipality.

(d) The board of directors of a reinvestment zone may exercise any power granted to a municipality or county by Section 311.008, except that:

(1) the municipality or county that created the reinvestment zone by ordinance, resolution, or order may restrict any power granted to the board by this chapter; and

(2) the board may exercise a power granted to a municipality or county under Section 311.008(b)(2) only with the consent of the governing body of the municipality or county.

(e) After the governing body of a municipality by ordinance or the governing body of a county by order creates a reinvestment zone under this chapter, the board of directors of the zone may exercise any power granted to a board under this chapter.

(f) The board of directors of a reinvestment zone and the governing body of the municipality or county that created the zone may enter into a contract with a local government corporation or a political subdivision to manage the reinvestment zone or implement the project plan and reinvestment zone financing plan for the term of the agreement. In this subsection, "local government corporation" means a local government corporation created by the municipality or county under Chapter 431, Transportation Code.

(g) Chapter 252, Local Government Code, does not apply to a dedication, pledge, or other use of revenue in the tax increment fund for a reinvestment zone under Subsection (b).

(h) Subject to the approval of the governing body of the municipality or county that designated the zone, the board of directors of a reinvestment zone, as necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes, may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the zone, eliminating unemployment and underemployment in the zone, and developing or expanding transportation, business, and commercial activity in the zone, including programs to make grants and loans from the tax increment fund of the zone in an aggregate amount not to exceed the amount of the tax increment produced by the municipality and paid into the tax increment fund for the zone for activities that benefit the zone and stimulate business and commercial activity in the zone. For purposes of this subsection, on approval of the municipality or county, the board of directors of the zone has all the powers of a municipality under Chapter 380, Local Government Code. The approval required by this subsection may be granted in an ordinance, in the case of a zone designated by a municipality, or in an order, in the case of a zone designated by a county, approving a project plan or reinvestment zone financing plan or approving an amendment to a project plan or reinvestment zone financing plan.

(i) The board of directors of a reinvestment zone or a local government corporation administering a reinvestment zone may contract with the municipality that created the zone to allocate from the tax increment fund for the zone an amount equal to the tax increment produced by the municipality and paid into the tax increment fund for the zone to pay the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of the land in the zone, regardless of whether the costs of those services are identified in the project plan or reinvestment zone financing plan for the zone.

Terms & Conditions of East Gateway TIRZ #2

Consideration of Additional Projects:

Additional projects will require approval from the City of Amarillo, Potter County, Amarillo College Board of Regents, and the Panhandle Groundwater District.

Length of TIRZ in Years:

The TIRZ has a 30 year term and is thus scheduled to end on November 8, 2046

Powers and Duties of Board of Directors:

The Board shall have the powers granted to it by Chapter 311 of the Texas Tax Code, including powers of a municipality under Chapter 380, Local Government Code. The Board shall not be authorized to:

- Issue Bonds;
- Impose taxes or fees;
- Exercise the power of eminent domain; or
- Give final approval to the Zone's Project and Financing Plan

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Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Fiscal Responsibility
Department	City Manager		
Contact	Laura Storrs, Assistant City Manager		

Agenda Caption

Ordinance – City of Amarillo 2020/2021 Budget Amendment

This is the second reading of an ordinance to amend the Heritage Hills Public Improvement District 2020/2021 Budget included in the City of Amarillo 2020/2021 Budget.

Agenda Item Summary

This is the second reading of an ordinance to amend the Heritage Hills Public Improvement District 2020/2021 Budget included in the City of Amarillo 2020/2021 Budget. This Budget Amendment specifically amends the 2020/2021 fiscal year budget for the following fund:

- Heritage Hills Public Improvement District (PID) Fund - $430,000

Requested Action

Approval of the ordinance to amend the City of Amarillo 2020/2021 Budget.

Funding Summary

N/A

Community Engagement Summary

The Heritage Hills PID Board met on November 9, 2020 and voted to recommend approval of the above budget amendment.

Staff Recommendation

Staff recommendation is to approve the 2020/2021 fiscal year budget amendment.

CITY OF AMARILLO
DEVELOPMENT SERVICES

INTERDEPARTMENTAL MEMO

Date: November 10, 2020

To: Jared Miller, City Manager

From: Kelley Shaw, Development Customer Service Coordinator

Through: Floyd Hartman, Development Services ACM
Laura Storrs, Chief Financial Officer ACM

RE: Heritage Hills Public Improvement District (PID) Budget Amendment

Pega Development (the Developer) representatives have requested to be reimbursed for costs incurred relating to a completed PID improvement project (Bid 6221) within the Heritage Hills PID boundary. The reimbursement for the improvement project, which consists of landscaped medians, is proposed to come from the Heritage Hills PID's surplus funds. As a result of discussions between the Developer and appropriate City staff, it was determined that to move forward with the reimbursement request, a Heritage Hills PID budget amendment will be needed. To that end, the Developer has submitted a formal, written request for reimbursement.

Staff convened the Heritage Hills PID Advisory Board on November 9th to discuss the reimbursement request. After consideration of the request, the Board unanimously recommended approval of the reimbursement request with the reimbursement coming from the surplus funds mentioned above. City staff have also considered the request and believe the reimbursement, if approved, would not negatively affect the current or future Heritage Hills PID fund balance.

Given State law allows for reimbursement agreements for public improvement costs and the Heritage Hills PID Advisory Board has unanimously recommended approval of the Developer's reimbursement request, City staff recommends the reimbursement process move forward with the necessary preparation of a Heritage Hills PID budget amendment and subsequent City Council action.

If you have any questions or require additional information, please let me know.

11/13/20

ORDINANCE NO. 7894

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, ADOPTING THE BUDGET AMENDMENTS PERTAINING TO THE FISCAL YEAR 2020-2021 BUDGET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City ordinance requires City Council to approve a budget amendment and upon approval such amendment shall become an attachment to the original budget; and

WHEREAS, a budget amendment has been prepared for certain appropriations and expenditures in the 2020-2021 budget and submitted to the City Council for approval and a true and correct copy is attached hereto as Exhibit "A".

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

SECTION 1. Pursuant to City ordinance, a budget amendment attached as Exhibit "A" is hereby authorized and approved for the fiscal year 2020-2021.

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

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the _____ day of November 2020; and PASSED on Second and Final Reading the _____ day of December 2020.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

EXHIBIT "A"

1. Heritage Hills PID Expenditure Budget, Account 27110.83200 Improvements - Parks = $430,000 addition

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	12/08/2020	**Council Priority**	Transportation
Department	Aviation		
Contact	Michael W. Conner, Director of Aviation		

Agenda Caption

CONSIDERATION of Proposal 163433-1 from Vaisala, Inc. to repair and upgrade the Runway Weather Information System (RWIS).

Agenda Item Summary

The Department of Aviation is seeking approval of the Proposal Vaisala, Inc. in the amount of $88,075.00. Vaisala, Inc. is a proprietary vendor that provided and helps maintain the Airport's current RWIS System. This proposal encompasses the evaluation, replacement, calibration, upgrade, and installation costs to the existing system. The upgrade will assist in efforts to meet Federal Aviation Administration regulatory standards and allow the Airport to continue to provide a safe operational environment for the traveling public.

Requested Action

Approve Proposal 163433-1 from Vaisala, Inc. in the amount of $88,075.00.

Funding Summary

General Maintenance, RWIS System: FY 20/21 Airport O&M Budget. This project is to be funded in correlation with the TxDOT RAMP Grant program. The Airport is in receipt of grant application, TxDOT CSJ No.: M2104AMRI for this project. The Airport will request approximately $44,037.50 for reimbursement upon final completion of the project.

Community Engagement Summary

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

Staff Recommendation

Department staff recommends the approval of Proposal 163433-1 from Vaisala, Inc. in the amount of $88,075.00.

Bid No. 6937 Runway Weather Information System Upgrade
Opened 4:00 p.m., November 9, 2020

To be awarded by line item.		VAISALA INC.
Line 1 Equipment and Associated Services for Upgrade of Existing Runway Information System (RWIS), per specifications		
1 ea		
Unit Price	$84,875.000	
Extended Price		84,875.00
Line 2 Shipping, Handling and Misc Fees, per specifications		
1 ea		
Unit Price	$3,200.000	
Extended Price		3,200.00
Bid Total		88,075.00
Award by Vendor		88,075.00
City		Boulder, CO

E

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Public Safety
Department	Office of Emergency Management		
Contact	Chip Orton, Director of Emergency Management		

Agenda Caption

CONSIDER APPROVAL – INTERLOCAL AGREEMENT BETWEEN THE CITY OF AMARILLO AND POTTER COUNTY SHERIFF'S OFFICE
(Contact: Chip Orton, Director of Emergency Management)
This item is consideration of an interlocal agreement between the City of Amarillo and Potter County Sheriff's Office (PCSO) for use of PCSO facilities as an alternate site for emergency communications and emergency management.

Agenda Item Summary

This interlocal agreement between the City of Amarillo and PCSO will provide the City of Amarillo access to space in the PCSO data center and training room as an alternate site for emergency communications (Amarillo Emergency Communications Center functions) and emergency management (Emergency Operations Center functions). The City and PCSO already have an interlocal agreement for use of the facility as an Information Technology redundancy/disaster recovery site.

Requested Action

To approve the interlocal agreement between the City of Amarillo and PCSO.

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of the interlocal agreement, authorizing the City Manager to execute the agreement.

11/10/20 _____

INTERLOCAL AGREEMENT
BETWEEN THE CITY OF AMARILLO, TEXAS
AND POTTER COUNTY SHERIFF'S OFFICE
(Alternate site for emergency communications and emergency management)

This Interlocal Agreement ("Agreement") is made between the City of Amarillo, Texas ("AMARILLO" or "City") and Potter County Sheriff's Office ("PCSO" or "County"). Pursuant to the authority granted by the "Texas Interlocal Cooperation Act," Chapter 791 of the Texas Government Code, as amended, providing for cooperation between local governmental bodies, the parties hereto, in consideration of the premises, mutual promises, and other valuable consideration stated herein, now agree as follows:

1. Entity & Authorization. Each party is a local government entity within the State of Texas. This Agreement has been approved by the governing body of each respective entity, and the signatory below has been duly authorized to execute this Agreement on behalf of each respective entity.

2. Public Benefit & Purpose. The respective governing body of each party finds that: the subject of this Agreement is necessary for the benefit of the public; and, that each party has the legal authority to perform and to provide the governmental function or service which is the subject matter of this Agreement. Moreover, the parties agree that any division or allocation of a cost will fairly compensate the performing party for the services performed under this Agreement. However, it is further agreed that both parties will realize substantial valuable benefit from the arrangements made by this Agreement, thus it is fair and equitable for each to bear its own incidental expenses and to not charge the other party for any cost, except as may be stated in Exhibit A.

3. Current revenues. Both the party performing a service and the party paying for the performance of any function or service, if any, shall respectively render performance and make payments from current revenues legally available to the party.

4. PCSO Obligation. PCSO now promises to perform and provide to AMARILLO access and usage of certain facilities, under specified circumstances, in accordance with Exhibit A.

5. AMARILLO Obligation. AMARILLO hereby (a) accepts the duties, terms, conditions, limitations, procedures, and scope of services stated in Exhibit A and, (b) agrees to perform its obligations stated therein.

6. Exhibit incorporated. The provisions of Exhibit A are incorporated herein by this reference as though stated here verbatim. The governing body of each Party hereby authorizes its point-of-contact official (named elsewhere herein) to mutually agree (without the need of further approval by either governing body) to make minor adjustments in the operational procedures, allocated duties, rights, etc. described in Exhibit A to facilitate greater efficiencies, reduce opportunity for errors, and better serve the public, so long as such adjustments do not require or constitute a change in any fees, costs, or creates a material change in the performance required of a party.

7. Liability. The purpose of this Agreement is only to set forth the rights and duties of the Parties regarding the governmental function or services described. This agreement does not create any right,

benefit, or cause of action for any third party. By executing this Agreement, neither Party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. Each Party shall be solely responsible for any loss, damage, injury, or death to a third party (parties) arising out of or related to the acts or omissions of it's employees or agents and not those of any other party.

8. Venue. Each Party agrees that if legal action is brought under this Agreement, then exclusive venue shall lie in the county in which the defendant Party is located and, if located in more than one county, in the county in which the principal offices of the defendant Party are located.

9. Effective date & Term. This Agreement shall become effective on the first day after it has received approval of both governing bodies. This Agreement shall remain in full force and effect for a term of one (1) year from the effective date hereof. This Agreement shall automatically be renewed for additional one-year terms unless and until a Party cancels it by giving thirty (30) days written notice to the other Party.

10. Contacts. The point of contact for each Party shall be as specified in Exhibit A.

11. Severance & Survival. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any request, such invalidity, illegality, or unenforceability shall not affect any other provision contained herein and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained. The provisions of paragraphs 5(c) through 8, inclusive, shall survive termination, cancellation, expiration or non-renewal of this Agreement.

12. Amendments. This Agreement contains all the commitments and the agreements of the Parties and any oral or written commitments not contained herein shall have no force or affect to alter any term or condition of this Agreement. This Agreement may be amended or modified in writing by the mutual agreement of the Parties. In the event of a conflict between the terms of this agreement and Exhibit A, then the terms of Exhibit A shall control.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their authorized officers the day and year written below.

POTTER COUNTY	CITY OF AMARILLO, TEXAS
By: _____ / _____	By: _____
Title: Nancy Tanner, Potter County Judge / Brian Thomas, Potter County Sheriff	Title: Jared Miller, City Manager
Date: _____ / _____	Date: _____

EXHIBIT A

(Alternate site for City's emergency communications and emergency operation centers)

This Exhibit A, and the Interlocal Agreement to which it is attached, is by and between the Potter County Sheriff's Office (PCSO) and the City of Amarillo (City) for the purposes and consideration recited in the Agreement or this Exhibit, for the governmental functions and purposes as more fully described herein. To the extent of any conflict between the Interlocal Agreement and this Exhibit A, this exhibit shall control.

Background

AECC does not have a true backup location if the City's Simms Building was inaccessible, inoperable, or compromised. AAOEM currently has an informal arrangement with Randall County to utilize Randall County Fire Station #1 as a backup Emergency Operations Center (EOC). The City also has a tertiary backup EOC at City Fire Station #10 (at Rick Husband Amarillo International Airport). The Fire Station #10 EOC is not an ideal location as a backup site, for several reasons.

However, the Potter County Sheriff's Office (PCSO) at 13100 NE 29th Ave., Amarillo, Texas, is a newer facility that can withstand an EF5-rated tornado around its data center and large training room. Moreover, a substantial radio system is installed at PCSO. Further, the City of Amarillo's I.T. Department already has an Interlocal Agreement and connectivity with PCSO data center for data redundancy/disaster recovery backup for several of the City's software and data systems, and therefore already has a "presence" at that facility.

Purpose

This Agreement is for PCSO to provide the City of Amarillo may access to and use of adequate space in the PCSO data center and training room as a site to be used: (i) for the emergency relocation and operation of the Amarillo Emergency Communications Center and corresponding CAD system; (ii) for AECC personnel to utilize the PCSO radio system via City of Amarillo-owned laptops; (Iii) for an alternate EOC for the AAOEM; and, (iv) for storage or pre-positioning of certain equipment, all for the purpose of providing the City of Amarillo with a viable alternate site for continuity of operations of the AECC and/or AAOEM, in the event the City's Simms Building is compromised.

City Responsibilities

1. City is granted the right and authority to activate the backup operating site at PCSO for either the AECC, EOC, or both ("operational aspect"), in the event of an emergency or incident that occurs where it is deemed that the Simms Municipal Building is inoperable, damaged, or unusable. Examples would be natural or man-made hazards, power outages, civil unrest or attacks).

2. In the event it is determined by City to be necessary to activate any operational aspect of the PCSO for City use, then City shall immediately notify Potter County Judge Nancy Tanner and Sheriff Brian Thomas or his designee at PCSO.

3. The following personnel have the authority to determine that the Simms building has been compromised or is unusable: City Manager, Deputy City Manager, Assistant City Manager, Amarillo Police Chief, Amarillo Fire Chief, Amarillo Director of OEM, Amarillo Director of Facilities, Amarillo Assistant Director of Utilities, AECC Police Lieutenant, AECC Fire Captain, Amarillo IT Director, and Amarillo Fire Marshal.

PCSO Responsibilities

1. Provide 24/7 current Point(s) of Contact for PCSO, Potter County Facilities for support to City at the PCSO facility, as needed.

2. Provide 24/7 Access (keys / badges / etc.) to the PCSO facility for the AECC Police Lieutenant and the AECC Fire Captain along with the OEM Director and OEM Deputy Director.

3. Provide suitable storage space in the PCSO facility for the City to store carts/equipment (networking equipment, laptops, EOC plans/documentation) that will be needed to support activation of the facility as an alternate operations center for any operational aspect.

Joint Responsibilities

1. The parties agree to cooperate in exercising, at least bi-annually, the backup facility and procedures provided for herein.
2. ____

Allocation of Risk as between the Parties

Whereas PCSO has no command or control over the City's employees or agents or the events involving activation or operation of an alternate site of AECC or AAEOM, City solely assumes and retains all liability risk and legal responsibility (i.e., wages, overtime, workers comp, personnel policy administration, etc.) that arises out of or relates to torts, civil rights, and other causes of action, damages, attorney fees and costs for acts, omissions, decisions, and discretion of the City's employees, officials, contractors, assigns, and successors while in or at PCSO pursuant to this Agreement.

Whereas City has no command or control over Jail conditions or PCSO or Potter County's other employees or agents, PCSO solely assumes and retains all liability risk and legal responsibility (i.e., wages, overtime, workers comp, personnel policy administration, etc.) that arises out of or relates to torts, civil rights, and other causes of action, damages, attorney fees and costs for acts, omissions, decisions, and discretion of the PCSO or County employees, officials, contractors, assigns, and successors while in or at PCSO pursuant to this Agreement.

Independent Contractor Status

Each party acts as an independent contractor and not an employee, agent, or joint venture of the other party. Each party retains sole determination as to the best manner, means, and methods for procuring and delivering the services and activities contemplated in this Agreement. As an independent contractor, neither party has any authority or right to represent or commit to any matter on behalf of the other, unless such authority is expressly stated or of necessity can be reasonably implied from the terms of this Agreement.

Contacts

Each party hereby designates the following person as its Point of Contact for administering this agreement:

City of Amarillo
City Manager
P.O. Box 1971
Amarillo TX 79105

Potter County
Judge
501 S. Fillmore St.
Amarillo TX 79101

copy to:
Director of Emergency Management
P.O. Box 1971
Amarillo TX 79105

copy to:
County Auditor
_____
Amarillo TX 79_____

copy to:
Potter County Sheriff
13103 NE 29th Ave
Amarillo TX 79111

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Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Public Safety
Department	Amarillo Fire Department (AFD)		
Contact	Sam Baucom, Deputy Fire Chief		

Agenda Caption

CONSIDER AWARD – PURCHASE OF BAUER SELF-CONTAINED BREATHING APPARATUS (SCBA) BOTTLE COMPRESSOR
(Contact: Sam Baucom, Deputy Fire Chief)
Award to August Industries Inc. in the amount of $65,650.50
This item is to consider award to August Industries Inc. for the purchase of a SCBA bottle compressor. This purchase will add to the current inventory of SCBA bottle compressors used by the Amarillo Fire Department (AFD) as a necessary component of firefighter safety.

Agenda Item Summary

AFD currently has four Bauer SCBA bottle compressors. The SCBA bottles are the normal breathing air that is compressed into bottles for firefighters to wear into fires, confined spaces, hazardous material calls, etc. These SCBA bottle compressors allow us to refill the depleted bottles after emergencies and after training. This Bauer compressor will add a fifth compressor to the department of the same make and model; and will support the current needs of having breathing air compressors. AFD has a service/repair contract to maintain the Bauer compressor and the AFD employees have been trained in the operation of this specific piece of equipment. consistency in the make and model of equipment is important for maintenance and repair contracts, and critical to training personnel to safely operate this specialized machinery.

Requested Action

To award the purchase of an SCBA bottle compressor to August Industries Inc. in the amount of $65,650.50.

Funding Summary

Award to August Industries Inc. in the amount of $65,650.50 via the BuyBoard purchasing agreement. Funding is from 462042 Fire Station #5 Construction Job as part of the furnishings in the original bond proposal.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this award, authorizing the City Manager to execute the purchase.

Bid No. 6942 SCBA COMPRESSORS
Opened 4:00 p.m., November 20,2020

To be awarded as one lot	August Industries Inc.	
Line 1 15 H.P. Three Phase Electric Motor, per specifications		
1 ea		
Unit Price	$63,350.500	
Extended Price		63,350.50
Line 2 Shipping, Handling and Misc Fees, per specifications		
1 ea		
Unit Price	$2,300.000	
Extended Price		2,300.00
Bid Total		65,650.50
Awarded by Vendor		65,650.50
City		Carrolton, TX



Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Public Safety
Department	Amarillo Fire Department (AFD)		
Contact	Sam Baucom, Deputy Fire Chief		

Agenda Caption

CONSIDER AWARD – PURCHASE OF 100 SELF-CONTAINED BREATHING APPARATUS (SCBA) BOTTLES (Contact: Sam Baucom, Deputy Fire Chief)
Award to Casco Industries in the amount of $81,400
This item is to consider award to Casco Industries for the purchase 100 Mine Safety Appliances (MSA) SCBA bottles. This purchase will add to the current inventory of SCBA bottles used by the Amarillo Fire Department (AFD) as a necessary component of firefighter safety.

Agenda Item Summary

AFD has a current inventory of 396 MSA SCBA bottles. The SCBA bottles are used for the normal breathing air that is compressed into those bottles for firefighters to wear into fires, confined spaces, hazardous material calls, etc. These SCBA bottles provide safe breathing air in these hazardous atmosphere events. The current inventory of 396 bottles is not enough to provide the volume of bottles necessary for large and/or expanding emergency events. These 100 bottles are necessary to ensure there are enough bottles for extended firefighting/hazardous atmosphere operations, as well as to give the AFD enough reserves to send 20% of our inventory for annual hydrostatic pressure testing. The hydrostatic pressure testing is required to test the safety of the pressurized bottle.

Requested Action

To award the purchase of 100 SCBA bottles to Casco Industries in the amount of $81,400.

Funding Summary

Award to Casco Industries in the amount of $81,400 via the BuyBoard purchasing agreement.
Funding is from two sources: $45,584 from 411526 SCBA Compressed Air Bottles job; $35,816 from 1910.68680 Other Equipment.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of this award, authorizing the City Manager to execute the purchase.

Bid No. 6943 SCBA BOTTLES
Opened 4:00 p.m., October 20, 2020

To be awarded as one lot	Casco Industres, Inc.	
Line 1 MSA G1 Carbon Composite Cylinder, Threaded remote connection, 45 min Lo-Pro, per specifications		
100 ea		
Unit Price	$814.000	
Extended Price		81,400.00
Line 2 Custom Logo on Cylinder, per specifications		
100 ea		
Unit Price		
Extended Price		-
Bid Total		81,400.00
Awarded by Vendor		81,400.00
City		Grand Prairie, TX



Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Fiscal Responsibility
Department	Central Stores		
Contact	Trent Davis		

Agenda Caption

Consider Award-Bid 6921 Paper Goods Supply Agreement

Empire Paper	$ 972.00
Mavich	$ 39,982.80
Pyramid School Products	$ 1,512.00
Central Poly Corporation	$ 59,840.00
	$ 102,306.80

Total Awarded $102,306.80

Agenda Item Summary

Consider approval of the award of the Paper Goods Supply Agreement Bid 6921.

Requested Action

Consider approval of the award of the Paper Goods Supply Agreement Bid 6921.

Funding Summary

Funding is available in inventory account 1000.15400.

Community Engagement Summary

N/A

Staff Recommendation

City staff is recommending approval of award

Bid No. 6921 PAPER GOODS SUPPLY AGREEMENT
Opened 4:00 p.m. November 19, 2020

To be awarded by line item.	EMPIRE PAPER	PYRAMID SCHOOL PRODUCTS	MAVICH	CENTRAL POLY	MILLER PAPER	WAGNER SUPPLY	QUILL LLC	MAYFIELD PAPER	SAM TELL AND SON	OFF
Line 1 Tissue, Jumbo Roll Toilet, per specifications										
60 ca										
Unit Price	$16.200	✓	$24.460	$25.600	$20.050	$19.500		$27.550	$70.980	$29.710
Extended Price	972.00	-	1,467.60	1,536.00	1,203.00	1,170.00	-	1,653.00	4,258.80	
Line 2 Tissue, Multi-Ply Toilet, per specifications										
960 ca										
Unit Price	$39.080	$52.980	$36.150	✓	$44.570	$37.900		$49.390	$119.500	$51.280
Extended Price	37,516.80	50,860.80	34,704.00	39,033.60	42,787.20	36,384.00	-	47,414.40	114,720.00	
Line 3 Tissue, Tissue Facial, per specifications										
3,600 ca										
Unit Price	$0.580	$0.420	✓	$0.600	$0.530	$0.520	$0.607	$0.580	$3.080	$16.200
Extended Price	2,088.00	1,512.00	1,944.00	2,160.00	1,908.00	1,872.00	2,185.20	2,088.00	11,088.00	
Line 4 Towels, Mulit-Fold Paper, per specifications										
3,200 bx										
Unit Price	$27.260	$43.190	$24.790	$18.700	✓	$26.450	$38.930		$149.880	$45.110
Extended Price	87,232.00	138,208.00	79,328.00	59,840.00	88,000.00	84,640.00	124,576.00	-	479,616.00	
Line 5 Towels, Electronic Roll, per specifications										
120 ca										
Unit Price	$53.290	$66.890	$43.990	✓	$53.700	$51.700	$61.160	$48.450	$150.000	$55.460
Extended Price	6,394.80	8,026.80	5,278.80	8,363.88	6,444.00	6,204.00	7,339.20	5,814.00	18,000.00	
Bid Total	134,203.60	198,607.60	122,722.40	110,933.48	140,342.20	130,270.00	134,100.40	56,969.40	627,682.80	
Award by Vendor	972.00	1,512.00	39,982.80	59,840.00						
City	Wichita Falls, TX	Tampa, Fl	Southlake, TX	Linden, NJ						

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	December 8, 2020	**Council Priority**	Fiscal Responsibility
Department	Police		
Contact	Trent Davis, Director of Purchasing		

Agenda Caption

Consideration of Award – Purchase of Glocks and Glock Magazines for Police Department

Award to: GT Distributors - $55,105.50

This award consists of the purchase of Glock 43X's, 19's, Glock Magazines both 17's and 19's

Agenda Item Summary

Purchase of Glocks for the Amarillo Police Department.

Requested Action

Consideration approval of the award to GT Distributors

Funding Summary

Quartermaster Inventory Balance Sheet Account Number 1000.15360 in the amount of $55,105.50

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval of award.

Bid No. 6914 GLOCKS AND GLOCK MAGAZINES FOR POLICE DEPARTMENT SA
Opened 4:00 p.m. November 5, 2020

To be awarded as one lot	G T DISTRIBUTORS INC
Line 1 Glock 43X, 9mm with no night sights, per specifications	
100 ea	
Unit Price	$358.000
Extended Price	35,800.00
Line 3 Glock 19, 9mm with night sights, per specifications	
40 ea	
Unit Price	$455.400
Extended Price	18,216.00
Line 5 Glock 17, 9mm 9 Rounds, per specifications	
25 ea	
Unit Price	$19.790
Extended Price	494.75
Line 6 Glock 19, 9mm 9 Rounds, per specifications	
25 ea	
Unit Price	$19.790
Extended Price	494.75
Line 7 Freight, per specifications	
1 ea	
Unit Price	$100.000
Extended Price	100.00
Bid Total	55,105.50
Award by Vendor	55,105.50
City	Austin, TX



Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO® CITY MANAGER

5

Meeting Date	December 8, 2020	**Council Priority**	Fiscal Responsibility
Department	Purchasing		
Contact	Trent Davis – Purchasing Director		

Agenda Caption

Award – Promotional Products Annual Contract

Award to the best-evaluated proposer, Cenveo Worldwide Limited. This agreement will be an annual contract in an amount not to exceed $60,000.

Agenda Item Summary

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

Requested Action

Consider approval and award of Promotional Products Annual Contract

Funding Summary

Funding for this award is available in various departmental accounts

Community Engagement Summary

N/A

Staff Recommendation

City Staff recommends approval and award of this contract.

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Transportation
Department	Capital Projects & Development Engineering		
Contact	Matthew Thomas, City Engineer		

Agenda Caption

CONSIDER APPROVAL – Change Order No. 3 for Bid #6718/Project #462086 – FY 19/20 Street Maintenance Community Investment Program, Proposition 1

Intermountain Slurry Seal Inc. – $(209,706.30)

Agenda Item Summary

This item is to consider approval of Change Order No. 3 to the construction contract for the maintenance of streets within Amarillo. This change order will establish final quantities, expand the scope of microsurfacing to include SE 3rd Ave. and Criss St., exclude microsurfacing on Farmers Ave. from Georgia St. to BNSF, and replace all crosswalks with Type A in accordance with the Traffic Department's directives. This change order will also add 25 days to the contract completion date.

Original Contract:	$	11,135,638.50
Current Change Order:	$	(209,706.30)
Previous Change Orders:	$	281,855.26
Revised Contract Total:	$	11,207,787.46

Requested Action

Consider approval to Intermountain Slurry Seal Inc. - $(209,706.30)

Funding Summary

Funding for this project is available in the Project Budget Number 462086. Funding for this project was approved in the FY 16/17 – FY 20/21 Community Investment Program Budget. The construction expenses for this project are funded from the Proposition 1 Bonds.

Community Engagement Summary

The work performed as part of this change order project will have an impact on a small portion of the community; however, the impact of this project during construction at any one location will be modest and brief. The city and its contractor have been in constant communication with the public by way of press releases, public announcements, and an interactive web based project status page updated daily. Public notification and engagement are part of the contract requirements of the project.

Staff Recommendation

City Staff is recommending approval of the change order.

Bid No. 6718 FY 19/20 STREET MAINTENANCE COMMUNITY INVESTMENT PROGRAM PROPOSITION 1
Opened 4:00 p.m., November 24, 2020

To be awarded as one lot		INTERMOUNTAIN SLURRY SEAL INC	CDM HOLDINGS LLC				
Line 1 Seal coat, cleaning, furnishing, freight preparing, hauling and placing materials and all incidentals necessary, per specifications							
2,264,578	sy						
	Unit Price	$3.000	$2.70				
	Extended Price	6,793,734.00	6,114,360.60	-	-	-	-
Line 2 Street repair, including saw cuts, compaction, tack coat, remove and replace hot-mix asphaltic concrete and flex base, per specifications							
1,463	sy						
	Unit Price	$135.000	$200.00				
	Extended Price	197,505.00	292,600.00	-	-	-	-
Line 3 Remove reflectorized pavement markings type I, stripe, per specifications							
3,000	sf						
	Unit Price	$3.800	$3.00				
	Extended Price	11,400.00	9,000.00	-	-	-	-
Line 4 Remove reflectorized pavement markings type I, Arrow, per specifications							
373	ea						
	Unit Price	$58.000	$50.00				
	Extended Price	21,634.00	18,650.00	-	-	-	-
Line 5 Remove reflectorized pavement markings type I, Crosswalk, per specifications							
58	ea						
	Unit Price	$865.000	$750.00				
	Extended Price	50,170.00	43,500.00	-	-	-	-
Line 6 Reflectorized Pavement markings type I, White 24" solid, per specifications							
3,397	lf						
	Unit Price	$10.500	$9.00				
	Extended Price	35,668.50	30,573.00	-	-	-	-
Line 7 Reflectorized Pavement markings type I White Arrow straight, per specifications							
6	ea						
	Unit Price	$200.000	$175.00				
	Extended Price	1,200.00	1,050.00	-	-	-	-

To be awarded as one lot		INTERMOUNTAIN SLURRY SEAL INC		CDM HOLDINGS LLC					
Line 8 Reflectorized Pavement markings type I White Arrow right turn, per specifications									
58	ea								
	Unit Price	$200.000		$175.00					
	Extended Price		11,600.00		10,150.00	-	-	-	-
Line 9 Reflectorized Pavement markings type I White Arrow left turn, per specifications									
306	ea								
	Unit Price	$200.000		$175.00					
	Extended Price		61,200.00		53,550.00	-	-	-	-
Line 10 Reflectorized Pavement markings type I White Arrow straight/right turn, per specifications									
2	ea								
	Unit Price	$350.000		$300.00					
	Extended Price		700.00		600.00	-	-	-	-
Line 11 Reflectorized Pavement markings type I White Arrow straight/left turn, per specifications									
1	ea								
	Unit Price	$350.000		$300.00					
	Extended Price		350.00		300.00	-	-	-	-
Line 12 Reflectorized Pavement markings type I white crosswalk type A, per specifications									
9	ea								
	Unit Price	$1,150.000		$1,000.00					
	Extended Price		10,350.00		9,000.00	-	-	-	-
Line 13 Reflectorized Pavement markings type I White crosswalk type B, per specifications									
47	ea								
	Unit Price	$3,500.000		$3,000.00					
	Extended Price		164,500.00		141,000.00	-	-	-	-
Line 14 Reflectorized Pavement markings type I White crosswalk type C, per specifications									
2	ea								
	Unit Price	$1,150.000		$1,000.00					
	Extended Price		2,300.00		2,000.00	-	-	-	-

To be awarded as one lot		INTERMOUNTAIN SLURRY SEAL INC		CDM HOLDINGS LLC					
Line 15 Reflectorized Pavement markings type I white lettering, per specifications									
16	ea								
	Unit Price	$1,150.000		$1,000.00					
	Extended Price		18,400.00		16,000.00	-	-	-	-
Line 16 Furnish, haul, prepare and place microsurfacing system, per specifications									
824,609	sy								
	Unit Price	$3.000		$4.40					
	Extended Price		2,473,827.00		3,628,279.60	-	-	-	-
Line 17 Water valve box adjustment, per specifications									
10	ea								
	Unit Price	$1,150.000		$1,500.00					
	Extended Price		11,500.00		15,000.00	-	-	-	-
Line 18 Manhole adjustment, per specifications									
4	ea								
	Unit Price	$1,150.000		$2,500.00					
	Extended Price		4,600.00		10,000.00	-	-	-	-
Line 19 Furnish, install and maintain traffic control plan, per specifications									
1	ls								
	Unit Price	$650,000.000		$100,000.00					
	Extended Price		650,000.00		100,000.00	-	-	-	-
Line 20 Mobilization/demobilization including insurance, payment bond, performance bond, maintenance bond and related ancillary costs, per specifications									
1	ls								
	Unit Price	$550,000.000		$550,000.00					
	Extended Price		550,000.00		550,000.00	-	-	-	-
Line 21 Tree trimming, per specifications									
1,000	ea								
	Unit Price	$25.000		$375.00					
	Extended Price		25,000.00		375,000.00	-	-	-	-
Line 22 Relocation of vehicles, per specifications									
1	ls								
	Unit Price	$20,000.000		$100,000.00					
	Extended Price		20,000.00		100,000.00	-	-	-	-

Line 23 Railroad Protective Liability Insurance, per specifications							
1 ls							
Unit Price	$20,000.000		$5,000.00				
Extended Price		20,000.00		5,000.00	-	-	-	-
Bid Total		11,135,638.50		11,525,613.20	-	-	-	-
Award by Vendor		11,135,638.50						
Change Order #1		(0.84)						
Change Order #2		281,856.10						
Change Order #3		(209,706.30)						
Revised Total		11,207,787.46						



Amarillo City Council
Agenda Transmittal Memo

Meeting Date	12/8/2020	**Council Priority**	Long Term Plan for Infrastructure
Department	Water Utilities – Osage Water Treatment Plant		
Contact	Jonathan Gresham – Director of Utilities		

Agenda Caption

Consider Approval - Bid No. 6909, Repair of Pump #6 at 34th Street Pump Station to Odessa Pumps and Equipment for $94,414.00.
Consideration of approval for Pump #6 at 34th Pump Station for repair, and associated labor for installation of the pump.

Agenda Item Summary

Consider Approval

This purchase is for Odessa Pumps to remove, evaluate, and associated labor to rehabilitate the #6 Pump at 34th Pump Station. This will include removal of exiting pump, evaluation and rehab of the existing pump. This repair allows the Osage Water Treatment Plant to efficiently and systematically move water around the Transmission System to assets where demand has been identified around the City.

Requested Action

Utilities staff requests the approval of Bid No. 6909 34th Pump Station Pump #6 repair to Odessa Pumps & Equipment for $94,414.00

Funding Summary

This purchase will be funded from 523425.17400.1040. This account has a current balance of $95,000.000.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends the approval of award.

Bid No. 6909 Aurora Pump Repair at 34th Street Pump Station
Opened 4:00 p.m., October 29, 2020

To be awarded by line item.	ODESSA PUMPS		GASKET & PACKINGS (ALT BID)		SMITH PUMPS, INC.		NRG ENERGY SERVICES		GASKET & PACKINGS		RUHRPUMPEN	
Line 1 Furnish All Materials, Equipment and Labor to repair the Pump At 34th Street Pump Station, per specifications												
1 ea												
Unit Price	$94,414.000		$103,374.000		$116,541.440		$117,748.340		$152,958.000		$175,618.000	
Extended Price		94,414.00		103,374.00		116,541.44		117,748.34		152,958.00		175,618.00
Bid Total		94,414.00		103,374.00		116,541.44		117,748.34		152,958.00		175,618.00
Award by Vendor		94,414.00										
City		Amarillo, TX										

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Consent Agenda
Department	Planning and Development Services		
Contact	Andrew Freeman - Director of Planning and Development Services		

Agenda Caption

Consideration of two Southwestern Public Service Company Electrical Utility Easements being a 0.969 acre tract and a 0.187 tract of land in Section 167 and Section 60, Block 2, A.B.&M. Survey, Potter County, Texas.

Agenda Item Summary

The above referenced Electrical Utility Easements are being requested by Southwestern Public Service Company for the installation of infrastructure related to the Thompson Park Pool Project and ongoing TacAir improvements.

Southwestern Public Service Company is requesting the City to grant this easement in order to move forward with the installation of infrastructure required of each project.

Requested Action

Planning Staff have reviewed the associated Southwestern Public Service Company Utility Easements and the item/s is ready for City Council Consideration as a consent agenda item.

Funding Summary

The Easements are being granted to Southwestern Public Service Company at no cost to the City.

Staff Recommendation

Staff recommends approval of this Southwestern Public Service Company Utility Easements.

SOUTHWESTERN PUBLIC SERVICE COMPANY
UTILITY EASEMENT

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

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

That CITY OF AMARILLO, whose address is P.O. Box 1971, Amarillo, TX. 79105 (collectively, the "Grantor," whether one or more) for the sum of TEN DOLLARS and 00/100 ($10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged by this instrument grants to **SOUTHWESTERN PUBLIC SERVICE COMPANY**, a New Mexico corporation, whose address is 790 S. Buchanan Street, Amarillo, Texas 79101 ("SPS"), an easement upon, under, over, and across property owned by Grantor and located in the COUNTY OF POTTER, STATE OF TEXAS which property (the "Property") is described as follows:

Easement Description – SEE EXHIBIT "A" ATTACHED

Easement Sketch – SEE EXHIBIT "B" ATTACHED

The location of any additional overhead or underground lines covered by this easement shall be agreed to by both SPS and Grantor prior to construction.

The Easement granted by this instrument (the "Easement") is subject to the following conditions:

1. SPS has the right to install, operate, relocate, construct, reconstruct, add to, maintain, inspect, patrol, enlarge, repair, and replace Utility Facilities for the transmission and distribution of electricity upon, over, under, and across the Property included in the Easement and to remove Utility Facilities from the Property, and the right of ingress and egress on Grantor's adjacent property for the same purposes. For purposes of the Easement, the phrase "Utility Facilities" shall include a variable number of conductors or wires, insulators, crossarms, protective devices, meters, terminal boxes, transformers, structures, poles, props, guys, anchors, and other necessary and desirable devices relating to electric energy or communication.

2. SPS has the right to remove all trees, branches, or other obstructions which might endanger or interfere with the operation, safety, or efficiency of Utility Facilities on the Property on which the Easement is located.

3. SPS will install and maintain Utility Facilities on the Property on which the Easement is located according to National Electric Safety Code in effect at the time of installation.

4. SPS shall enjoy the rights, benefits, and privileges conveyed by this instrument only until such time as the Utility Facilities on the Property are abandoned and removed, at which time all right, title, and interest of SPS in the Property will revert to the party that then owns the Property.

5. Grantor will have the right to use the Property for any purposes consistent with the rights granted to SPS by the Easement, provided that any use by Grantor shall not endanger the Utility Facilities or interfere with SPS's use of the Easement.

6. SPS has the right to assign all or part of the rights it receives under the Easement. The Easement will inure to the benefit of SPS and SPS's successors and assigns.

7. Grantor acknowledges and agrees that the location of the Easement is based only on preliminary surveys and that the rights granted by this Easement shall apply to the actual location of Utility Facilities, when constructed.

8. Upon completion of construction, SPS will reasonably compensate Grantor for the actual loss of crops or damage to crops on the Property caused by construction of Utility Facilities on the Property. It shall be the responsibility of Grantor to provide compensation to any lessee of Grantor or other tenant in interest.

9. Grantor binds Grantor and Grantor's heirs, successors, and assigns to WARRANT and FOREVER DEFEND, all and singular, the rights granted to SPS by this instrument.

IN WITNESS WHEREOF the Grantor has executed this easement as of _____, 20___.

City of Amarillo

GRANTOR:

City of Amarillo

_____

Name:_____

Title:_____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on this ____ day of _____, 20___ by _____ as _____ of [name of corporation], on behalf of said corporation.

[Seal]

_____
Notary Public

Exhibit "A"

Sheet 1 of 2

Easement Description

Being a 0.969 acre tract of land out of Section 167, Block 2, A.B.&M. Survey, Potter County, Texas, said Section 167 being conveyed to the City of Amarillo in a Lease recorded under Volume 309, Page 524, of the Official Public Records of Potter County, Texas, and being further described by metes and bound as follows:

COMMENCING at a P-K Nail found for the southwest corner of said Section 167, (Bearings based upon the Texas Coordinate System, North Zone, NAD 83, all distances are ground surface values in U.S. Survey feet.)

Thence North 49 degrees 21 minutes 59 seconds East, a distance of 5777.35 feet, to the Beginning corner of this tract of land;

Thence North 09 degrees 44 minutes 54 seconds East, a distance of 25.00 feet;

Thence North 80 degrees 15 minutes 06 seconds West, a distance of 230.00 feet;

Thence North 09 degrees 44 minutes 54 seconds East, a distance of 188.44 feet;

Thence North 12 degrees 54 minutes 37 seconds East, a distance of 222.64 feet;

Thence North 14 degrees 51 minutes 05 seconds East, a distance of 405.07 feet, to the beginning point of a tangent curve, concave to the left;

Thence along said tangent curve to the left, with a delta angle of 53 degrees 28 minutes 05 seconds, a radius of 243.75 feet, an arc length of 227.47 feet, a chord bearing of North 11 degrees 52 minutes 58 seconds West, and a chord distance of 219.30 feet;

Thence North 38 degrees 37 minutes 00 seconds West, a distance of 25.17 feet, to the beginning point of a tangent curve, concave to the right;

Thence along said tangent curve to the right, with a delta angle of 38 degrees 35 minutes 02 seconds, a radius of 75.73 feet, an arc length of 51.00 feet, a chord bearing of North 19 degrees 19 minutes 29 seconds West, and a chord distance of 50.04 feet;

Thence North 00 degrees 01 minutes 58 seconds West, a distance of 315.01 feet, to a point on the southerly right-of-way line of Hastings Avenue;

Thence North 89 degrees 36 minutes 06 seconds West, along said southerly right-of-way line of Hastings Avenue, a distance of 25.00 feet;

Thence South 00 degrees 01 minutes 58 seconds East, a distance of 315.20 feet, to the beginning point of a tangent curve, concave to the left;

Thence along said tangent curve to the left, with a delta angle of 38 degrees 35 minutes 02 seconds, a radius of 100.73 feet, an arc length of 67.83 feet, a chord bearing of South 19 degrees 19 minutes 29 seconds East, and a chord distance of 66.56 feet;

Thence South 38 degrees 37 minutes 00 seconds East, a distance of 25.17 feet, to the beginning point of a tangent curve, concave to the right;

Thence along said tangent curve to the right, with a delta angle of 53 degrees 28 minutes 05 seconds, a radius of 218.75 feet, an arc length of 204.14 feet, a chord bearing of South 11 degrees 52 minutes 58 seconds East, and a chord distance of 196.81 feet;

Thence South 14 degrees 51 minutes 05 seconds West, a distance of 405.50 feet;

Thence South 12 degrees 54 minutes 37 seconds West, a distance of 223.75 feet;

Thence South 09 degrees 44 minutes 54 seconds West, a distance of 214.13 feet;

Thence South 80 degrees 15 minutes 06 seconds East, a distance of 255.00 feet, to the Point of Beginning of this tract;

Said tract contains a computed area of 0.969 acres of land

NOTES:

1. Date of field survey: September 23, 2020
2. Parcel plat with same date accompanies this description
3. The above described 0.969 acre tract is subject to any rights-of-way or other easements as granted or reserved by instruments of record, or as now existing across said described tract of land.

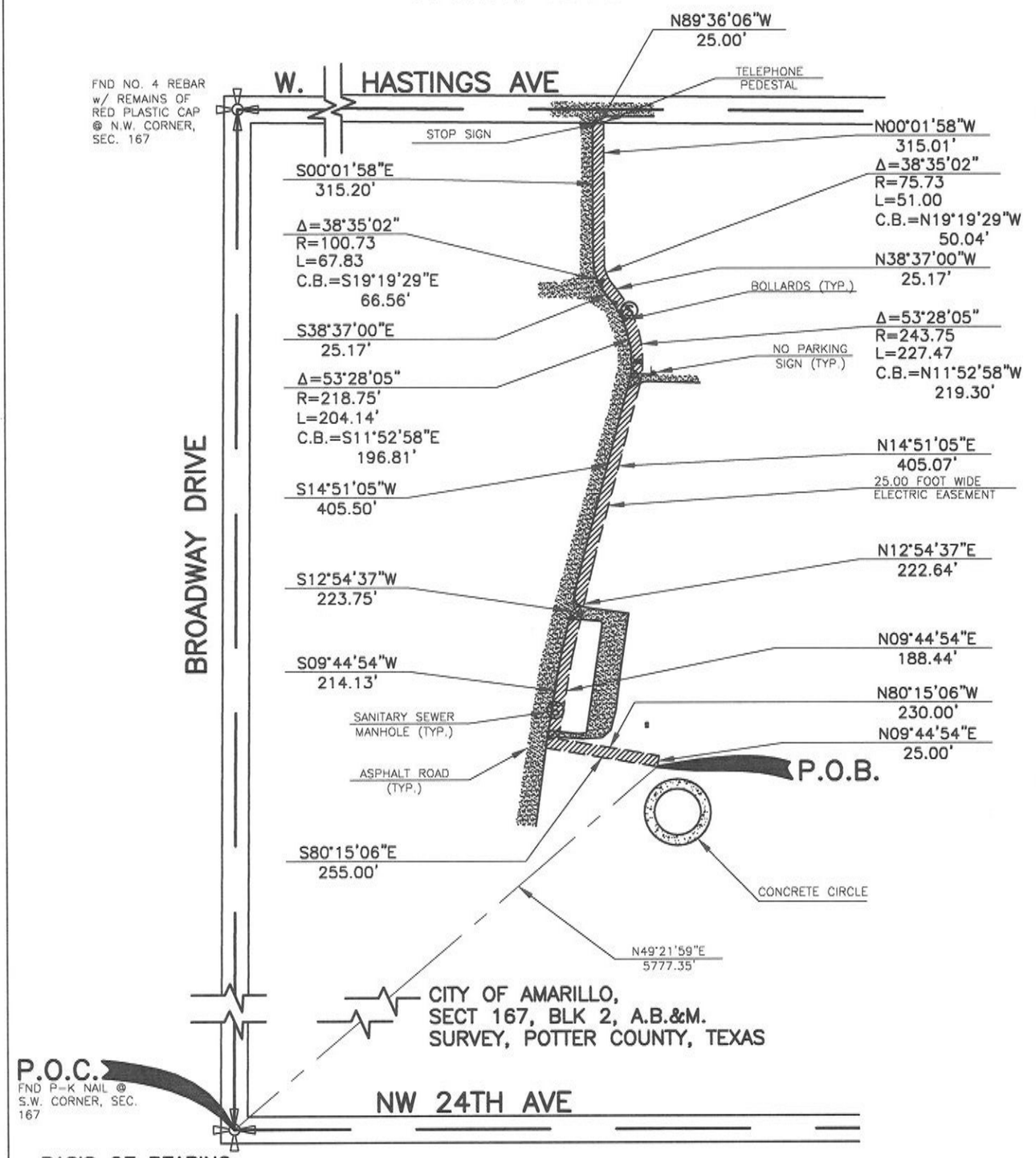
_____

Gale Scott Munsell Date
RPLS 6308

Southwestern Public Service Company
790 S. Buchanan Street.
Amarillo, Texas 79101
Phone: (806) 640-6559
Attn: Scott Munsell, SWSC

EXHIBIT B

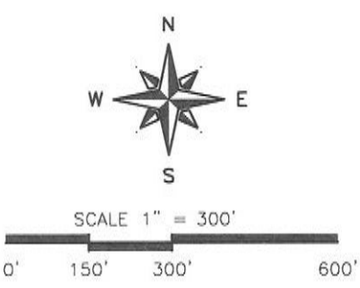
SECTION 167, BLOCK 2, A.B.&M. SURVEY, POTTER COUNTY, TEXAS



BASIS OF BEARING

Bearings are Grid, based on the Texas State Plane Coordinate System, North Zone NAD83, all distances are ground surface values in U.S. Survey feet.

LEGEND	
⊕	FOUND SECTION CORNER
●	FOUND CORNER
○	SET NO. 4 REBAR w/ YELLOW PLASTIC CAP "SPS ESMT RPLS 6308"



PROPERTY INFORMATION	EASEMENT SURVEY	SOUTHWESTERN PUBLIC SERVICE COMPANY 6088 SW 48th Ave., Amarillo, TX. 79109	
OWNER: CITY OF AMARILLO, LOC: SECT 167, BLK 2, A.B.&M. SURVEY, POTTER COUNTY, TEXAS		DWG: Xcel/Company+Job/Location.dwg	
	DATE OF SURVEY: SEPT. 23, 2020	WORK ORDER:	
	PLOTTED: OCTOBER 28, 2020	DRN BY: GSM	SHT. 03 of 03

SOUTHWESTERN PUBLIC SERVICE COMPANY
UTILITY EASEMENT

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

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

That CITY OF AMARILLO, whose address is P.O. Box 1971, Amarillo, Texas 79105 (collectively, the "Grantor," whether one or more) for the sum of TEN DOLLARS and 00/100 ($10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged by this instrument grants to **SOUTHWESTERN PUBLIC SERVICE COMPANY**, a New Mexico corporation, whose address is 790 S. Buchanan Street, Amarillo, Texas 79101 ("SPS"), an easement upon, under, over, and across property owned by Grantor and located in the COUNTY OF POTTER, STATE OF TEXAS which property (the "Property") is described as follows:

Easement Description – SEE EXHIBIT "A" ATTACHED

Easement Sketch – SEE EXHIBIT "B" ATTACHED

The location of any additional overhead or underground lines covered by this easement shall be agreed to by both SPS and Grantor prior to construction.

The Easement granted by this instrument (the "Easement") is subject to the following conditions:

1. SPS has the right to install, operate, relocate, construct, reconstruct, add to, maintain, inspect, patrol, enlarge, repair, and replace Utility Facilities for the transmission and distribution of electricity upon, over, under, and across the Property included in the Easement and to remove Utility Facilities from the Property, and the right of ingress and egress on Grantor's adjacent property for the same purposes. For purposes of the Easement, the phrase "Utility Facilities" shall include a variable number of conductors or wires, insulators, crossarms, protective devices, meters, terminal boxes, transformers, structures, poles, props, guys, anchors, and other necessary and desirable devices relating to electric energy or communication.

2. SPS has the right to remove all trees, branches, or other obstructions which might endanger or interfere with the operation, safety, or efficiency of Utility Facilities on the Property on which the Easement is located.

3. SPS will install and maintain Utility Facilities on the Property on which the Easement is located according to National Electric Safety Code in effect at the time of installation.

4. SPS shall enjoy the rights, benefits, and privileges conveyed by this instrument only until such time as the Utility Facilities on the Property are abandoned and removed, at which time all right, title, and interest of SPS in the Property will revert to the party that then owns the Property.

5. Grantor will have the right to use the Property for any purposes consistent with the rights granted to SPS by the Easement, provided that any use by Grantor shall not endanger the Utility Facilities or interfere with SPS's use of the Easement.

6. SPS has the right to assign all or part of the rights it receives under the Easement. The Easement will inure to the benefit of SPS and SPS's successors and assigns.

7. Grantor acknowledges and agrees that the location of the Easement is based only on preliminary surveys and that the rights granted by this Easement shall apply to the actual location of Utility Facilities, when constructed.

8. Upon completion of construction, SPS will reasonably compensate Grantor for the actual loss of crops or damage to crops on the Property caused by construction of Utility Facilities on the Property. It shall be the responsibility of Grantor to provide compensation to any lessee of Grantor or other tenant in interest.

9. Grantor binds Grantor and Grantor's heirs, successors, and assigns to WARRANT and FOREVER DEFEND, all and singular, the rights granted to SPS by this instrument.

IN WITNESS WHEREOF the Grantor has executed this easement as of _____, 20___.

CITY OF AMARILLO

GRANTOR:

CITY OF AMARILLO

_____

Name:_____

Title:_____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on this ____ day of _____, 20___ by _____ as _____ of [name of corporation], on behalf of said corporation.

[Seal]

_____
Notary Public

Exhibit "A"

Sheet 1 of 2

Easement Description

Being a 0.187 acre tract of land out of a 287.67 acre tract of land in Section 60, Block 2, A.B.&M. Survey, Potter County, Texas, said 287.67 acre tract of land being shown on PRAD as tract R-200-0600-1000.0, at the Potter County Tax Appraisal office, said 287.67 acre tract of land being conveyed to the City of Amarillo, Potter County, Texas, said 0.187 acre tract of land being further described by metes and bound as follows:

COMMENCING at a No 4 rebar w/ yellow plastic cap stamped "GOLLADAY RPS 1478" found for the northwest corner of Lot 2, Block 3, Airport Park Addition Unit No. 6, (Bearings based upon the Texas Coordinate System, North Zone, NAD 83, all distances are ground surface values in U.S. Survey feet.)

Thence South 89 degrees 52 minutes 07 seconds East, along the north line of said Lot 2, a distance of 1442.32 feet, to the northeast corner of said Lot 2;

Thence North 00 degrees 39 minutes 59 seconds East, along the westerly right-of-way line of Pullman Road, a distance of 112.97 feet, to the Beginning corner of this tract of land;

Thence continue North 00 degrees 39 minutes 59 seconds East, a distance of 14.27 feet;

Thence North 43 degrees 49 minutes 15 seconds West, a distance of 739.24 feet;

Thence North 68 degrees 28 minutes 53 seconds West, a distance of 27.40 feet;

Thence North 87 degrees 32 minutes 15 seconds West, a distance of 44.85 feet;

Thence South 02 degrees 27 minutes 44 seconds West, a distance of 10.00 feet;

Thence South 87 degrees 32 minutes 15 seconds East, a distance of 43.17 feet;

Thence South 68 degrees 28 minutes 53 seconds East, a distance of 23.54 feet;

Thence South 43 degrees 49 minutes 15 seconds East, a distance of 747.24 feet, to the Point of Beginning of this tract;

Said tract contains a computed area of 0.187 acres of land

NOTES:

1. Date of field survey: November 10, 2020
2. Parcel plat with same date accompanies this description
3. The above described 0.187 acre tract is subject to any rights-of-way or other easements as granted or reserved by instruments of record, or as now existing across said described tract of land.

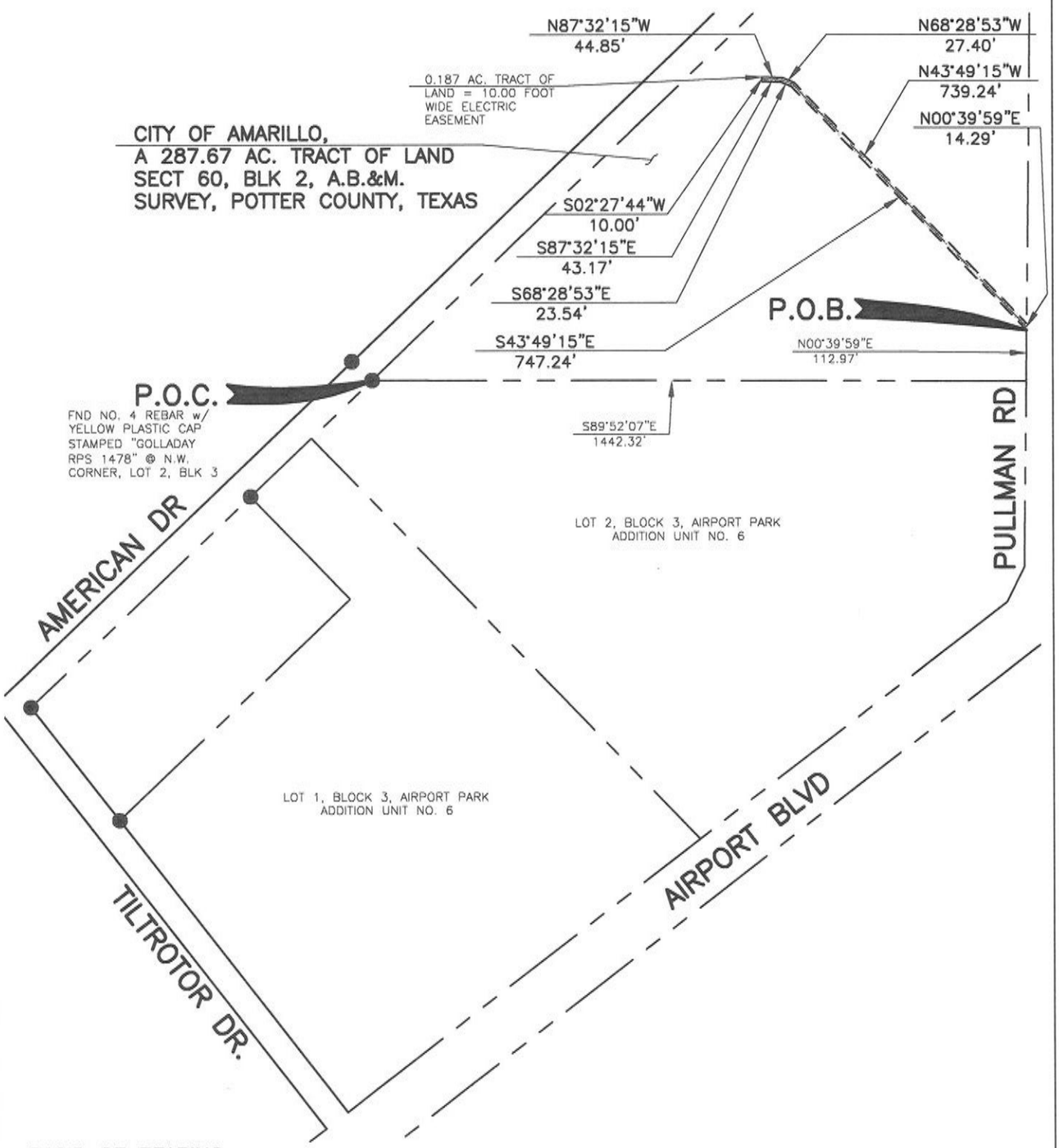
_____

Gale Scott Munsell — Date
RPLS 6308

Southwestern Public Service Company
790 S. Buchanan Street.
Amarillo, Texas 79101
Phone: (806) 640-6559
Attn: Scott Munsell, SWSC

EXHIBIT B

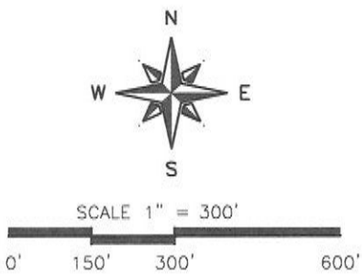
A 287.67 ACRE TRACT OF LAND, IN SECTION 60, BLOCK 2, A.B.&M. SURVEY, POTTER COUNTY, TEXAS



BASIS OF BEARING

Bearings are Grid, based on the Texas State Plane Coordinate System, North Zone NAD83, all distances are ground surface values in U.S. Survey feet.

LEGEND	
✳	FOUND SECTION CORNER
●	FOUND CORNER
O	SET NO. 4 REBAR w/ YELLOW PLASTIC CAP "SPS ESMT RPLS 6308"



PROPERTY INFORMATION	EASEMENT SURVEY	SOUTHWESTERN PUBLIC SERVICE COMPANY 6088 SW 48th Ave , Amarillo, TX, 79109	
OWNER: CITY OF AMARILLO, LOC: A 287.67 AC. TRACT OF LAND SECT 60, BLK 2, A.B.&M. SURVEY, POTTER COUNTY, TEXAS		DWG: Xcel/Company+Job/Location.dwg	
	DATE OF SURVEY: NOVEMBER 10, 2020	WORK ORDER:	
	PLOTTED: NOVEMBER 24, 2020	DRN BY: GSM	SHT. 03 of 03

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8th, 2020	**Council Priority**	Fiscal Responsibility
Department	Solid Waste		
Contact	Raymond Lee – Public Works Director		

Agenda Caption

Award – Roll Offs of America/USA - $550,000.00 – 1,000 - 3 yard side refuse containers
Award – Roll Offs of America/USA - $148,500.00 – 150 – 8 yard front load refuse containers

Agenda Item Summary

Award of $550,000.00 – 1,000 - 3 yard side refuse containers (Roll Offs of America/USA)
Award of $148,500.00 – 150 - 8 yard front load refuse containers (Roll Offs of America/USA)

Requested Action

Consider approval and award the purchase of 1,000 3 yard side refuse containers and 150 8 yard front load refuse containers

Funding Summary

Funding for these awards are available in the Solid Waste Department Budget 1431-68630

Community Engagement Summary

N/A

Staff Recommendation

City Staff is recommending approval

Bid No. 6929 3 YD AND 8YD REFUSE CONTAINER ANNUAL CONTRACT
Opened 4:00 p.m. November 19, 2020

To be awarded as one lot	ROLL OFFS OF AMARILLO		TECHNOLOGY INTERNATIONAL INC		BOX GANG MFG	
Line 1 -3YD Refuse Container, per specifications						
1,000 ea						
Unit Price	$550.000		$882.000		$647.000	
Extended Price		550,000.00		882,000.00		647,000.00
Line 2 -8YD Refuse Container, per specifications						
150 ea						
Unit Price	$990.000		$1,005.000		$1,057.000	
Extended Price		148,500.00		150,750.00		158,550.00
Bid Total		698,500.00		1,032,750.00		805,550.00
Award by Vendor		698,500.00				
City		Durant, OK				

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Fiscal Responsibility
Department	Animal Management & Welfare		
Contact	Trent Davis – Purchasing Agent		

Agenda Caption

Consider Award of Annual Contract Bid No: 6908 – Animal Food/Feed for the Animal Shelter in the amount of $76,950.00.

Agenda Item Summary

This is to award Legend & White Animal Health Corp. the contract for providing Animal Food/Feed to the Amarillo Animal Management Welfare Shelter

Requested Action

Consider approval and award of Legend + White Animal Health Corp - Annual Supply Agreement

Funding Summary

Cost Center 51550 Animal Feed and Medical

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends award of this contract.

Bid No. 6908 Dog and Cat Food Annual Contract
Opened 4:00 p.m., October 29, 2020

To be awarded as one lot		Legend + White Animal Health Corp
Line 1 DOG AND CAT FOOD ADULT DOG FOOD, PLEASE PROVIDE PROCE PER POUND 46,000 LBS, FOOD TO INCLUDE THE FLOOWING: CRUDE PROTIEN-NOT LESS THAN MINIMUM 22% CRUDE FAT-NOT LESS THAN NOMINAL 12% MOSITURE- NOT MORE THAN 10 CRUDE FIBER-NOT MORE THAN 3.5%,THESE INGREDIENTS "MUST NOT BE IN THE FOOD": WHEAT MIDDLINGS, CORN DISTILLER'S DRIED GRAINS WITH SOLUBLES, per specifications		
46,000 LB		
Unit Price	$0.650	
Extended Price		29,900.00
Line 2 DOG AND CAT FOOD, PUPPY FOOD, PLEASE PROVIDE PRICE PER POUND 50,000 LBS FOOD TO INCLUDE THE FOLLOWING, CRUDE PROTEIN-NOT LESS THAN MINIMUM 31% CUDE FAT- NOT LESS THAN NOMINAL 20% MOISTURE -NOT MORE THAN 10% CRUDE FIBER- NOT MORE THAN 3% , THESE INGREDIENTS "MUST NOT BE IN THE FOOD" WHEAT MIDDLINGS, CORN DISTILLER'S DRIED GRAINS WITH SOLUBLES, per specifications		
50,000 LB		
Unit Price	$0.860	
Extended Price		43,000.00
Line 3 DOG AND CAT FOOD, PUPPY FOOD, PLEASE PROVIDE PRICE PER POUND 5,000 LBS FOOD TO INCLUDE THE FOLLOWING, CRUDE PROTEIN-NOT LESS THAN MINIMUM 30% CRUDE FAT- NOT LESS THAN NOMINAL 15% MOISTURE -NOT MORE THAN 10% CRUDE FIBER- NOT MORE THAN 3% , THESE INGREDIENTS "MUST NOT BE IN THE FOOD" WHEAT MIDDLINGS, CORN DISTILLER'S DRIED GRAINS WITH SOLUBLES, per specifications		
5,000 LB		
Unit Price	$0.810	
Extended Price		4,050.00
Bid Total		76,950.00
Award by Vendor		76,950.00
City		LINCOLNSHIRE, IL

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Fiscal Responsibility
Department	Human Resources		
Contact	Sandy Elliott, Benefits Manager		

Agenda Caption

Review and approval of the Stop Loss Insurance RFP #02-21 to Stealth Partner Group for the estimated annual amount of $416,796.24 for CY2021.

Agenda Item Summary

This is to award the City's Major Medical (Medical /Rx) Stop Loss Insurance to Stealth Partner Group for Plan Year 2021.

Requested Action

Requesting approval of a one-year contract (CY2021) for stop loss insurance coverage for $416,796.24 with Stealth Partner Group.

Funding Summary

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

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends awarding the City's Major Medical (Medical /Rx) Stop Loss Insurance coverage to Stealth Partner Group for Plan Year 2021.

CITY OF AMARILLO®
HUMAN RESOURCES

Memo

To: Jared Miller, City Manager
Laura Storrs, Assistant City Manager

Thru: Mitchell Normand, HR Director

From: Sandy Elliott, Benefit Manager

Re: Stop Loss Coverage

Date: December 8, 2020

The following information is presented to you for consideration in renewing medical and prescription stop loss insurance coverage with Stealth Partner Group for calendar year 2021. The City has a self-funded medical and prescription plan administered by a third-party administration ("TPA") currently with Aetna. Stop-loss insurance is coverage that provides protection against catastrophic or unpredictable losses. The City currently carries stop loss coverage with a 24/12 contract, a $750,000 individual deductible and composite rate of $14.67 per employee at an annual cost of $372,148.56 The recommended policy provides a 60/12 contract, a $750,000 individual deductible with an 11.99% rate increase for a composite rate of $16.43 per employee at an annual cost of $416,796.24. The estimated FY20/21 stop loss was budgeted at $445,723.33 which is a savings of 6%.

RFP respondents presented offers illustrating proposals on a 24/12, 15/12 and/or 60/12 basis including coverage for medical and prescription drugs for the following deductibles - $750,000, $600,000, and $500,000. An explanation of the terms is as follows. The recommended proposal 60/12 offer represents any claim incurred in the 48 months prior to 2021 and paid during 2021 (the 12 months of the policy) is covered under the policy. The 24/12 offer represents any claim incurred in the 12 months prior to 2021 and paid during 2021 (the 12 months of the policy) is covered under the policy. The 15/12 offer represents the three months prior and paid during the 12 months of the contract is covered under the policy. The monthly administrative fee includes employees covered under the medical plan (active employees, COBRA enrollees, and pre-65 retirees) with an average headcount of 2,114 employees being used for this RFP. The composite rate is included in the quote which is the number used to calculate the monthly administration fee per employee.

Two respondents prepared three unique responses to this RFP. Through Stealth Partner Group, an aggregator of stop loss carriers, QBE (incumbent) prepared the most competitive offer. The terms of the proposal are the same terms as our current coverage except for expanding claims covered from 24/12 to 60/12. The deductible remains at $750,000. QBE's composite rate per employee is $16.43 which is an 11.99% increase from our 2020 composite rate of $14.67 per employee. The other two

CITY OF AMARILLO®
HUMAN RESOURCES

responses offering comparable coverage to the recommended proposal presented composite rates of $17.62 per employee for 24/12 coverage and $18.52 per employee for 60/12 coverage.

Hub International, Inc., the City's Healthcare Consultant, recommends the City pursue the 60/12 option with the $750,000 individual deductible to provide coverage for claims incurred up to 48 months prior to CY2021, but paid in CY 2021. The City's Risk Board has reviewed the terms of the coverage and agrees with staff recommendation to enter into a one-year agreement with Stealth Partner Group for stop loss insurance coverage for calendar year 2021.

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Transportation Systems
Department	Amarillo City Transit (ACT)		
Contact	Marita Wellage-Reiley, Transit Director		

Agenda Caption

CONSIDER ADOPTION – AMARILLO CITY TRANSIT PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (Contact: Marita Wellage-Reiley, Transit Director)
This item considers the adoption of the Amarillo City Transit Public Transportation Agency Safety Plan to protect the citizens, employees, and the assets of the City. City Council adoption is required for the receipt of federal funding.

Agenda Item Summary

Congress amended Federal transit law as part of the Moving Ahead for Progress in the 21 Century Act (MAP-21), to require each operator of a public transportation system to draft and carry out a Public Transportation Agency Safety Plan (PTASP) process to reduce the likelihood of safety events. It requires recipients of Federal Transportation Administration (FTA) grants that operate public transportation to develop and implement safety plans that establish processes and procedures to support the implementation of Safety Management Systems (SMS), a comprehensive, collaborative approach to managing safety. The Public Transportation Agency Safety Plan final rule (49 C.F.R. Part 675) requires that the governing body must approve the Plan submitted by the Accountable Executive (Transit Director).

Requested Action

To approve the Amarillo City Transit Public Transportation Agency Safety Plan that includes the process and procedures for implementing Safety Managements Systems (SMS).

Funding Summary

Implementation of the PTASP is a requirement for receipt of Federal Funding.

Community Engagement Summary

As part of public engagement related to the Transit Fare Study presented to City Council in October 2018, ACT conducted a series of four public meetings and City Council conducted a public hearing.

ACT has conducted five public meetings focused on proposed changes to the ADA service area in June 2019. The meetings also addressed the planned fare changes. A total of 15 individuals attended these meetings. Via Face Book, the audience for the June 10 and 17 presentations garnered 826, 46 questions/comments, and 2 shares and 768 views, 11 questions/comments, and 7 shares respectively.

ACT sent out 780 letters to Spec Trans customers notifying eligible individuals of the proposed change. Customers responded with 6 emails and 4 letters. Three of the letters and emails were duplicates against any change in service areas and fares.

The proposed changes were presented to the Advisory Committee for People with Disabilities for

consideration. The Advisory Committee for People with Disabilities recommends adopting the changes outlined in the ordinance.

Staff Recommendation

Staff recommends adopting the Amarillo City Transit Public Transportation Agency Safety Plan.

2020

AMARILLO CITY TRANSIT SAFETY PLAN



Draft

10/27/2020

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H. Pre/Post Trip Inspection Form ..... **Error! Bookmark not defined.**

I. Daily Vehicle Roster ..... **Error! Bookmark not defined.**

J. Security/Facility Inspection Checklist and Quarterly Workplace Audit ..... **Error! Bookmark not defined.**

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I. AMARILLO CITY TRANSIT AGENCY SAFETY PLAN REQUIRED INFORMATION

A. Transit Agency Information

Transit Agency Name	Amarillo City Transit (ACT)	
Transit Agency Address	801 SE 23rd Avenue, P.O. Box 1971	
Accountable Executive	Marita Wellage-Reiley, Transit Director	
Chief Safety Officer	Scot Crimmins, Operations Safety and Training Supervisor	
Service Model	Fixed Route and Complementary Paratransit	
Funding Source	5307 and 5339	
Service Provided	Directly Operated, No service for other agency or entity	
Name of Person Drafting Plan	Marita Wellage-Reiley, Transit Director	
Signature of Accountable Executive		Date 12/02/20/
Approval by Amarillo City Council	A copy of Amarillo City Council Resolution #, approving ACT Safety Plan is maintained on file by the Transit Director and is included as Appendix A.	Date 12/08/2020
The ACT Agency Safety Plan addresses all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and Nation Public Transportation Safety Plan.		

B. Plan Development Records

Version	Section/Pages Affected	Reason for Change	Date
1		New Document	

C. Annual Review and Update Process

ACT will complete an annual review of the Safety Plan as part of the budget process no later than June 1st of each year so that the performance targets and updates can be included in the annual budget narratives submitted and approved by Amarillo City Council for the fiscal year beginning October 1. The Accountable Executive and the Operations Safety and Training Supervisor will review and approve any changes prior to submission to City Council.

II. INTRODUCTION

A. Federal Requirement

Congress amended Federal transit law as part of the Moving Ahead for Progress in the 21 Century Act (MAP-21), to require each operator of a public transportation system to draft and carry out a Public Transportation Agency Safety Plan (PTASP) to reduce the likelihood of safety events. The PTASP final rule (49 C.F.R. Part 673) intends to improve public transportation safety by guiding transit agencies to manage safety risks more effectively and proactively in their systems. It requires certain recipients and sub-recipients of Federal Transportation Administration (FTA) grants that operate public transportation to develop and implement safety plans that establish processes and procedures to support the implementation of Safety Management Systems (SMS), a comprehensive, collaborative approach to managing safety.

The rule requires each transit agency to certify compliance with PTASP requirements through its annual Certifications and Assurances to FTA. FTA will use its existing Certifications and Assurances process for this effort. FTA intends to use its triennial oversight review programs to assess compliance with the requirements of the rule.

B. Amarillo City Transit Overview

Amarillo City Transit (ACT) has one operating facility locate at 23rd Avenue and Olive Street in the City of Amarillo Service Center. ACT administrative office, maintenance, and storage of 31 buses are housed at this location. ACT service operates Monday through Saturday between the hours of 6:00 a.m. and 7:00 p.m. on thirteen routes. ACT has 68 budgeted positions, 62 are considered safety sensitive which includes:

- 44 Bus Operators
- 5 Mechanics and 1 Foreman
- 5 Fuel and Wash Staff
- Operations Safety and Training Supervisor (Chief Safety Officer) and Assistant Safety and Training Supervisor
- Operations Supervisor and 5 Dispatchers/Schedulers/Road Supervisors

ACT is considered a small urban bus operator and would be included in the State of Texas Public Transportation Safety Plan but elected to prepare the agency safety plan. The official opt out letter is included as Appendix B of this document.

ACT is a department of the City of Amarillo and as such is included in the City Safety Management Structure.

C. City of Amarillo Safety Management Structure

City of Amarillo (COA) Safety Policy and direction is set by the Executive Safety Committee whose members include the City Manager, Deputy City Manager, Assistant City Managers, Risk Manager and the Directors of Human Resources and Public Works. This group meets quarterly.

The Central Safety Committee of which the Transit Director is a member meets monthly and is responsible for designing, managing, implementing, and ensuring overall compliance with safety policy and practice. The Central Safety Committee reviews information from Risk Management that helps

address areas for improvement such as the types and causes of injuries, as well as months and days that injuries occur. This informs ACT training and actions needed to improve safety performance.

The City has an Incident Review Board that meets monthly to review accidents and determine if they are non-preventable or preventable and assess points. Drivers who receive the maximum number of points are subject to discharge. The ACT Chief Safety Officer interacts with this Board.

Each Division of the City and each Department has their own safety committee. Division Director presents divisional safety data to the Central Safety Committee on a quarterly basis and Risk Management presents City-wide data to on a quarterly basis to City Management.

The COA Risk Manager, Safety Coordinator and Claims Administrator are available for consultation and respond to ACT accidents. The City Safety policy holds managers, supervisors, and employees accountable for meeting our safety goals.

COA Safety Structure, Safety Management Process and the Policies are contained in Appendix C. ACT Employee's receive policies during orientation and it is included in the COA Employee Handbook.

D. ACT Safety Organization

The City's Safety Program emphasizes management's commitment to safety as the number one most important safety practice. The Transit Director is accountable for creating a culture of safety by providing strategic direction for safety policy, risk mitigation, safety assurance and safety promotion. The Transit Director commits to creating a safety culture that strives to continually improve the ACT Safety Management System (SMS) and implement the Agency Safety Plan that will protect the public, transit employees, transit equipment and the City of Amarillo. The Director is assisted in these responsibilities and tasks by the Assistant Transit Director.

The Chief Safety Officer (CSO) reports to the Transit Director and provides leadership in the operation and performance of safety practices. The CSO communicates and enables site safety policy related to SMS and is responsible for operational safety, environmental responsibility and employee health and safety on and off the job.

This position also is responsible for the safety promotion, the ACT Safety Committee and oversees the Assistant Safety and Training Supervisor. The Safety team manages the Employee Safety Reporting process and Hazard Identification program.

E. ACT SMS Contact

Marita Wellage-Reiley, Transit Director (806)378-6842 Marita.Wellage-Reiley@amarillo.gov
Scot Crimmins, Chief Safety Officer (806)378-6843 Scot.Crimmins@amarillo.gov

III. SAFETY PERFORMANCE TARGETS

A. Overview

The Public Transportation Agency Safety Plan (PTASP) regulation, 49 CFR Part 673, requires that ACT establish safety performance targets. Safety targets are quantifiable goals measured overtime.

ACT reports the following performance measures as part of the annual budget process approved by Amarillo City Council each year. The targets presented below will be revised for the new fiscal year in June and submitted for approval in September of each year.

ACT target use the following definitions:

- **Event** means any Accident, Incident or Occurrence.
- **Accident** means and Event that involves any of the following: A loss of life; a report of serious injury to a person; a collision of public transportation vehicles; an evacuation for life safety reasons; at any location, at any time, whatever the cause.
- **Incident** means an Event that involves any of the following: a personal injury that is not a serious injury: one or more injuries that require medical transport; or damage to facilities, equipment, rolling stock or infrastructure that disrupts operations.
- **Occurrence** means an Event without any personal injury in which damage to facilities, rolling stock or infrastructure does not disrupt operations.
- **System Reliability** is defined by the mean distance between major mechanical failures by mode.

ACT calculated the number of Fatalities, Injuries, and Safety Event based upon 1,000,000 revenue miles. Targets are based upon the five-year average.

ACT Targets	Fixed Route	On Demand
Fatalities	0	0
Injuries	9	1
Safety Events	18	7
System Reliability	6,359	3,451

ACT service reliability will be improved with the delivery of new vehicles in 2021.

B. Metropolitan Plan Organization (MPO) and State Coordination

ACT Coordinates with the MPO in the selection of State and MPO safety performance targets through the MPO Technical Advisory Committee of which the Transit Director is a member. The Amarillo MPO adopted the State of Texas performance targets in January 2020.

ACT performance targets will be submitted to the MPO and made available to the State to aid in the planning process once approved by Amarillo City Council in September of each year. The MPO will review targets every January.

ACT opted out of the State of Texas Public Transportation Agency Safety Plan process but meets monthly with Texas Department of Transportation (TxDOT) representatives. ACT will transmit the PSTA to our District TXDOT Representative when adopted by Amarillo City Council.

IV. SAFETY MANAGEMENT SYSTEM (SMS) POLICY

A. Policy Statement

Amarillo City Transit (ACT) Management's commitment to safety is the number one most important safety practice. Our Mission is to provide Safe, Reliable and Cost-Effective Public Transportation service valued by users, non-users and community leaders.

The management of safety is central to the service we deliver to the community. ACT commits to a continuous improvement process aimed at achieving the highest level of safety performance.

ACT is committed to developing, implementing, maintaining, and constantly improving how we deliver safe public transportation services for our customers, employees and the community. All levels of management and all employees are accountable for the delivery of this highest level of safety performance, starting with the Transit Director.

The Amarillo City Transit Director commits to:

- Support the management of safety through the allocation of resources, fostering safe practices, encouraging employee safety reporting and communication, and actively manage safety with the attention to results.
- Instill a culture that makes safe practices the primary responsibilities of all supervisors and staff.
- Clearly define for all ACT employees their responsibility for the organization's safety performance and their role in our safety management system.
- Establish and maintain policies, procedures and practices to identify hazards and safety risks in order to eliminate or mitigate the risk.
- Ensure that all staff are provided with adequate and appropriate safety-related information and training, are competent in safety management practices, and are assigned tasks commensurate with their skills.
- Monitor and measure our safety performance against realistic and data-driven safety performance indicators and safety performance targets; and
- Continually improve our safety performance through management processes that ensure that appropriate safety management action is taken and is effective.

As the Accountable Executive of the Transit Department is the Transit Director, Marita Wellage-Reiley who is responsible for carrying out the ACT's Transit Asset Management Plan; and directs the human and capital resources need to develop and maintain both the ACT Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d) and the ACT Transit Asset Management Plan in accordance with 49 U.S.C. 5326. The Assistant Transit Director, Christopher Quigley, oversee the vehicle maintenance activities and supports the Transit Director in implementing and enforcing the Safety Policy.

As the Chief Safety Officer, Scot Crimmins, has the adequate experience and training to carry out the department's safety and training responsibilities. The CSO reports directly to the Transit Director and has no other responsibilities besides the safety and training of ACT employees. An Assistant Safety and Training Supervisor reports to the CSO to supports safety and training activities.

Every ACT team member has the personal responsibility to practice safety. Road/Dispatch Supervisors and Shop Foreman have a role in practicing, monitoring, and enforcing safe behaviors of people they supervise on a daily basis.

B. Employee Reporting System

The ACT SMS requires proactive reporting of safety hazards or safety concerns on the part of all employees to be proactive. The City of Amarillo requires the Director ensure that all employees have the authority to enforce the safety policy and take actions to stop unsafe practices.

Under no circumstance are employees retaliated against for the act of reporting safety related information. For example, if an employee runs a red light, they are to report it to their Supervisor or the CSO who will pull the video and go over it with them. They are coached to understand how to avoid red light violations in the future. There is an incentive for employees to be forthright because failure to report may subject them to discipline. Employees who report others are not subject to any negative consequences or retribution. Employees who would engage in retribution could however be subject to discipline for engaging in this conduct considered to be harassment (Appendix D Employee Safety and Performance Expectations).

The ACT SMS contains both proactive and reactive means of reporting safety hazards, unsafe behaviors, and near-miss events. The information derived from proactive reports can provide significant insights into potential risk(s) and furthermore, allows for the continuous improvement of ACT's SMS. While post-event accident, incident or occurrence investigations reveal information about safety hazards, we cannot rely solely on reactive data to expose risk.

When an employee becomes aware of a hazard or near-miss, they are encouraged to submit a report or notify a supervisor or management within eight (8) business hours or at end of shift. Reports may be submitted anonymously by putting a paper copy into any supervisor's mail slot. Reports may also be sent via email transitsafety@amarillo.gov. Hazard Identification Forms are available next to Bus Operator and Maintenance staff mail slots. ACT has used Safe*Start* forms in the past but will be using an internal form in the future. Samples of both are included in Appendix E.

ACT is a small operation and employees are empowered to speak their mind about safety and other matters. They usually choose to speak directly to the Operation Supervisor or CSO and when they are not available to the Assistant Director or Director. Employees take pride in identifying safety issues. Supervisors or management then fill out a report and take required action or direct the report to the proper staff to address the issue. Feed back is provided by the person taking the report or the CSO. Appendix F provides recent examples of a response to hazard identification.

Most responses are provided within 24 hours. Anonymous reports may be responded to with a posting on the safety bulletin board if appropriate. Employees are encouraged to provide their name since ability to provide follow-up communication is otherwise limited.

Employees may also use the City of Amarillo Safety Hazards—**Find It, Fix It Form** contained in Appendix **B.**

C. Safety Management Policy Communication

The Transit Director and Chief Safety Officer lead the Safety Management System activities. Group meetings have been limited in size that can be accommodated by the size of ACT training room and based City and State COVID-19 safety requirements.

New hire orientation conducted by Human Recourses covers the City of Amarillo Safety Policies, Amarillo City Transit provides additional safety training to new employees which includes drug and alcohol training. Safety messages are given at the start of group meetings.

The ACT Employee Safety and Performance Expectations include the ACT Safety Management System Policy statement. This document is given to every employee by the Transit Director who goes over the policy. Employees must sign receipt of the policy and are expected to follow the safety and performance expectations, the consequences for failing to follow expectations are spelled out in the document.

Each day begins with safety messages via email and the radio system. Bulletins are posted outside dispatch for bus operators, maintenance staff and office employees to see when they arrive to work for fit for duty checks. Safety board is located outside the breakroom. Toilet Tabloids are posted in the restroom stalls and change monthly.

Paper copies of safety reminders are provided to operators and maintenance staff in their mailbox and individuals who have email receive notices in their inbox. Safety reminders are posted on exit door. And a large Zero Accident Attitude banner hangs on the outside of the Transit Building.

V. SAFETY RISK MANAGEMENT PROCESS

The ACT Safety Risk Management (SRM) process identifies and classifies systemwide safety risk to develop mitigation strategies that can be monitored by the Accountable Executive, CSO and members of the management team to improve the safety of employees and contractors, infrastructure, vehicles and equipment, revenue and non-revenue service activities, and passengers, pedestrians and citizens of Amarillo. As a City Department, ACT has the benefit of the COA Safety Management System.

The ACT CSO manages the SRM process including the flow of information, identification of hazards, evaluation of potential harm using ACT Risk Matrix and Risk Register.

ACT is a small and collaborative operation. The team will share information, discuss options, or may reconvene after additional research or fact finding. ACT may consult Rick Management, City Legal Department or . The CSO will recommend a final course of actions processed through the Risk Assessment Matrix and the management team can begin implementing the necessary actions. The CSO documents the recommended action in the Risk Register and monitor the mitigation once implemented.

The Safety Committee led by the CSO consists of one volunteer representative from Maintenance, Fuel and Wash, Dispatch/Road Supervisors, Fixed Route Operator, Spec Trans Operator and Administration. The Committee is scheduled to meet monthly to identify hazards, provide mitigation and safety promotion ideas. A recent agenda is included in Appendix G.

ACT uses the following definitions to inform the SRM process:

- Event – Any accident, incident, or occurrence.
- Hazard – Any real or potential condition that causes injury, illness, or death; damage to or loss of facilities, equipment, rolling stock, or infrastructure belonging to ACT or damage to the environment.
- Risk- Composite of predicted severity and likelihood of the potential effect of a hazard.
- Risk Mitigation- The method(s) to eliminate or reduce the effects of hazard.
- Consequences – An effect of a hazard involving injury, illness, death or damage to people, property, or the environment.

A. Hazard Identification

Hazard management focuses on reviewing potential sources of hazards in the transit system; evaluating and mitigating hazards; and reporting on hazard management activity to agency leadership and the state and federal agencies when appropriate.

Multiple sources and methods provide information used by ACT to identify hazards including but not limited to the following:

- ACT and City Employee Reporting Systems
- Citizens telephone calls and complaints through the City website at www.Amarillo.gov.
- ACT Safety Committee
- COA Risk Management Department, City Central Safety Committee
- Supervisor on street observations
- Dispatcher daily reports and monthly performance reports
- Accident reports, camera footage, debriefs of involved parties
- Vehicle inspection and maintenance records

- Transit Asset Management (TAM) annual assessment
- CSO daily walk around
- City Street Department road conditions report, street closures
- Amarillo Policy Department and COA Office of Emergency Management
- COA Environmental Department Annual Chemical Inventory Audit
- NTSB, TSA, CISA, FTA and TXDOT
- Other Transit Organizations

Safety reports or concerns are transmitted to the CSO either verbally, via emails, phone calls or in writing. The CSO records the events or hazards and reports to the Transit Director. At any point throughout the day the CSO may meet with the management team consisting of the Director, the Assistant Director, and the Operation Manager to discuss safety events or concerns or to provide information on the hazard level.

Any identified hazard that pose a real immediate threat to life, property or the environment will be immediately addressed by the Transit Director and the CSO through the SRM process in coordination with the City Risk Management Department. The Transit Director and the CSO may differ action on any safety hazard that does not require immediate action to solicit ideas and or recommendations from the management team or ACT Safety Committee.

B. Risk Assessment

A risk assessment matrix is a graphic example of the mindset. The Transit Director, Management Team, ACT Dispatchers/Road Supervisors, and the Safety Committee must be able to assess risk. Our goal is to create a safety culture where employees can assess the severity of a situation and act safely or recognize the need to report it so that it can be mitigated. Not all risks will be identified or addressed in this way, but ACT strives to have employees think safety and act safely.

ACT will use the Risk Assessment Matrix charts at the end of this section to assess risk; a copy of the Risk Register is contained in Appendix H.

The CSO will assess and prioritize hazards using the Risk Assessment Matrix. The ACT process is to use the three levels of likelihood (remote, occasional, or frequent) to define and determine how often a hazard may occur. The next step is to determine the severity of a hazard – marginal, serious, or catastrophic. Based upon the likelihood and severity of the risk the matrix will categorize the risk as low, medium, or high.

The once the CSO determines the likelihood and severity of hazards using the Risk Matrix the type of hazard, the source, the consequences, and existing mitigation strategies will be codified in the Risk Register. The CSO will determine if further investigation is required to design mitigation strategies.

The CSO will formulate a recommend action or revise strategies to address the risk. The process is not static, and it may require the CSO to go through several iterations of research, interviews, and discussion with the management team, the Safety Committee members, and others. The Risk Register will serve as a record of ACT's process. The Risk Register resides in a file that can be accessed by the management team for monitoring the process.

C. Risk Mitigation

No level of risk is acceptable if it can be mitigated or removed based upon the Safety Risk Index. Risk mitigation happens as a regular course of business. Depending upon the hazard and type of risk the management team may be the arbiters of the mitigation strategies or the Safety Committee may generate a recommended strategy. The CSO is responsible for overseeing the implementation and monitoring actions to determine the effectiveness.

ACT will use established protocols to mitigate risk including plans to respond to predictable safety events. ACT has a Continuation of Operations Plan (COOP), High Wind protocols, Tornado and Winter Weather Plans (Appendix I). These plans are reviewed after each event to evaluate the effectiveness of the response.

ACT has a long history of using Job Safety Analysis (JSAs) to mitigate risk. ACT has many JSAs for numerous topics and procedures. These (Appendix J) JSAs are kept in the break room for easy access and review. ACT is in the process of reviewing and updating JSAs. Appendix J contains samples of our JSAs. The CSO is currently reviewing all JSAs and updating as necessary this is an ongoing process.

Likelihood Levels			
Description	Level	Individual Item	System
Frequent	A	Likely to occur often	Continuously experienced. Potential consequence may occur more than once a day up to once every 3 months.
Occasional	B	Will occur several times	Will occur several times. Potential consequence may be experienced more than once every 3 three months up to every 18 months.
Remote	C	Unlikely to occur	Unlikely but possible. Potential consequence may be experienced more than once every 18 months up to every 60 months or more.

Severity Categories		
Description	Category	Criteria
Catastrophic	1	Could result in death, permanent total disability, loss exceeding $250,000, system shutdown lasting 4 or more hours, or irreversible severe environmental damage that violates law or regulation.
Serious	2	Could result in injury or occupational illness that may result in hospitalization of at least one person, property damage exceeding $25,000 but less than $250,000, system shutdown lasting between 10 minutes and 4 hours, or reversible environmental damage causing a violation of law or regulation.
Marginal	3	Could result in injury or occupational illness that may result in one or more lost workdays, property damage up to $25,000, system shutdown lasting less than 10 minutes, or environmental damage that can be mitigated without violation of law or regulation.

Risk Assessment Matrix			
Likelihood/Severity	Catastrophic	Serious	Marginal
Frequent	High	High	Medium
Occasional	High	Medium	Low
Remote	High	Medium	Low

Safety Risk Index	Criteria by Index
High	*Unacceptable – Action Required* Safety risk must be mitigated or eliminated.
Medium	*Undesirable - Management Decision* Executive management must decide whether to accept safety risk with monitoring or require additional action.
Low	*Acceptable - with Review* Safety risk is acceptable pending management review.

VI. SAFETY ASSURANCE

ACT has the necessary people, processes, and procedures in place to monitor facilities, operations, and maintenance to ensure compliance with our safety and security goals and standards.

ACT evaluates compliance with operating and maintenance policies and procedures on a daily, weekly, monthly, and annual basis. The Chief Safety Officer is responsible for monitoring ACT operations daily to determine the effectiveness of safety programs, processes, and mitigation strategies

ACT uses a well-defined process for responding to (Supervisor Event Response Materials Appendix K) and analyzing safety events as described in the Appendix L Accident Investigation. This information is used to evaluate everything that should be consider when developing a response to an event.

ACT uses safety data and maintenance software packages to track information. ACT has two Management Analysts that aid in the data collection and analysis.

A. Safety Performance Monitoring and Measurement

ACT has many formal and informal processes and sources to monitor the safety compliance including:

- Citizen observation and reporting
- Employee Safety Reporting
- Audits, Studies
- Accident Investigation
- Real Time and On Street Observations
- Inspections
- Performance data
- Government reports NSP, OSHA

The CSO completes a daily facility walk around and meets or emails daily with the Transit Director to discuss safety issues.

The City requires Directors to report quarterly on safety data and holds Director accountable for performance.

B. Assurance Process

ACT will use the following process and activities to monitor safety performance.

- Review standard operating procedures
- Evaluate and monitor equipment and review manuals for consistency with procedures
- Review video, photographs, incident reports, and interviews of participants and witnesses to understand required actions
- Review training and maintenance records for compliance
- Understand the environmental factors and what occurred before, during and after the event and determine the most effect way to monitor mitigation
- Review whether enforcement of rules, policies, and procedures are being followed
- Monitor operation and employee performance
- Consult COA Risk Management and utilize industry data for strategies and comparison of effectiveness

The CSO will document the findings including the direct and indirect cause of the events and determine if and how the event could be prevented. Mitigation could include discipline as outlined in the ACT Employee Safety and Performance Expectations, retraining, policy or procedural changes, purchase of or modification of equipment.

C. ACT Monitoring Activities

ACT has many ways to monitor service.

Fitness for duty inspections are performed prior to dispatching Operators. During these checks are also mitigation strategies. Supervisors are to look for following:

- Impairment from illness, injury, or substance abuse
- Fatigue/Temperature Check
- Absences of Corrective Lenses
- Uniform or equipment issues (ex: badge, driver's license, and Proper PPE).

Emails are used to communicate/record when operators fail to pass this monitoring. Supervisors, the CSO and/or the Operations Manager are responsible for follow up.

Pre and Post trip (Appendix M) inspections must be conducted prior to leaving the yard, when turning the bus over to another driver and when returning to the garage. The Maintenance Foreman is responsible for monitoring the post trip tickets and assigning work as well as quality assurance for completed jobs. The Management team receives a daily vehicle roster (Appendix N) to see the vehicles repair issues and status. COA software allows ACT to monitor compliance and is tracked by the Assistant Transit Director who oversees maintenance. ACT uses COA JDE software and will acquire new software during FY21 that will expand monitoring capabilities.

Safety Team (CSO and Assistant Supervisor for Safety and Training) reviews three (3) randomly selected camera hard drives weekly as part of the hazard identification program. Safety department keeps the near miss/hazard reporting data up to date. ACT maintains, analyzes the data stored and takes corrective action as needed. It is ACT policy to review video when safety events occur – the entire run is evaluated to determine not only how the accident occurred but also the behaviors that could have contribute to the accident.

Dispatchers/Road Supervisors are assigned a team of bus operators and are required to perform regular on street observations monthly to monitor performance. Operators whose performance does not conform to ACT Employee Safety and Performance Expectations are counseled or retrained by the Safety Team. The formal COA performance appraisals for all employees are initially conducted every 6 months and then annually. All appraisals include a review an individual's safety performance and employees who do not conform to expectations are given a plan to improve performance. Failure to meet targets may be subject to termination.

The CSO is responsible for monitoring all new bus operators through the first year and ensures they successfully complete their probation. After the first year ACT Bus Operators are assigned to an ACT Dispatch/Road Supervisor who performs monthly reviews.

Quarterly Workplace Audit reports are a source of information for monitoring safety. (Appendix O)

ACT is in the process of a safety review of all bus stops to ensure the stops safety. ACT is working through the COA Traffic Sign Department to complete corrective actions. (Appendix P).

The City has implemented a cloud-based data management system called Origami, which will satisfy ACT's safety assurance requirements and reporting. Origami's platform can receive, record, and analyze data regarding collisions, near-misses, security events, and safety hazards. Origami will increase in quantitative and qualitative safety reporting and analysis. Historical data in Origami goes back to 1998.

Since ACT is a city department, we are alerted to all emergency road closures when they happen. ACT Operations Supervisor is on the city committee to approve street closures for community events. This permits ACT to react to prevent customer inconvenience, provide safe alternative boarding locations and notify passengers via the One Ride app when regular service will be disrupted.

ACT Supervisors have a packet of material when responding to accidents that ensure that all necessary information is recorded (Appendix K). This ensures that the data needed for Origami reporting, safety event analysis and response are captured.

VII. SAFETY PROMOTION

The City of Amarillo has a comprehensive training program for all employees. New Hire Orientation conducted by the COA Human Resources which spans two days. Workplace safety is a topic and is presented by the one of the City Managers to emphasize the importance of safety.

The City requires training and retraining for supervisors conducted through the LLM online training courses.

ACT uses the 2020 Transit and Paratransit Company (TAPCO) training system for Bus Operators and Bus Garage Safety/OSHA Compliance Course (Appendix Q) for maintenance staff to establish the importance of safety, training, and how to identify risk and apply mitigation strategies. ACT uses TAPCO training for new hire, refresher, and remedial training as well as other safety related training programs such as Passenger Assistance Safety and Sensitivity Training (PASS).

The TAPCO Bus Operator training modules focus on identifying 18 unsafe behaviors and mitigation strategies to remove or reduce risk. The TAPCO training addresses safety best practices and discussed the concept of SMS. Garage safety is a four-day course with a year-long program to achieve on-going OSHA compliance.

ACT is always looking for effective training modules to upgrade and improve the efficacy of the training program. We have added NTI videos System Security Awareness for Transit Employees "Warning Signs" and The Mark, along with LLLC Defensive Driving. Training instructors use video from ACT incidents and accidents as part of the training course, showing only parts that do not identify the individuals involved.

As Bus Operators progress through classroom, behind the wheel, cadetting and during probation, the Safety Team works to identify and correct drivers who exhibit high risk driving behaviors. ACT has in place rules and policies to ensure driver compliance.

In August 2020 ACT acquired six 35-foot Gillig buses. All drivers were given training on the vehicle and required to meet standards before the vehicles were put into service. Gillig provided training for maintenance staff and will return in January 2021 to provide additional training.
Positive employee relations are essential to a safe working environment. Low morale, poor interpersonal skills and lack of professional appearance are associated with at risk or aggressive driving behaviors.

ACT has an employee of the month program that focuses on enhancing safety and customer service. ACT honors individuals who achieve a year or more with no preventable safety event. Employees are rewarded with drink coupons when seen being safe. Recognition and equitable treatment of all employees encourages sharing of safety-related information.

The COA Risk Manager has trained ACT supervisory staff in Incident Investigation and Employee Rights & Responsibilities under the Occupational Safety and Health Act of 1970. A copy of the Power Point Presentation for the class in contained in Appendix L.

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VIII. SAFETY COMMUNICATION

Safety promotion begins on the first day of Employee Orientation. The City Manager or Deputy City Manager cover the COA Code of Safety Practices. New transit employee orientation continues the safety training. ACT Safety Policy is covered in new employee orientation and individuals are required to sign that they have read and agree to follow the policy. The Transit Director conducts the Drug & Alcohol Training and presents the ACT Drug Free Workplace policy to all new employees and this training is updated and provided annually.

The Chief Safety Officer regularly if not daily actively promotes safe practices through in person communication with bus operators, maintenance, and office staff. If he sees something good or bad he will say something.

ACT communicates events and safety information to all as appropriate using the radio, bulletin boards, email, and physical mailboxes for employees who do not have email.

ACT has a sign on the front of the building that says, "Zero Accident Attitude". We acknowledge that zero accidents are unrealistic, but it should be the goal of everyone who enters and exits the facility each day. There are signs in our building that say, "No unsafe behaviors beyond this point". Appendix R is a Power Point Slide evidence of ACT safety communication.

Safety messages go out over the radio every 2 hours. Toilet Tabloids are posted in the restrooms. There are 2 Safety Bulletin Boards outside the break room and on the opposite wall are the Workplace and Days without Accident Boards.

Since COVID-19 we have distributed memos on a regular basis to promote CDC best practices and place articles regarding COVID-19 in the Break room for everyone to read. The Transit Director monitors for updates of COVID-19 Employer Information for Bus Transit Operators on the CDC website and the FTA's Coronavirus landing page.

IX. DEFINITIONS

Amarillo City Transit incorporates all of the Federal Transit Administration's that are in 49 CFR§ 673.5 of the Public Safety Plan regulation.

- **Accident** means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any time, whatever the cause.
- **Accountable Executive** means a single , identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the Public Transportation Agency Safety Plan, in accordance with 49 U.S.C 5329(d), and the Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.
- **Equivalent Authority** means an entity that carries out duties similar to that of a Board of Directors for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.
- **Event** means any Accident, Incident, or Occurrence.
- **Hazard** means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- **Incident** means an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.
- **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.
- **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
- **Occurrence** means an Event without a personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.
- **Performance measure** means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to access progress toward meeting the established targets.
- **Performance target** means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.
- **Public Transportation Agency Safety Plan (or Agency Safety Plan)** means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.
- **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard
- **Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.
- **Safety Assurance** means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

- **Safety Management Policy** means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.
- **Safety Management System** means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.
- **Safety performance target** means a performance target related to safety management activities.
- **Safety Promotion** means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.
- **Safety risk assessment** means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of it s safety risks.
- **Safety Risk Management** means process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigation safety risk.
- **Serious injury** means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers toes or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second-or third-degree burns, or any burns affecting more than 5 percent of the body surface.
- **Transit agency** means an operator of public transportation system.
- **Transit Asset Management Plan** means the strategic and systematic practice of procuring, operation, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation , as required by 49 U.S.SC. 5326 and 49 CFR Part 625.

X. Commonly Used Acronym

ACT	Amarillo City Transit
CDC	Center for Disease Control
CISA	Cybersecurity and Infrastructure Agency
COA	City of Amarillo
COOP	Continuation of Operations Plan
CSO	Chief Safety Officer
FTA	Federal Transit Administration
JSA	Job Safety Analysis
MPO	Metropolitan Planning Organization
NTI	National Transportation Institute
NTSB	National Transportation Safety Board
NSP	National Safety Plan
PPE	Personal Protective Equipment
PTASP	Public Transportation Agency Safety Plan
SMS	Safety Management Systems
SRM	Safety Risk Management
TAM	Transit Asset Management
TAPCO	Transit and Paratransit Company
TSA	Transportation Safety Administration
TXDOT	Texas Department of Transportation

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	**Council Priority**	Regular Agenda Item – Public Hearing

Department	Planning and Development Services Andrew Freeman - Director of Planning and Development Services

Agenda Caption

Public hearing to consider an ordinance rezoning a 4.2 acre tract of unplatted land in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 394 for an outdoor new/used auto sales lot. (Vicinity: Sony Rd. and Pilgrim Dr.)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consist of Planned Development 375 to the north, General Retail District to the east, and Agricultural District in all other directions.

Adjacent land uses consist of a car dealership to the north and undeveloped land in all other directions.

The applicant is requesting a change in zoning in order to develop a new/used outdoor car auto sales lot. Initially, the applicant requested Light Commercial Zoning for the property whereas this is the first non-residential zoning district that allows such.

That said, considering various land uses allowed in Light Commercial would not be in character with the overall retail nature of the Soncy Rd corridor, the Planning and Zoning Commission recommended continuing the Planned Development zoning pattern found immediately in the area.

The applicant was agreeable to this recommendation and is proceeding with the request for Planned Development zoning. A Planned Development Site Plan has been submitted and reviewed by staff and franchised utility companies. Land Uses allowed will be for a new/used outdoor car lot and all other uses allowed in General Retail district. Development standards will either meet or exceed standards for General Retail District.

Analysis

The Planning and Zoning Commission's analysis of zoning change requests begins with referring to the Comprehensive Plan's Future Land Use and Character Map, what impact on area existing zoning and development patterns, as well as its conformity to the Neighborhood Unit Concept (NUC) of development.

The Future Land Use and Character Map identify the applicant's tract as being within the "General Commercial" category. The General Commercial category calls for a wide range of commercial retail and services uses at varying scales and intensities depending on the site in addition to office uses (both large and/or multi-story buildings) and is auto oriented in character. The applicant's request would comply with the recommended Future Land Use Map category recommended for this area.

In regards to the Neighborhood Unit Concept of Development (NUC), typically higher intensity uses such as retail and commercial development are recommended to be located at Section Line Arterial intersections with a transition to less intensive zoning away from the intersection. The applicant's tract of land is located away from the above mentioned area (approximately 1,500 feet south of the intersection of Soncy Road and SW 45th Avenue).

That said, it must be noted that the Soncy Road corridor is unique in that retail and various other non-residential uses (car dealerships) have developed along this highly travelled thoroughfare away from the intersections. Therefore it was the Planning Commission's belief that allowing such a use at this particular location is not unique and is appropriate.

Regarding area land use and zoning patterns, it was the Commission's opinion that in an effort to protect the retail nature of the Soncy Rd. corridor as described previously, continuing the Planned Development zoning pattern found in the area was appropriate and by doing so will represent a logical continuation of the immediate area's land use pattern.

Requested Action/Recommendation

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

The Planning and Zoning Commission believes that in order to maintain the retail nature of this corridor and not set a precedent for Light Commercial zoning in other areas along the corridor, Planned Development zoning is appropriate as recommended. Therefore, the Planning and Zoning Commission recommends **APPROVAL** as presented.

ORDINANCE NO. 7895

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 SONCY ROAD AND PILGRIM DRIVE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

Rezoning of a 4.2 acre tract of unplatted land in Section 63, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Planned Development District 394 for an outdoor new/used auto sales lot being further described below and site plan attached and incorporated herein as Exhibit A:

BEGINNING at a 1/2-inch iron rod with an aluminum cap marked "GRESHAM PLS 1939" found in the west right-of-way line of Loop Highway 335, as described in a dedication recorded in Volume 757, Page 272 of the Deed Records of Randall County, Texas, at the southeast corner of Lot 3, Block 1, Soncy Estates, Unit 4, an addition to the city of Amarillo, Randall County, Texas, according to the map, plat and/or dedication deed thereof recorded in County Clerk's File Number 2013018020 of the Official Public Records of Randall County, Texas, for the northeast corner of this tract, said beginning point having coordinates of NORTHING: 3,702,321.65 and EASTING: 525,094.87, Texas Coordinate System, North Zone 4201, North American Datum of 1983, whence the northeast corner of said Section 63 bears *South 89 degrees 54 minutes 00 seconds East* a distance of 100.47 feet and *North 00 degrees 06 minutes 00 seconds East* a distance of 1621.10 feet, per calls in previous deeds;

(1) THENCE South 00 degrees 06 minutes 00 seconds West, along the west right-of-way line of said Loop Highway 335, a distance of 277.17 feet to a 1/2-inch iron rod with a plastic cap marked "PSC RPLS 6453" set for the southeast corner of this tract, whence a 1/2-inch iron rod with a plastic cap marked "FURMAN RPLS" found at the southeast corner of a 1.52-acre tract of land conveyed to Town Square Property Owners' Association, Inc., described in a special warranty deed recorded in County Clerk's File Number 2018006798 of the Official Public Records of Randall County, Texas, bears South 00 degrees 06 minutes 00 seconds West a distance of 306.01 feet;

(2) THENCE *North 89 degrees 32 minutes 39 seconds West* a distance of 660.08 feet to a 1/2-inch iron rod with a plastic cap marked "PSC RPLS 6453" set in the west line of a 357.509-acre tract of land conveyed to P Dub Land Holdings, Ltd., described in a warranty deed recorded in County Clerk's File Number 2012013182 of the Official Public Records of Randall County, Texas, for the southwest corner of this tract, said southwest corner having coordinates of NORTHING: 3,702,049.80 and EASTING: 524,434.50, Texas Coordinate System, North Zone 4201, North American Datum of 1983, whence a 1/2-inch iron rod with a plastic cap marked "FURMAN RPLS" found at the northwest corner of said 1.52-acre tract bears *South 00 degrees 06 minutes 00 seconds West* a distance of 205.50 feet and a 1/2-inch iron rod with a plastic cap marked "FURMAN RPLS" found at the southwest corner of said 1.52-acre tract bears *South 00 degrees 06 minutes 00 seconds West* a distance of 305.50 feet and a 1/2-inch iron rod with an aluminum cap marked "GRESHAM PLS 1939" found in the north right-of-way line of Hillside Road bears *South 00 degrees 06 minutes 00 seconds West* a distance of 3467.15 feet;

(3) THENCE *North 00 degrees 06 minutes 00 seconds East*, along the east line of said 357.509-acre tract, a distance of 277.17 feet to a 1/2-inch iron rod with an aluminum cap marked "GRESHAM PLS 1939" found at the southwest corner of said Lot 3, Block 1, Soncy Estates, Unit 4, for the northwest corner of this tract;

(4) THENCE South 89 degrees 32 minutes 39 seconds East, along the south line of said Lot 3, Block 1, Soncy Estates, Unit 4, a distance of 660.08 feet to the POINT OF BEGINNING. Bearings and coordinates called in these descriptions are based on the Texas Coordinate System, North Zone 4201, North American Datum of 1983. Distances called in these descriptions are at surface. Areas reported in these descriptions are based on calculations made from surface distances.

SECTION 3. In the event this Ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the Ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

SECTION 4. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 5. This Ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 8th day of December, 2020 and PASSED on Second and Final Reading on this the 15th day of December, 2020.

_____
Ginger Nelson, Mayor

ATTEST:

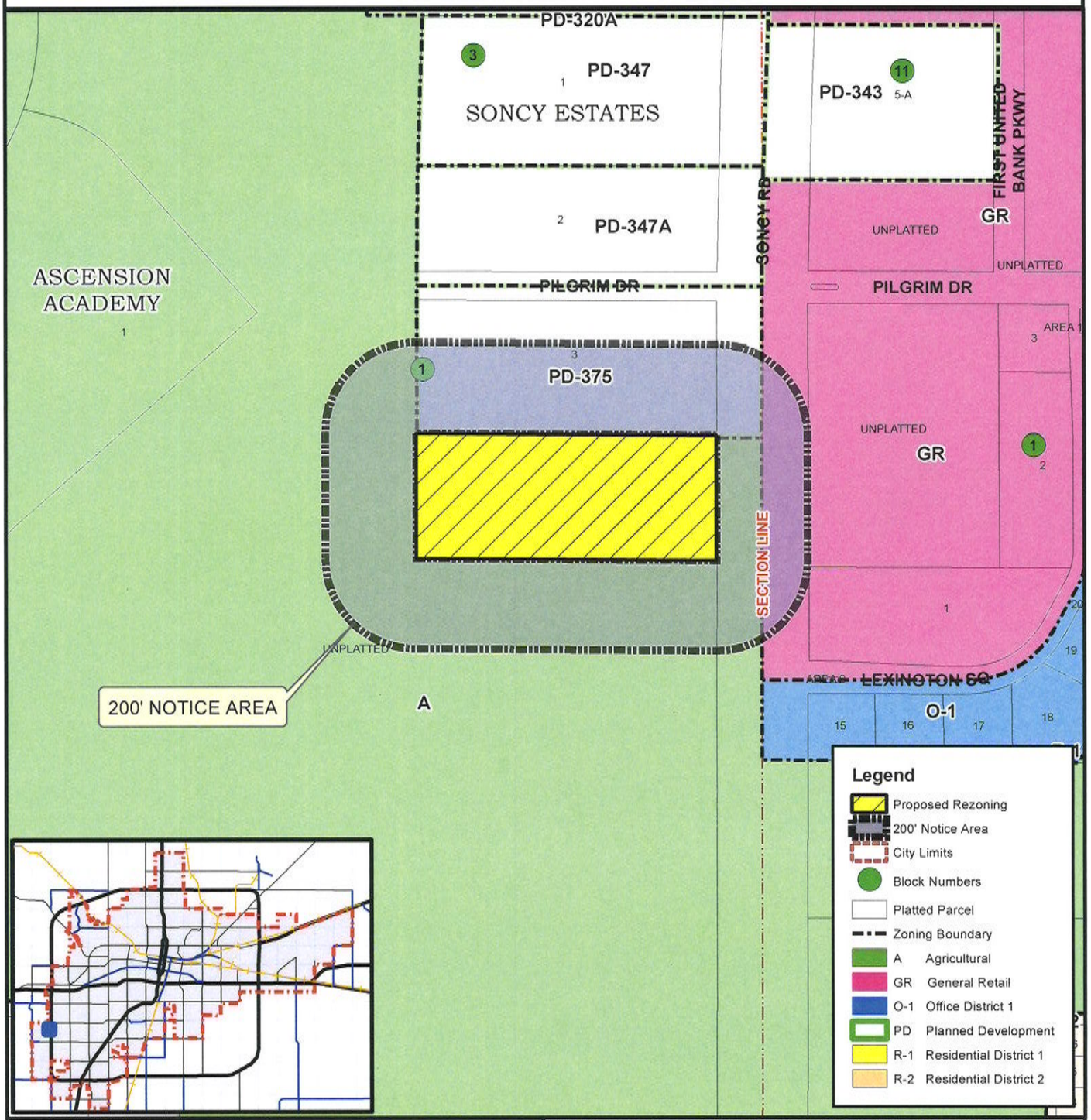
_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____

Bryan McWilliams,
City Attorney

REZONING FROM A TO PD-394



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 10/16/2020
Case No: Z-20-23

N
W E
S

Rezoning of a 4.2 acre tract of unplatted land in Section 63, Block 9, B. S. & F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Planned Development District 394 for outdoor new/used auto sales.

Owner: Estate of Emeline Bush O'Brien / Marsh Trust

Vicinity: Pilgrim Dr. and Soncy Rd.

AP: H-15

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

B

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	December 8, 2020	Council Priority	Regular Agenda Item – Public Hearing

Department	Planning and Development Services Andrew Freeman - Director of Planning and Development Services

Agenda Caption

Public hearing to consider an ordinance rezoning Lot 19A, Block 3, Estancia Addition Unit No. 2, in Section 24, Block 9, B.S.&F. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Office District 1 and Residential District 3 to General Retail District.
(Vicinity: Ravenwood Dr. and R.M. 1061)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consist of Office District 1 to the north, land outside the City limits to the south, Planned Development 55K to the east, and Residential District 3 to the west.

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

The applicant is requesting a change in zoning in order to develop this tract with various retail related land uses.

Analysis

The Planning and Zoning Commission's analysis of zoning change requests begins with referring to the Comprehensive Plan's Future Land Use and Character Map, what impact on area existing zoning and development patterns, as well as its conformity to the Neighborhood Unit Concept (NUC) of development.

The Future Land Use and Character Map identifies the applicant's tract as being within the "General Commercial" category. The General Commercial category calls for a wide range of commercial retail and services uses at varying scales and intensities depending on the site in addition to office uses. The applicant's request for General Retail zoning would comply with the recommended Future Land Use Map category recommended for this area.

In regards to the Neighborhood Unit Concept of Development, typically General Retail would be recommended to be located at Section Line Arterial Intersections with a transition in zoning to less intensive uses away from the intersection. While the applicant's tract is not located at the above mentioned location, this area of Amarillo is unique in that there are General Retail and other non residential uses away from such intersections along Tascosa Road, Amarillo Boulevard, and along Western Street. In fact, within the Estancia Subdivision, there is Office District and General Retail zoning. Additionally, the Preliminary Plan that was approved for this area and identifies this tract as being used for non-residential development.

The applicant's tract will front onto Tascosa Road, an Arterial Roadway with no access to the local street (Bridlewood Drive) will be allowed. A site plan review upon development of this site will occur safeguards to the adjacent neighborhood such as a screening, landscaping, and access points to mention a few will be addressed in order to mitigate impacts to future residential development in the area.

Considering all of the above, the Planning and Zoning Commission believes that the request is appropriate given existing zoning patterns in the area and development standards will be put into place that mitigate any negative impacts on any residential development in the area.

Requested Action/Recommendation

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

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

ORDINANCE NO. 7896

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 RAVENWOOD DRIVE AND R.M. 1061 (TASCOSA ROAD), POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

> Rezoning of Lot 19A, Block 3, Estancia Addition Unit No. 2, in Section 24, Block 9, B.S.&F. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Office District 1 and Residential District 3 to General Retail District.

SECTION 3. In the event this Ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the Ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

SECTION 4. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 5. This Ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 8th day of December, 2020 and PASSED on Second and Final Reading on this the 15th day of December, 2020.

Ginger Nelson, Mayor

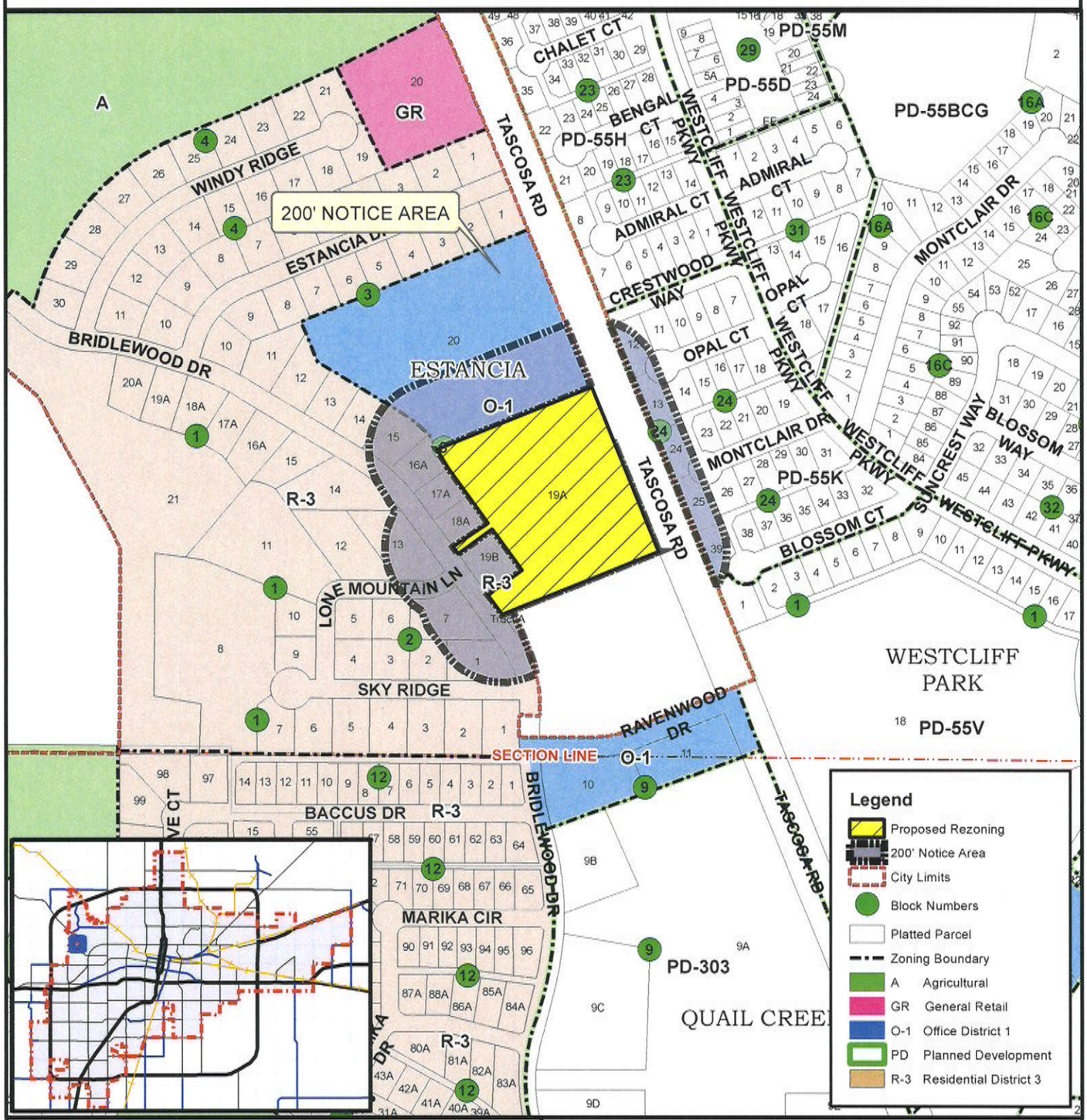
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

REZONING FROM O-1 AND R-3 TO GR



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 400 feet
Date: 12/2/2020
Case No: Z-20-25

N
W E
S

Rezoning of Lot 19A, Block 3, Estancia Addition Unit No. 2, in Section 24, Block 9, B. S. & F. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Office District 1 and Residential District 3 to General Retail.

Owner: Joe Watkins for Estancia Development, LLC

Vicinity: Bridlewood Dr & Lone Mountain Ln.

AP: J-10

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

CITY OF AMARILLO® CITY MANAGER

Meeting Date	December 8, 2020	Council Priority	Regular Agenda Item – Public Hearing

Department	Planning and Development Services Andrew Freeman - Director of Planning and Development Services

Agenda Caption

Public hearing to consider an ordinance rezoning a 8.95 acre tract of land being portions of Tract 8 and Tract 12, C.R. Austin's Subdivision, in Section 4, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 and Agricultural District to Moderate Density District.
(Vicinity: Scotty Dr. and Coronado Trl.)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consist of Agricultural District to the south and Residential District 1 in all other directions.

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

The applicant is requesting a change in zoning in order to develop this tract with single family detached homes and townhomes. Townhomes are not allowed in Residential Districts 1 through 3; hence the request for Moderate Density rezoning.

Analysis

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

The Future Land Use and Character Map identifies the applicant's tract as being mostly within the "General Residential" category with the southern third of the tract falling within the "Suburban Commercial" category. The General Residential category calls for detached residential dwellings being the primary focus with attached housing types subject to compatibility and open space standards as well. Suburban Commercial category calls for a range of commercial retail and services uses, offices, and Planned developments to accommodate mixed uses in a suburban setting.

With regards to the proposed land uses indicated by the developer (single family detached homes and townhomes), these types of development would be in line with those recommended in General Residential. That said, the Planning and Zoning Commission must note that Moderate Density zoning would also allow for duplexes and apartments. Apartments in the requested zoning (MD) will be at a lower density than other zoning districts allowing such (MF1 or MF2) with the density of 24 units, 36 units, and 72 units per acre allowed respectively.

Considering the above, it is worth noting that multi-family land uses would not be in line with General Residential.

In regards to the Neighborhood Unit Concept of Development, the NUC typically recommends retail and commercial uses to be located at or near Section Line Arterial Intersections with a gradual transition to less intensive zoning from these intersections towards single family detached home development. When considering the site's location is internal in an established residential neighborhood, Moderate Density zoning may not be the most highly recommended zoning district. That said, when examining the prevailing development and zoning patterns in the area, Moderate Density at this location, in the Planning Commission's opinion, could be appropriate.

This belief is due to the fact that the applicant's tract is essentially located at the periphery of the residential neighborhood (where typically recommended) as well as understanding how this area is developed, zoned, and/or recommended to develop, higher density residential development could serve as a buffer between existing and/or potential commercial development to the south and the existing single family detached neighborhood to the west and north.

It should be noted that the Comprehensive Plan recommends infill development when deemed appropriate and if approved, the requested zoning could provide additional residential products (duplexes and/or apartments) not found in the area.

Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet regarding this proposed rezoning. As of this writing, there have been 19 comments received regarding this request, with 18 expressing opposition to the request and 1 expressing support for the request.

The primary concerns expressed by those who were against the request include the following:

-Increase in traffic on areas not designed for such

-Concern about apartments being developed

-Concern that these properties would primarily be rental properties even if single-family

-A decrease in property values if the property is developed, especially with multi-family

-A potential increase of crime in the neighborhood

The applicant spoke on the request and stated their plans for the area and that they were willing to place deed restrictions on the land prohibiting apartments. While this is a method of restricting such uses, it must be made known that these are private and the City cannot enforce such restrictions.

In an effort to keep those interested in the request informed of the process, Planning Department staff sent notice of the Council meeting. This is not typically done or required but with so much interest, staff wanted to give all sufficient notice of the next available public hearing to consider this item.

Considering the above, the Planning and Zoning Commission recommended **APPROVAL** as presented by a 3-1 vote.

ORDINANCE NO. 7897

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 SCOTTY DRIVE AND CORONADO TRAIL, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

Rezoning of a 8.95 acre tract of land being portions of Tract 8 and Tract 12, C.R. Austin's Subdivision, in Section 4, Block 9, B.S.&F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Residential District 1 and Agricultural District to Moderate Density District and being further described below:

BEGINNING at a 1/2" iron rod set with a yellow cap on the south right-of-way line of Scotty Drive which bears S. 00° 00' 58" W. a distance of 15.00 feet and N. 89° 28' 21" W. a distance of 88.12 feet from the northeast corner of said Tract 12 for the northeast corner of this tract.

THENCE S. 00° 31' 39" W. a distance of 690.08 feet to a 1/2" iron rod set with a yellow cap for the southeast corner of this tract.

THENCE N. 89° 28' 21" W. a distance of 561.92 feet to a 1/2" iron rod set with a yellow cap for the southwest corner of this tract.

THENCE N. 00° 03' 43" E. a distance of 690.11 feet to a 1/2" iron rod found with a Furman cap on said south right-of-way line of said Scotty Drive for the northwest corner of this tract.

THENCE S. 89° 28' 21" E., along said south right-of-way line, a distance of 567.52 feet to the place of BEGINNING and containing 8.95 acres of land.

SECTION 3. In the event this Ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the Ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

SECTION 4. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 5. This Ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 8th day of December, 2020 and PASSED on Second and Final Reading on this the 15th day of December, 2020.

_____
Ginger Nelson, Mayor

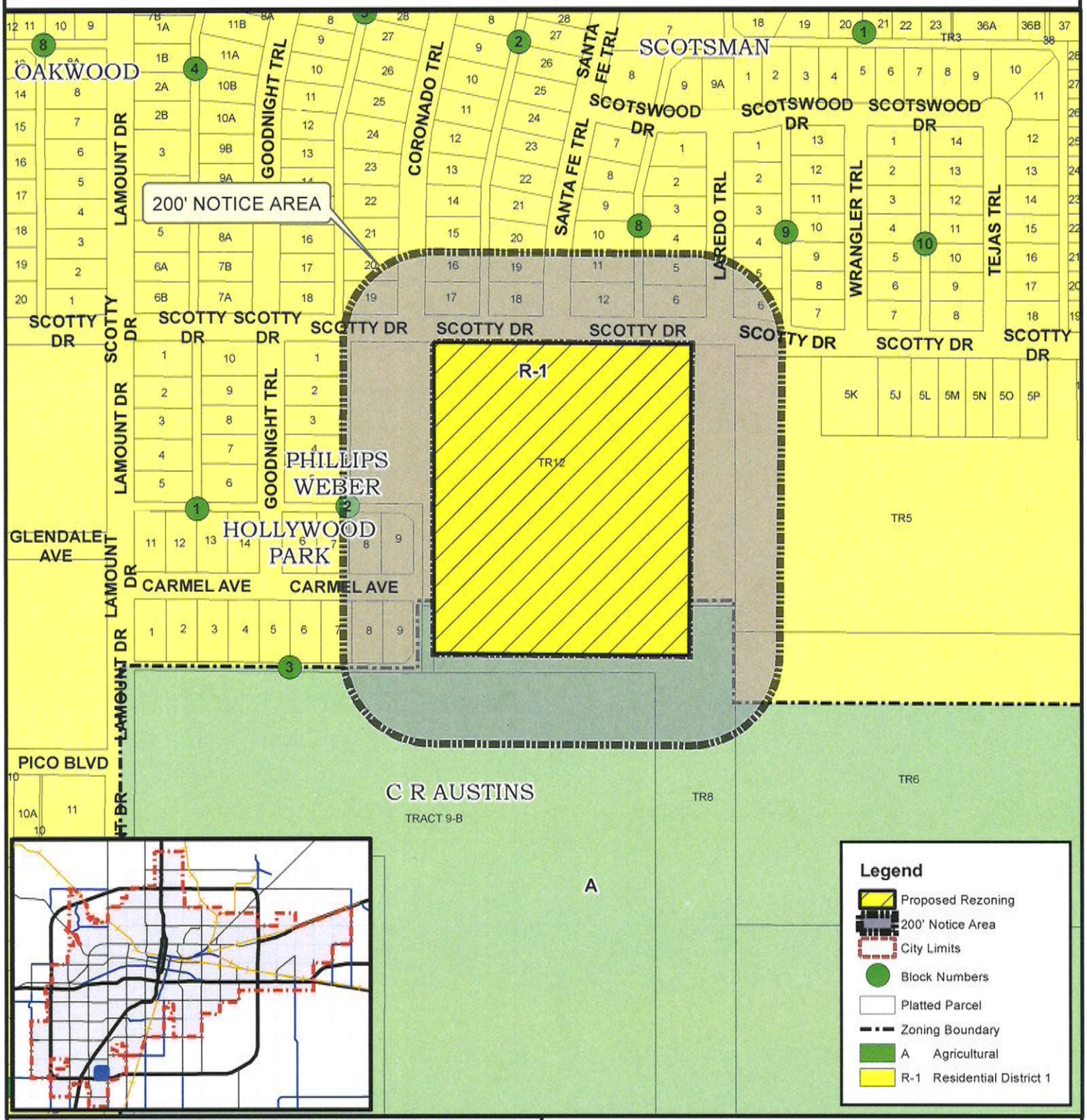
ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams,
City Attorney

REZONING FROM R-1 AND A TO MD



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 10/26/2020
Case No: Z-20-26

N W E S

Rezoning of a 8.95 acre portion of tracts 8 & 12 of C. R. Austin's Addition, in Section 4, Block 9, B. S. & F. Survey, Randall County, Texas, plus one-half of all bounding streets, alleys and public ways to change from Residential 1 District and Agriculture District to Moderate Density.

Owner: Trinity Fellowship

Vicinity: Scotty Dr & Coronado Tr.

AP: K-17

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

Amarillo City Council
Agenda Transmittal Memo

D

Meeting Date	December 8, 2020	**Council Priority**	Regular Agenda Item – Public Hearing

Department	Planning and Development Services Andrew Freeman - Director of Planning and Development Services

Agenda Caption

Public hearing to consider an ordinance rezoning a 110.39 acre tract of unplatted land in Section 93, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Light Industrial District. (Vicinity: N.E. 24th Ave. and Loop 335)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consist of Agricultural District to the north, south, and west and Planned Development 325 to the east.

Adjacent land uses consist of undeveloped land to the north, south, and west and the Centerport Business and Industrial Park to the east.

The applicant is requesting a change in zoning in order to develop the tract of land with a 1.3 million square foot retail/commercial distribution warehouse, which requires a Light Industrial Zoning District.

Analysis

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

The Future Land Use and Character Map identify the applicant's tract as being within the "Rural" category. The Rural category typically calls for residential homesteads, agricultural uses, and agriculture-focused commercial retail types of development. While the applicant's request does not conform to the Future Land Use Map recommended development type, it must be noted the rural designation is a result of the land being zoning Agricultural. Agricultural zoning is typically a zoning designation that is designated as a zoning "place holder" on newly annexed land until development patterns are established.

Since, development patterns in the area have been established and are predominately industrial in nature given the area's proximity to infrastructure and access to major thoroughfares. This is illustrated in by the industrial zoning to the south and east (Centerport Industrial Park). As such, the Planning and Zoning Commission believes the proposed zoning is in line with patterns of development and zoning and warrant acceptance of the development type change.

In regards to the Neighborhood Unit Concept of Development (NUC), typically higher intensity uses such as retail and commercial development is recommended to be located at Section Line Arterial intersections with a transition to less intensive zoning away from the intersection. The applicant's tract of land is located at the above mentioned location, whereas the applicant's tract is located Loop 335 and NE 24th Avenue intersection. This marks an ideal location for such a use and falls squarely in line with the just mentioned concept of development.

Considering the above, the Planning and Zoning Commission believes that the request is a logical continuation of existing development and zoning patterns in the area and will not have any negative impacts on the surrounding area.

Requested Action/Recommendation

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

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

ORDINANCE NO. 7898

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 LOOP 335 AND NORTHEAST 24TH AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

Rezoning of a 110.39 acre tract of unplatted land in Section 93, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Light Industrial District and being further described below:

BEGINNING at a point at the west end of a right-of-way corner clip at the intersection of NE 24th Avenue (a variable width right-of-way) and the west right-of-way line of Loop Highway No. 335;

THENCE South 43°56'33" East, along the southwest line of said corner clip, a distance of 69.32 feet to a point for corner;

THENCE along the said west line of Loop Highway No. 335 the following three (3)

calls:

South 0°05'53" West, a distance of 654.71 feet to a point for corner;

South 7°28'23" East, a distance of 631.28 feet to a point for corner;

South 0°13'05" West, a distance of 539.60 feet to a point for corner;

THENCE South 89°54'37" West, departing the said west line of Loop Highway No. 335, a distance of 2584.82 feet to a point for corner;

THENCE North 0°12'00" East, a distance of 1900.80 feet to a point for corner in the said south line of NE 24th Avenue;

THENCE along the said south line of NE 24th Avenue, the following three (3) calls:

North 89°54'37" East, a distance of 1956.32 feet to a point for corner;

South 73°25'43" East, a distance of 104.33 feet to a point for corner;

North 89°59'12" East, a distance of 394.84 feet to the POINT OF BEGINNING and containing 110.39 acres of land.

SECTION 3. In the event this Ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the Ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

SECTION 4. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 5. This Ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 8th day of December, 2020 and PASSED on Second and Final Reading on this the 15th day of December, 2020.

_____
Ginger Nelson, Mayor

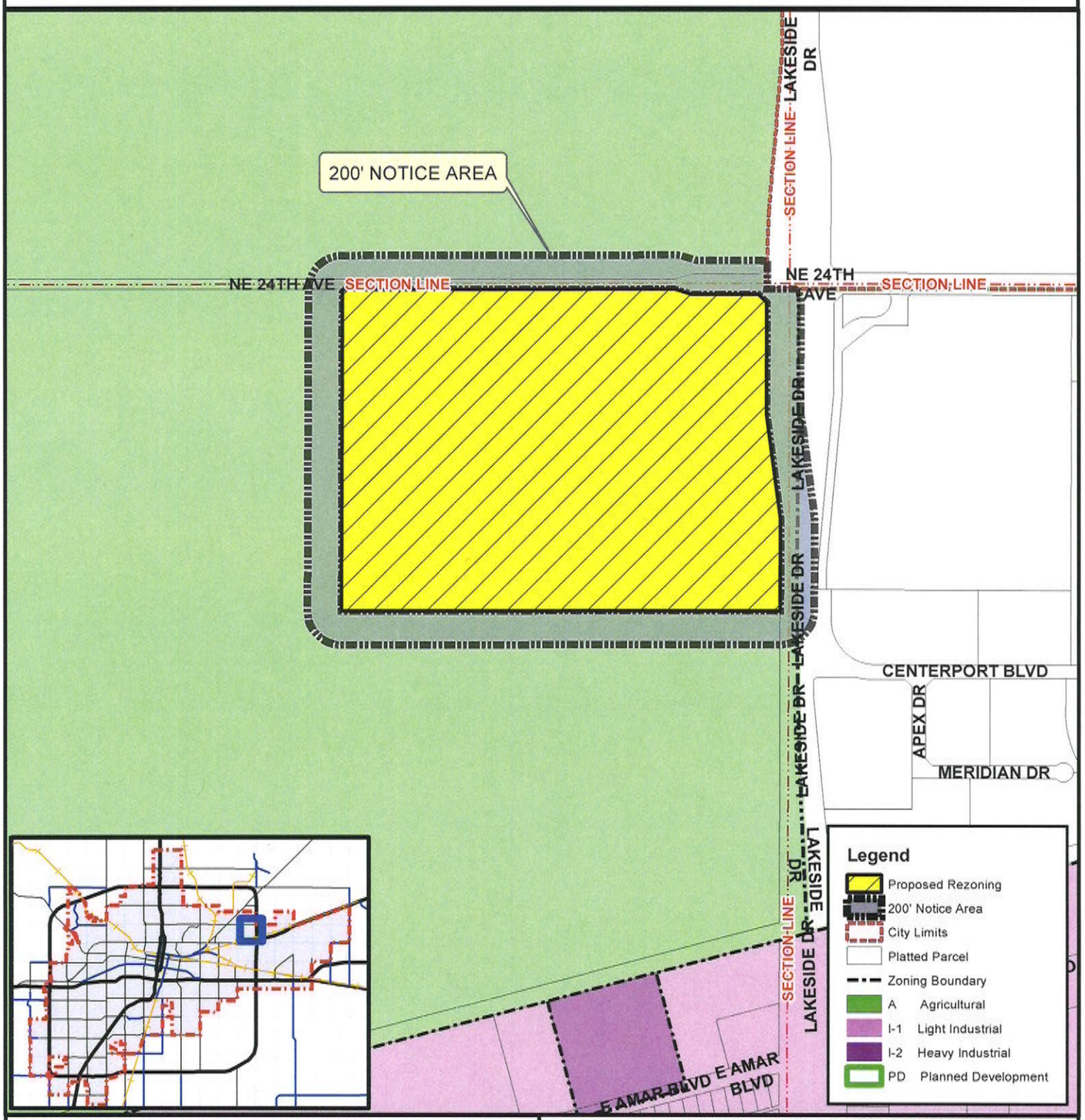
ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams,
City Attorney

REZONING FROM A TO I-1



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 800 feet
Date: 10/26/2020
Case No: Z-20-28

N
W E
S

Rezoning of a 110.39 acre tract of unplatted land in Section 93, Block 2, A. B. & M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Light Industrial District.

Owner: Happy Horizons Properties LP

Vicinity: NE 24th Ave & Loop 335

AP: S-10

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	December 8, 2020	**Council Priority**	Regular Agenda Item – Public Hearing

Department	Planning and Development Services Andrew Freeman -Director of Planning and Development Services

Agenda Caption

Public hearing to consider an ordinance rezoning a portion of Lots 2 through 6 and all of Lots 7 through 17, Block 3, a portion of Lot 1 and all of Lots 2 through 9, Block 4, and Lots 1 through 12, Block 5, all in Amended West Amarillo Industrial Park Unit No. 5 plus Lot 16A, Block 5, West Amarillo Industrial Park Unit No. 25, All in Section 224, Block 2, A.B.&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Light Industrial District to Manufactured Home District.
(Vicinity: N. Forest St. & N.W. 12th Ave.)

Agenda Item Summary

Adjacent land use and zoning

Adjacent zoning consist of Agricultural District to the north and east, Light Industrial District to the south, and a mixture of Planned Development 165 and Agricultural District in all other directions.

Adjacent land uses consist of undeveloped land to the north and east, the Amarillo Area Center for Learning directly to the south, and a mix of commercial developments and undeveloped land in all other directions.

Proposal

The applicant is requesting a change in zoning in order to develop the site with a Manufactured Home Park.

Analysis

Analysis of a zoning change begins with referring to conformity to the Comprehensive Plan's Future Land Use and Character Map, the recommended Neighborhood Unit Concept (NUC) of development, and what impacts, if any, a particular request will have on existing area zoning and development patterns.

The Future Land Use and Character Map identifies the applicant's tract for Industrial development. This category consists of a variety of development types ranging from heavy and light industrial uses to heavy commercial uses at varying intensities. The applicants request for Manufactured Home District does not directly conform with recommended development types or characteristics found in the Industrial category.

That said, it is important to acknowledge that per the current zoning ordinance, a Manufactured Home Park is allowed in Light Industrial. The applicant is in the planning stages of applying for a Manufactured Home Park permit yet has not finalized a plan for official submittal. Normally this is not an issue but the applicant is also aware of the current zoning ordinance rewrite and if approved as now composed, Manufactured Home Parks will not be allowed in Light Industrial zoning. The intent of removing this land use from the zoning district is that single-family homes intermixed with industrial uses is not a good planning practice.

Given the above, the applicant wants to ensure that should the Manufactured Home Park plan for permitting be submitted after the ordinance rewrite is approved, appropriate zoning would allow the park to continue as planned given that a change in zoning (Manufactured Home District) would have occurred, if this request is approved.

Considering the existing development patterns found in the area and the location of the proposed park is adjacent to agricultural district, it is the Planning and Zoning Commission's opinion that a more distinct/definable district would be provided while not allowing the intermixing of non-residential vs residential.

Requested Action/Recommendation

Notices have been seht to property owners within 200 feet regarding this proposed rezoning. At the time of this writing, the Planning Department is aware of three landowners expressing interest in this request. One stated no opposition and two expressed concern with the proposed use of the land with a Manufactured Home Park.

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

ORDINANCE NO. 7899

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 NORTH FOREST STREET AND NORTHWEST TWELFTH AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

> Rezoning of a portion of Lots 2 through 6 and all of Lots 7 through 17, Block 3, a portion of Lot 1 and all of Lots 2 through 9, Block 4, and Lots 1 through 12, Block 5, all in Amended West Amarillo Industrial Park Unit No. 5 plus Lot 16A, Block 5, West Amarillo Industrial Park Unit No. 25, All in Section 224, Block 2, A.B.&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Light Industrial District to Manufactured Home District, and being further described below.

FIELD NOTES for a 52.50 acre tract of land being the rezoning of a portion of lots 2 thru 6 and all of lots 7 through 17, Block 3, a portion of Lot 1 and all of Lots 2 through 9, Block 4, and Lots 1 through 12, Block 5, all in Amended West Amarillo Industrial Park Unit No. 5 plus Lot 16A,

Block 5, West Amarillo Industrial Park Unit No. 25, all in Section 224, Block 2. A.B.&M. Survey, Potter County, Texas, and more particularly described as follows:

BEGINNING at a 1/2" iron rod set with a yellow cap at the southeast corner of said Lot 17, Block 3, Western Industrial Park Unit No. 5 Amended, for the southeast corner of this tract.

THENCE N. 89° 55' 19" W. a distance of 457.89 feet to a 1/2" iron rod set with a yellow cap at the southwest corner of said Lot 1, Block 5, for the southwest corner of this tract.

THENCE N. 00° 04' 41" E. a distance of 103.18 feet to the beginning of a curve to the left to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE in a northwesterly direction along said curve with a radius equal to 492.00 feet, a long chord bearing of N. 06° 12' 36" W. and a long chord distance of 107.78 feet, a curve length of 107.99 feet to a 1/2" iron rod set with a yellow cap at the end of said curve for a corner of this tract.

THENCE N. 12° 29' 54" W. a distance of 1291.38 feet to a 1/2" iron rod set with a yellow cap at the beginning of a curve to the left for a corner of this tract.

THENCE in a northwesterly direction along said curve with a radius equal to 492.00 feet, a long chord bearing of N. 18° 32' 01" W. and a long chord distance of 103.46 feet, a curve length of 103.65 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE S. 70° 22' 23" W. a distance of 149.62 feet to a 1/2" iron rod set with a yellow cap at the beginning of a curve to the right for a corner of this tract.

THENCE in a southwesterly direction along said curve with a radius equal to 361.28 feet, a long chord bearing of S. 76° 28' 05" W. and a long chord distance of 76.68 feet, a curve length of 76.83 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE in a northwesterly direction along a curve to the left with a radius equal to 907.05 feet, a long chord bearing of N. 28° 55' 01" W. and a long chord distance of 43.52 feet, a curve length of 43.52 feet to a 1/2" iron rod set with a yellow cap at the end of said curve for a corner of this tract.

THENCE N. 30° 10' 12" W. a distance of 99.88 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE N. 59° 48' 08" E. a distance of 221.89 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE N. 30° 12' 06" W. a distance of 742.91 feet to a 1/2" iron rod set with a yellow cap at the beginning of a curve to the right for a corner of this tract.

THENCE in a northwesterly direction along said curve with a radius equal to 623.27 feet, a long chord bearing of N. 15° 03' 42" W. and a long chord distance of 325.57 feet, a curve length of 329.39 feet to a 1/2" iron rod set with a yellow cap at the end of said curve for a corner of this tract.

THENCE N. 00° 04' 41" E. a distance of 130.69 feet to a 1/2" iron rod set with a yellow cap at the beginning of a curve to the right for a corner of this tract.

THENCE in a northeasterly direction along said curve with a radius equal to 455.03 feet, a long chord bearing of N. 06° 53' 20" E. and a long chord distance of 107.92 feet, a curve length of 108.18 feet to a 1/2" iron rod set with a yellow cap for the northwest corner of this tract.

THENCE S. 89° 54' 46" E. a distance of 600.44 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE S. 38° 16' 52" E. a distance of 136.51 feet to a 1/2" iron rod set with a yellow cap for a corner of this tract.

THENCE N. 90° 00' 00" E. a distance of 228.74 feet to a 1/2" iron rod set with a yellow cap for the most northerly northeast corner of this tract.

THENCE S. 26° 05' 05" E. a distance of 934.43 feet to a 1/2" iron rod set with a yellow cap for the most easterly northeast corner of this tract.

THENCE S. 00° 04' 41" W. a distance of 1984.64 feet to the place of BEGINNING and containing 52.50 acres (2,286,663 square feet) of land.

SECTION 3. In the event this Ordinance or any part hereof is found to be invalid, such invalidity shall not affect the remaining portions of the Ordinance, and such remaining portions shall continue to be in full force and effect. The Director of Planning is authorized to make corrections and minor changes to the site plan or development documents to the extent that such does not materially alter the nature, scope, or intent of the approval granted by this Ordinance.

SECTION 4. All ordinances and resolutions or parts thereof that conflict with this Ordinance are hereby repealed, to the extent of such conflict.

SECTION 5. This Ordinance shall become effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 8th day of December, 2020 and PASSED on Second and Final Reading on this the 15th day of December, 2020.

_____
Ginger Nelson, Mayor

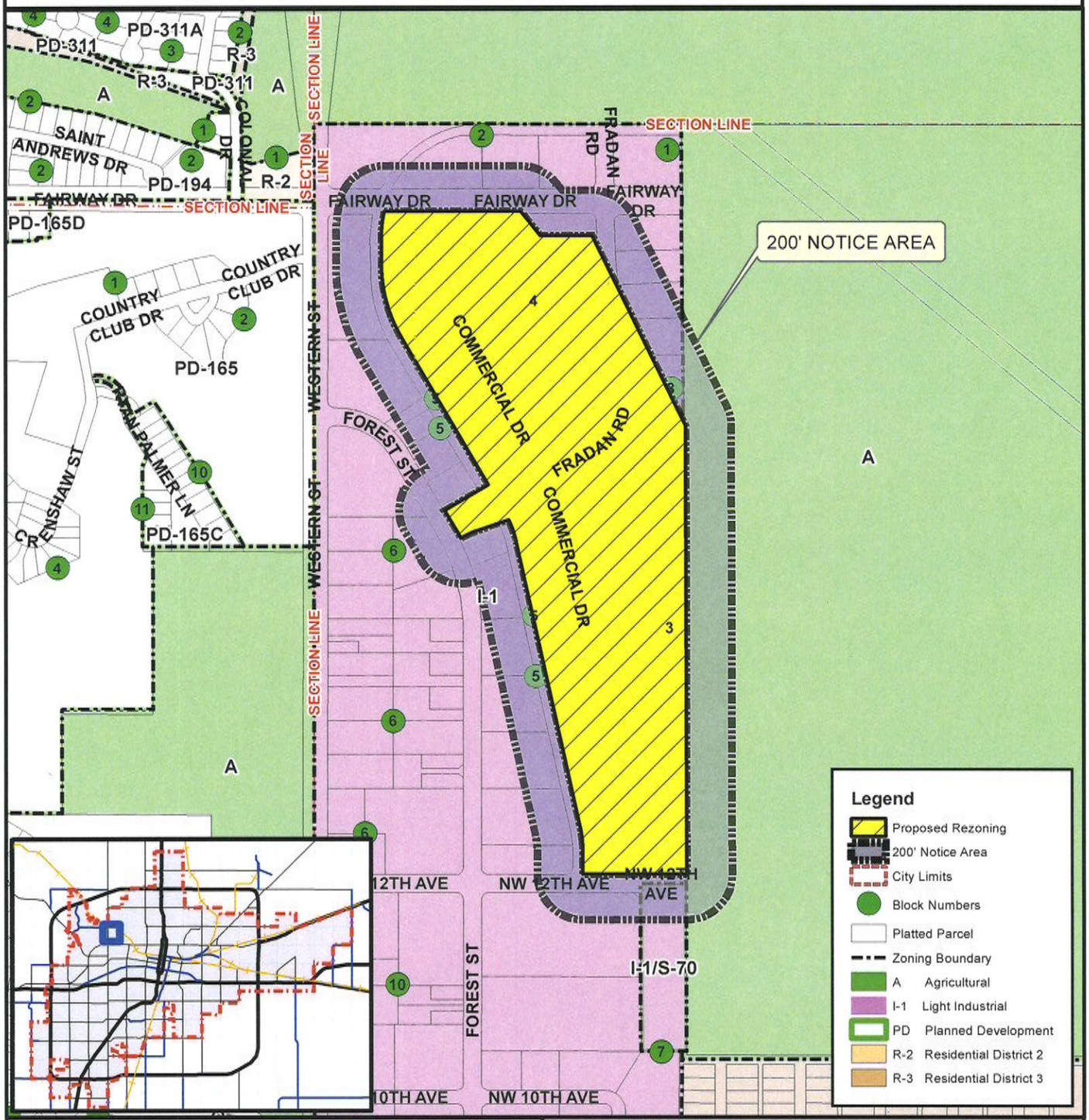
ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams,
City Attorney

REZONING FROM I-1 TO MH



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 600 feet
Date: 10/30/2020
Case No: Z-20-27

Rezoning of a portion of Lots 2 through 6 and all of Lots 7 through 17, Block 3, a portion of Lot 1 and all of Lots 2 through 9, Block 4, and Lots 1 through 12, Block 5, all in Amended West Amarillo Industrial Park Unit No. 5 plus Lot 16A, Block 5, West Amarillo Industrial Park Unit No. 25, All in Section 224, Block 2, A.B.&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys and public ways, to change from Light Industrial District to Manufactured Home District.

Owner: Josh Langham for Llano Construction Company, LLC
Vicinity: N. Forest St. & N.W. 12th Ave.

AP: L-10

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Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	Council Priority	

Department	Legal	Contact Person	Bryan McWilliams

Agenda Caption

CONSIDERATION OF ORDINANCE NO._____

DISCUSSION AND CONSIDERATION OF AN ORDINANCE CODIFYING AND AFFIRMING THE VOTER APPROVED AMENDMENT TO THE CITY OF AMARILLO CHARTER, ARTICLE V, SECTION 12(a).

Agenda Item Summary

On November 3, 2020, the majority of voters voting in a special election of the City of Amarillo approved an amendment to the City of Amarillo home rule Charter, Article V, Section 12(a) and this ordinance now affirms that change and authorizes the codified version of the Charter in the Municipal Code of Ordinances be amended to conform to and enact that election result.

Requested Action

Approval of Ordinance

Funding Summary

N/A

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval as presented

12/02/20 bsm _____

ORDINANCE NO. 7900

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE TO CODIFY AN AMENDMENT TO THE AMARILLO CITY CHARTER, ARTICLE V, SECTION 12(a); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; DIRECTING CERTFICATION TO THE TEXAS SECRETARY OF STATE.

WHEREAS, on November 3, 2020, the majority of voters voting in a special election of the City of Amarillo approved an amendment to the City of Amarillo home rule Charter, Article V, Section 12(a); and,

WHEREAS, this ordinance now affirms that change and authorizes the codified version of the Charter in the Municipal Code of Ordinances be amended to conform to and enact that election result;

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

SECTION 1. The Amarillo Municipal Code, Charter, Article V, Section 12(a) be and hereby is amended and restated to now read as follows:

"(a) On the day that the election results of the Council have been declared, the Councilmembers shall meet to qualify and assume the duties of their offices. Thereafter, the Councilmembers shall meet at such times as prescribed by Ordinance or Resolution, but they shall meet not less than twenty-four times per calendar year."

(b) [No text change]

(c) [No text change]

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 3. Repealer. 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 4. Publishing and Effective Date. This ordinance shall be published and become effective in accordance with law.

SECTION 5. Certification. A certified copy of this ordinance codifying an amendment to the Amarillo City Charter shall be delivered to the Texas Secretary of State.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 8th day of December, 2020; and PASSED on Second and Final Reading the 12th day of January, 2021.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan S. McWilliams, City Attorney

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 8, 2020	Council Pillar	Fiscal Responsibility

Department	Finance Debbie Reid, Finance Director

Agenda Caption

Approval of the City of Amarillo 2020 Investment Policy.

Agenda Item Summary

Each year, the City updates its Investment Policy and seeks to have it authorized by the City Council in accordance with Chapter 2256, Texas Government Code, the Public Funds Investment Act (PFIA). The City's investment objectives are to preserve capital, to provide liquidity and optimize earnings within the constraints of the first two objectives. The City invests in securities authorized by the Policy and the Public Funds Investment Act.

Requested Action

Approval of the City of Amarillo 2020 Investment Policy.

Funding Summary

N/A

Community Engagement Summary

N/A

City Manager Recommendation

The Investment Committee reviewed this policy on 11/13/20 and is recommending approval. The City Manager also recommends acceptance of this item.

MEMO

CITY OF AMARILLO® FINANCE

To: Mayor and City Council

From: Debbie Reid, Finance Director

Date: December 2, 2020

Subject: City of Amarillo 2020 Investment Policy

Attached for your review and approval is the proposed 2020 City of Amarillo Investment Policy (Policy). Each year, the City updates its Investment Policy and seeks to have it authorized by the City Council in accordance with Chapter 2256, Texas Government Code, the Public Funds Investment Act (PFIA). The City's investment objectives are to preserve capital, to provide liquidity and optimize earnings within the constraints of the first two objectives. The City invests in securities authorized by the Policy and the Public Funds Investment Act.

The City will submit the 2020 Investment Policy, once approved, to the Government Treasurers' Organization of Texas (GTOT) for certification. The City has participated in this program in the past with the most recent submission, the 2017 Investment Policy, receiving a Certificate of Distinction. The GTOT Certification program ensures entities that their investment policies comply with the PFIA of Texas. It is important to resubmit the City's Policy on a periodic basis to ensure continued compliance.

There are no major changes to the Investment Policy for 2020. There were no legislative changes to the PFIA during the 2019 Legislative session that affected the City of Amarillo Investment Policy. A summary of the proposed changes to the 2020 Investment Policy is as follows: (see redlined version attached)

- Page 1 and 2 – minor wording changes
- Page 5 – MONITORING - added "or designee" to the Investment Officer's monitoring of credit rating for each held investment
- Page 7, REVIEW AND AMENDMENT – added wording to cover review and updates related to potential changes as a result of each Texas Legislative session

The Investment Committee reviewed this policy on 11/13/20 and is recommending approval. Please let me know if you have any questions regarding the Policy and the proposed changes for 2020.

Thank you for your consideration of this request.

CITY OF AMARILLO INVESTMENT POLICY AND STRATEGY
December ~~10~~8, 20~~19~~20

FORMAL ADOPTION

This Investment Policy is authorized by the City Council of the City of Amarillo in accordance with Chapter 2256, Texas Government Code (the Public Funds Investment Act), as amended.

SCOPE

This Policy applies to all of the investment activities of the City, excluding the Employee Retirement Trusts, the OPEB Trust, the deferred compensation plan or investments donated to the City for a particular purpose or donated according to terms specified by the donor. This Policy establishes guidelines for those who can invest City funds, for how City funds will be invested, and for when and how a periodic review of investments will be made. The Investment Policy is divided into two sections: General Investment Policy and Investment Strategy.

INVESTMENT POLICY

The following are general requirements of the City Investment Policy. The general requirements address issues and requirements common to all funds separately invested by the City. Following the general requirements are specific requirements that relate to either specific fund types or funds managed by the City.

INVESTMENT OBJECTIVES

The City investment objectives are as follows:

1) To preserve capital; ~~is our~~the most important investment objective.

2) To provide liquidity.

3) To optimize earnings within the constraints of Numbers 1 and 2 above.

TO PRESERVE CAPITAL

1) To preserve capital, the City will only invest in the following:

   a) Time Deposits, Certificates of Deposit, and other interest bearing accounts at an authorized depository of the City. Investments are limited by the amount of the combination of federal depository insurance, pledged collateral and any surety bond or letter of credit of the depository.

      Deposits issued:

      a. by a depository institution that has its main office or a branch office in this state that are:

         I. Guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor; or

         II. Secured in compliance with COLLATERAL; or

         III. Secured in any other manner and amount provided by law for deposits of the investing entity.

b. In addition to the authority to invest funds in deposits under Section 1 a., an investment in deposits made in accordance with the following conditions is an authorized investment:
I. The funds are invested through a depository institution or broker that has its main office or a branch office in thise state of Texas. Additionally, a broker is required to be selected from a list of approved broker dealers adopted by the City;
II. The depository institution or broker arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the City;
III. The full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
IV. If appointed by the City, the depository institution or broker may act as custodian for the City with respect to the deposits issued for the account of the City.

b) Direct obligations of the United States including Treasury Bills, Treasury Notes, Treasury Bonds, Treasury Strips, and instruments guaranteed by the Full Faith and Credit of the United States; for reporting purposes, these securities will be defined as Government Securities. Treasury Strips are defined as Treasury Notes and Treasury Bonds that are purchased at a discount from par and do not pay periodic interest.

c) Obligations of agencies and instrumentalities of the United States. For reporting purposes, the investment in agency and instrumentality securities will be categorized as Agency Securities. The investment in agencies and instrumentalities is limited to seventy-five percent (75%) of the Portfolio. Investments in agencies or instrumentalities will be diversified among the agencies and instrumentalities.

e) A no-load money market mutual fund that is continuously rated AAA or AAAm by at least one nationally recognized rating agency; is regulated by the Securities and Exchange Commission; complies with the requirements of a money market mutual fund; has an average weighted maturity of less than two years; has either a duration of: (a) one year or more and is invested exclusively in obligations approved under the Public Funds Investment Act; or (b) less than one year and the investment portfolio is limited to investment grade securities, excluding asset-back securities; and includes in its investment objectives the maintenance of a stable net asset value of $1.00 for each share.

f) Municipal securities rated ~~not less than~~ AA- or above or its equivalent by a nationally recognized rating agency. Total investment in municipal securities would be limited to ten percent (10%) of the portfolio.

g) The maximum investment in callable securities (redeemed at the option of the issuer) will be twenty-five percent (25%) of the Portfolio.

h) Bond proceeds may be invested in fully collateralized flexible repurchase agreements ("flex repos") with a defined maturity date not to exceed the final scheduled construction expenditure date. Flexible repurchase agreements must only be entered into with a primary government securities dealer as defined by the Federal Reserve or a financial institution doing business in the State of Texas. They must be secured by a combination of cash and obligations of the United States or its agencies and instrumentalities, which are pledged to the City and deposited with a third party custodian approved by the City. However, mortgaged backed securities will not be allowed as acceptable pledged obligations. The collateralization percentage shall be maintained at or above one hundred two percent (102%) of the outstanding flex repo balance along with any interest accrued but not yet paid. All repurchase agreement transactions shall be governed by a signed repurchase agreement, which requires that the securities being purchased by the City or cash held by the City to be pledged to the City, held in an account in the City's

name and deposited at the time the investment is made with the City or with a third party selected and approved by the City

2) To preserve capital, the City of Amarillo will not employ any investment strategy that is inherently risky.

a) The City will not borrow funds using investment securities as collateral and reinvest the proceeds in other investment securities. Approved no-load money market mutual funds in 1(g) above are allowed to use Reverse Repurchase Agreements.

b) The City will not take a position in a security for speculation or only for anticipated capital appreciation.

c) While a designated Investment Officer will be empowered to buy and sell securities on behalf of the City, the City will use a buy and hold strategy for most investments.

d) The City will diversify investments.

3) To preserve capital, the City will not invest in any securities that are inherently risky:

a) Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.

b) Obligations whose payment represents the principal stream of cash flow from underlying mortgage-backed security collateral and bears no interest.

c) Obligations that have a stated final maturity date of greater than five years.

d) Obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

e) Any obligation related to foreign currency or foreign market interest rates or indices.

f) Any other obligations similar to items 3(a) through 3(e) above where small changes in market interest rates can produce potentially large changes in the value of a security or substantially extend the life of the security.

TO PROVIDE LIQUIDITY

1) The Investment Portfolio will remain sufficiently liquid to meet the cash flow requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements; investing in securities with active secondary markets; and maintaining appropriate Portfolio diversification including funds invested with overnight liquidity. Since projected cash flows are estimates, it is the stated goal to invest in a manner that provides excess funds for reinvestment and additional liquidity each month.

2) In conjunction with (1) above, the City will ladder investment maturities. That is, the Portfolio will be structured so that investments mature all along the yield curve and generally near term obligations are provided for before more long-term obligations. However, it will not be necessary to completely provide all maturities for a month before investing further out on the yield curve. By not fully investing every month, the City will be better able to utilize all investment options (especially more short-term securities) available in the Investment Policy. With the laddered Portfolio structure, there would be a steady stream of funds to the Portfolio and high quality short-term securities available if securities needed to be sold before maturity. In conjunction with the

above ladder approach, maturities beyond ninety (90) days will be diversified along the yield curve to avoid a concentration of maturities in one or more months.

3) Additional liquidity will be provided through attractive cash equivalent investment options The City will diversify the investment in money market funds. The combined investment in money market funds should be a minimum of three percent (3%) of the overall Portfolio.

TO OPTIMIZE EARNINGS

1) Within the constraints of preservation, safety, and liquidity, it is the City's goal to optimize earnings.

2) City funds will be deposited daily to optimize funds available for investment.

3) Idle cash will be invested until needed to pay obligations.

4) The Portfolio will be structured to provide excess funds for reinvestment so that in periods of rising interest rates, funds are available for reinvestment. In periods of falling rates maturities have been laddered to lock in higher returns.

5) The City may employ securities lending to enhance earnings:

   a. The City will only lend securities to primary government securities dealers, as defined by the Federal Reserve.
   b. The City will only accept cash, government securities and irrevocable Letters of Credit as collateral greater than or equal to the value of the borrowed securities plus accrued interest. Borrowed securities must be marked to market daily. Increases in the market value of the borrowed securities will necessitate the pledging of additional collateral greater than or equal to the value of the borrowed securities. If the market value of the securities were to decrease, collateral would be released upon request of the securities dealers by the City not greater than the value of the borrowed securities.
   c. The term of the contract is for one year, but can be renewed annually for an additional one-year term by mutual consent of the City and acceptable counter party. The maximum term for securities on loan may not exceed 90 days, or the expiration date of the contract.
   d. The monies received by the City as collateral for borrowed securities shall be invested for a term not later than the expiration date of the Securities Lending Agreement.
   e. The monies received by the City as collateral for securities borrowed can only be invested in money market mutual funds, repurchase agreements, and obligations of U. S. Government, or its agencies and instrumentalities.
   f. A loan made under the securities lending agreement must allow termination at any time by either party.
   g. The collateral for the loan must be pledged to the City, held in an account in the name of the City and deposited at the time of the investment with a third party approved by the City.

PORTFOLIO COMPOSITION

At all times at least 80% of the Portfolio must be in investments with maturities of two years or less. No more than 20% of the Portfolio can be held in maturities ranging from two to five years. The maximum dollar weighted average maturity of the Portfolio cannot exceed one year.

DESIGNATED INVESTMENT OFFICER

The Deputy or Assistant City Manager over financial services, Finance Director, and the City Auditor are the designated Investment Officers. After the investment transaction is completed, an authorization of investment form will be executed for all City investments. The Deputy or Assistant City Manager over financial services or the Finance Director must sign the form approving investments. Also, the City Manager or the Deputy City Manager must co-sign the form acknowledging the investments.

INVESTMENT COMMITTEE

The Investment Officers of the City will be members of the Investment Committee. The role of the committee will be to review and monitor quarterly reports, make recommendations on changes in the Investment Policy, approve training sources, and approve brokers/dealers.

PERCENTAGE TESTS

This Policy contains several percentage tests. Because of daily changes in cash, the Portfolio can be in compliance one day and not in compliance the next day. The Portfolio limits should be adhered to as investments are purchased; however, investments would not have to be sold to comply with Portfolio limits.

MARKET PRICE VALUATION

Monthly reports will include market price valuations of the Portfolio from a third-party pricing agency or through a source independent of the transaction.

PERFORMANCE STANDARD

The performance standard of the Portfolio will be calculated based on the weighted average yield to maturity.

MONITORING

Not less than quarterly, the Investment Officers or designee will monitor the credit rating for each held investment that has a Public Fund Investment Act required minimum rating. ~~Any investment that requires a minimum rating does not qualify during the period the investment does not have the minimum rating.~~ Prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating.

Except as stated above, the City is not required to liquidate investments that were authorized investments at the time of purchase.

SETTLEMENT OF SECURITIES

All settlements of security transactions will be by "delivery versus payment."

INTERFUND TRANSFERS

From time to time some City funds (for example: General Fund, Airport Fund, and Water and Sewer Fund) will become over/under invested while the overall Portfolio is compliant with the City's Investment

Policy. Investment transfers can be made to correct funds being over/under invested; however, any transfer would have to be suitable for the fund. Investment transfers will be made between funds at book value plus accrued interest. However, transfers involving tax-exempt bond proceeds shall comply with applicable IRS regulations.

COLLATERAL

1) All bank deposits not insured by federal depository insurance are collateralized by securities held by an independent third party under a joint custody arrangement giving the City unconditional rights and claims to the collateral. In lieu of the above collateral requirement the depository may provide a surety bond or letter of credit issued by an agency or instrumentality in compliance with the Public Funds Investment Act.

2) The City will accept as collateral any securities eligible under the Public Funds Collateral Act reserving the right to accept or reject any individual securities.

3) The City will compare deposit collateral to bank deposits daily.

4) Authorized depositories will be required to sign a depository agreement with the City. The collateralized deposit portion of the agreement shall define the City's rights to the collateral in case of default, bankruptcy or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

    1. The agreement must be in writing;
    2. The agreement has to be executed by the depository and the City contemporaneously with the acquisition of the asset;
    3. The agreement must be approved by the Board of Directors or designated committee of the depository and a copy of the meeting minutes must be delivered to the City; and
    4. The agreement must be part of the depository's "Official Record" continuously since its execution.

SAFEKEEPING

Securities owned by the City should be held in a manner that the safekeeping method will be categorized as "Least Risk" for Governmental Accounting Standards Board (GASB) purposes:

1) All securities will be held by the City's safekeeping agent in an account in the City's name.

2) All non-physical securities will be safekept at the Federal Reserve or at the City's safekeeping agent.

3) Any physical securities will be registered to the City and safekept at the City's safekeeping agent or held in a safe deposit box with limited access.

COMPETITIVE BIDDING

The City will practice competitive bidding orally, by telephone, electronically, or in any combination of these methods when purchasing an investment to help strengthen the investment process. All investments, other than the placement of funds in money markets mutual funds, which are deemed to be made at prevailing market rates, will be competitively bid and placed with providers offering the best value to the City. The City reserves the right to reject the most financially favorable bid if it is potentially disruptive to its investment strategy.

STANDARD OF CARE

The standard of care used by the City shall be the "prudent person rule" and shall be applied in the context of managing the overall Portfolio within the applicable legal constraints. The Public Funds Investment Act states:

"Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probably income to be derived."

STANDARDS OF ETHICS

All Investment Officers shall file with the Texas Ethics Commission and the City Council a statement disclosing any personal business relationship with an entity seeking to sell investments to the City or any relationship within the second degree by affinity or consanguinity to an individual seeking to sell investments to the City.

REPORTING

Investment performance will be monitored and evaluated by the Investment Officers. The Investment Officers will provide a quarterly comprehensive report signed by all Investment Officers to the City Council. This investment report shall be in compliance with the Public Funds Investment Act.

AUDITS

The City, in conjunction with its annual financial audit, shall perform a compliance audit of management controls on investments and adherence to the City's Investment Policy and strategies. Additionally, the auditors will review the Investment Officers' quarterly reports and provide the results of that review to the City Council as part of the annual audit.

REVIEW AND AMENDMENT

The City Council shall review and adopt this Policy at least annually. Amendments must be approved by the Investment Committee and adopted by the City Council. Investment Officers will review the Policy for any necessary changes as a result of each Texas Legislative session and include such changes in the annual review and update to the Policy for City Council approval. The timing of amendments and approval of legislative changes to the Policy must align with the required effective dates assigned by the Legislation.

TRAINING

In order to have qualified and capable Investment Officers, officers will attend investment training and receive not less than 10 hours of instruction relating to investment responsibilities and that is in compliance with the Public Funds Investment Act within 12 months of taking office or assuming investment duties. After the initial training, Investment Officers are required to take eight hours of training every two years aligned with the City's fiscal year. The Investment Committee will approve all investment training sources.

PRUDENT INVESTMENT MANAGEMENT

The designated Investment Officers shall perform their duties in accordance with the adopted Investment Policy and internal procedures. Investment Officers acting in good faith and in accordance with these policies and procedures shall be relieved of personal liability.

BROKER/DEALERS

Investment Broker/Dealers shall adhere to the spirit, philosophy and specific term of the Policy and shall avoid recommending or suggesting transactions outside the "Standard of Care."

The Investment Committee will perform selection of Broker/Dealers at least annually. The Investment Committee will establish criteria to evaluate Broker/Dealers, including:

a) Adherence to the City's policies and strategies.

b) Transaction pricing.

c) Responsiveness to request for services, information and open communication.

d) Understanding of the inherent fiduciary responsibility of investing public funds.

e) Similarity in philosophy and strategy with the City's investment objectives.

Selected Broker/Dealers shall provide timely transaction confirmations.

The approved Broker/Dealers are as follows:

Piper Jaffray & Co.
Bank of America Merrill Lynch
Amarillo National Bank
Herring Bank
Wells Fargo
Frost Bank
Fidelity Investments
Stifel, Nicolaus & Co. Inc.
Bank of Texas
Amegy Bank

The approved Broker/Dealers are authorized to engage in investment transactions with the City and can be revised periodically by the Investment Committee. It may become necessary to add Broker/Dealers during the year to insure competition and good service to the City. Therefore, the Investment Committee can add additional Broker/Dealers during the year.

INVESTMENT POLICY CERTIFICATION

Business organizations eligible to transact investment business with the City shall be presented a written copy of the Investment Policy. Additionally, the qualified representative of the business organization seeking to transact investment business shall execute a written instrument substantially to the effect that the business organization has:

1) Received and reviewed this Investment Policy.

The City shall not enter into an investment transaction with a business organization prior to receiving the written instrument described above.

WIRE PROCEDURES

The City is allowed to initiate wires through a City authorized depository. The individuals authorized to perform wire transactions include the Deputy or Assistant City Manager over financial services, the Finance Director, the City Auditor and the Assistant City Auditor. The City Secretary and the Assistant City Secretary are authorized to make secondary approvals of wire transfers. Wires may be done as repetitive or non-repetitive transactions. Repetitive wires can be set up at a City depository bank with approval of two of the authorized individuals. Thereafter, repetitive wires may be completed with approval of one of the authorized individuals. Non-repetitive wires will require approval from two of the authorized individuals.

STATUTORY VERIFICATIONS

NOT BOYCOTTING ISRAEL

Pursuant to the Texas Government Code, Chapter 2270, Title 10, Subtitle F, a business organization transacting investment business for the City shall verify that the business (1) does not boycott Israel currently; and (2) will not boycott Israel during the contract term. "Boycott Israel" means that the business refuses to deal with, terminates business activities with, or otherwise takes any action intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

NOT IDENTIFIED AS COMPANY DOING BUSINESS WITH FOREIGN TERRORIST ORGANIZATION

In accordance with Texas Government Code, Chapter 2252, Subchapter F, those companies responding to the City's advertisement or solicitation for bids, proposals, offers, or qualifications for which a contract or purchase is thereafter made are subject to being identified on a Texas Comptroller list of companies known to have contracts with or provide supplies or services to a foreign terrorist organization. The City shall not enter into a governmental contract with a company that is identified on this list.

INVESTMENT STRATEGY

OPERATING FUND

The operating funds include the General Fund and other Special Revenue Funds of the City. The primary objective in investing available funds is the preservation and safety of principal. All of the allowable investments mentioned in the Investment Policy would be suitable for the operating funds. The investments should be structured so that investments mature to meet cash needs and have excess funds for additional liquidity. In the investment of funds decision, the security with the best return within a three to six month range will be selected with the intention of investing in the other maturities at a later date. This strategy allows the City to take full advantage of the yield curve and all investments securities allowed in the Investment Policy. Short-term securities such as discount notes can be used for shorter maturities, while treasury notes and other agency securities can be used for longer-term maturities. At least some of the purchases will be in U.S. Treasuries or Agency securities, which are both liquid and

marketable. Investments in Agency securities should be diversified among different Government Agencies. Investments will be laddered along the yield curve to optimize earnings.

DEBT SERVICE AND DEBT SERVICE RESERVE FUNDS

All Debt Service Reserve funds will be kept in money market mutual funds/accounts or certificates of deposits in the unlikely event the funds would be needed for a shortfall in making debt service payments. Debt Service funds will be accumulated in money market funds/accounts until needed for scheduled debt service payments. The primary objective in investing available funds is the preservation and safety of principal. Yield will be dictated by short-term rates.

PROPRIETARY FUNDS

Proprietary funds include both Enterprise Funds and Internal Service Funds. These funds provide for the operations, capital replacement, and future claims of each functional area. Specifically, proprietary funds include Water and Sewer Fund, Airport Fund, Municipal Garage, Data Processing, Risk Management, and Employee Insurance. All of the allowable investment securities would be suitable for the proprietary funds. The primary objective in investing available funds is the preservation and safety of principal. The investments should be structured so that maturities are scheduled to meet cash needs and have excess funds for additional liquidity. In the investment of funds decision, the security with the best return within a three to six month range will be selected with the intention of investing in the other maturities at a later date. This strategy allows the City to take full advantage of the yield curve and all investments securities allowed in the Investment Policy. Short-term securities such as discount notes can be used for shorter maturities, while treasury notes and other agency securities can be used for longer-term maturities. Most of the purchases will be in U.S. Treasuries or Agency securities, which are both liquid and marketable. Investments in Agency securities should be diversified among different Government Agencies. Investments will be laddered along the yield curve to optimize earnings.

CAPITAL PROJECT FUNDS

Capital project funds are used to account for the construction of various City improvements including General Construction, Street Improvement, Golf Improvement, and other capital improvement funds. All allowable City investments would be suitable for the capital projects funds. The cash should be invested to correspond to the estimated aggregate cash draws on the various projects. At least some of the purchases will be in U.S. Treasuries and Agency securities, which provide both liquidity and marketability. Investments in Agency securities should be diversified among the various Government Agencies.

AMARILLO ECONOMIC DEVELOPMENT CORPORATION

The primary objective in investing Amarillo Economic Development Corporation (AEDC) funds is the preservation and safety of principal; however, AEDC has a great need for liquidity. Suitable investments should be no more than 190 days to maturity. Furthermore, AEDC should have substantial funds held in money market funds/accounts for additional liquidity. Because AEDC funds are very short-term maturities, Treasury Bills, Agency Discount Notes and deposits as described under Section 1 a) of the TO PRESERVE CAPITAL section will be heavily used. Diversification of investments among the various Government Agencies will be very important. Yield will be dictated by short-term rates.

OTHER ENTITY FUNDS

The City also invests funds for other entities. As with City funds, the primary objective in investing available funds is the preservation and safety of principal. Because of the uncertainty of when funds will

be needed, liquidity is also very important. When the City invests funds for other entities, the funds will be invested in a similar manner as AEDC funds above.

TRUST FUNDS

Trust funds will be invested in accordance with provisions of the applicable trust agreement. If there are not specific investment requirements, trust funds will be invested in a similar manner as operating funds. In the investment of funds decision, the security with the best return within a three to six month range will be selected with the intention of investing in the other maturities at a later date. This strategy allows the City to take full advantage of the yield curve and all investments securities allowed in the Investment Policy. Short-term securities such as discount notes can be used for shorter maturities, while treasury notes and other agency securities can be used for longer-term maturities. The primary objective in investing available funds is the preservation and safety of principal.

BOND PROCEEDS

The investment of bond proceeds (excluding reserve and debt service funds) shall generally be limited to the anticipated cash flow requirement or the "temporary period," as defined by Federal tax law. During the temporary period bond proceeds may be invested at an unrestricted yield. After the expiration of the temporary period, bond proceeds subject to yield restriction shall be invested considering the anticipated cash flow requirements of the funds and market conditions to achieve compliance with the applicable regulations. Bond proceeds may be invested in a single flexible repurchase agreement if the Investment Officers determine that such an investment has advantage to comply with Federal arbitrage restrictions or to facilitate arbitrage record keeping and calculation.

A flexible repurchase agreement provides that disbursements are allowed in the amount necessary to satisfy reasonable expenditure requests and the defined termination date of the investment does not exceed the estimated expenditure date of the bond proceeds.