AGENDA

FOR A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, OCTOBER 26, 2021 AT 1:00 P.M., CITY HALL, 601 SOUTH BUCHANAN STREET, COUNCIL CHAMBER ON THE THIRD FLOOR OF CITY HALL, AMARILLO, TEXAS.

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

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

INVOCATION: Bennie Anderson, New Hope Baptist Church

PROCLAMATION: "Dyslexia Awareness Month"
"National Chiropractic Health Month"
"National Family Caregiver's Month"

PUBLIC ADDRESS:
(For items on the agenda for City Council consideration)
The public will be permitted to offer public comment on agenda items. Public Address signup times are available from Sunday at 8:00 a.m. until Tuesday at 12:45 p.m. at https://www.amarillo.gov/departments/city-manager/city-secretary/public-address-registration-form or by calling the City Secretary's office at (806) 378-3014.

AGENDA

1. **City Council will discuss or receive reports on the following current matters or projects:**
   A. Review agenda items for regular meeting and attachments;
   B. Discuss Texas Police Chiefs Association Foundation re-recognition of the Amarillo Police Department's Accreditation
   C. Discuss Tax Increment Reinvestment Zone #1 Extension;
   D. Update on Point-in-Time Count
   E. Updates from Councilmembers Serving on Boards and Commissions
      a. Environmental Task Force
      b. Pedestrian & Bicycle Safety Committee; and
   F. Request future agenda items and reports from City Manager.

2. **CONSENT ITEMS**
   It is recommended that the following items by 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 October 12, 2021.

B. **CONSIDERATION OF RESOLUTION NO. 10-26-21-1**:
(Contact: Mitchell Normand, Human Resources Director)

This item considers a resolution approving a Paid Quarantine Leave Policy for firefighters and peace officers, pursuant to Texas Local Government Code Section 180.008.

C. **CONSIDERATION OF RESOLUTION NO. 10-26-21-2**:
(Contact: Kevin Carter, Executive Director of Amarillo Economic Development Corporation)

This item considers a resolution authorizing the submission of an economic development administration application to the U.S. Department of Commerce for the Economic Adjustment Assistance Program; and authorizing the city manager to act as the City of Amarillo's executive officer and authorized representative in all matters pertaining to the City of Amarillo's participation in the program.

D. **CONSIDERATION OF RESOLUTION NO. 10-26-21-3**:
(Contact: Andrew Freeman, Assistant City Manager)

This item considers a resolution naming the official enterprise zone for a previously approved tax abatement with Illinois Tool Works, Inc. and Panhandle Pure, LLC.

E. **CONSIDERATION OF RESOLUTION NO. 10-26-21-4**:
(Contact: David Wilson, Assistant Director of Parks and Recreation)

This item considers a resolution authorizing the City Manager to apply for the Texas Parks and Wildlife Department's CO-OP Grant Program on behalf of the City of Amarillo

F. **CONSIDER AWARD – MODIFICATIONS TO SNOW REMOVAL EQUIPMENT (SRE) BUILDING AT THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT**:
(Contact: Michael W. Conner, Director of Aviation)
Total Base Bid Amount: $1,175,753.00
Bid Alternate No. 1: ($264,066.00) (Provide silicone Roof Coating Restoration system in lieu of metal panel replacement)
Total Bid Amount: $911,687.00 to be awarded to Panhandle Steel Buildings, Inc.

This item considers approval of a project involving modifications to the Snow Removal Equipment (SRE) Building that include roof repair, internal lighting modernization to LED, new infrared heating in the shop portion, HVAC replacement in the two adjoining annexes, and replacement of overhead doors. This item will be funded through a Federal Aviation Administration grant at 100% reimbursement.

G. **CONSIDER APPROVAL – REMODEL OF THE PUBLIC HEALTH ANNEX LOCATED AT 850 MARTIN ROAD**:
(Contact: Casie Stoughton, Director of Public Health)
Award to: Plains Builders – $1,026,030

This item approves a construction project for the remodel of the Public Health Annex located at 850 Martin Road.

H. **CONSIDER AWARD – DESKTOP COMPUTER HARDWARE**:
(Contact: Rich Gagnon, Managing Director of Information Technologies)
Award to: Dell Marketing, LP – $140,820 (through DIR Contract # DIR-TSO-3763)

This item approves the purchase of equipment to replace 240 desktop computers and 90 monitors which have exceeded their useful life.

I. **CONSIDER AWARD – DESKTOP COMPUTER HARDWARE**:
(Contact: Rich Gagnon, Managing Director of Information Technologies)
Award to: Dell Marketing, LP – $63,271.32 (through DIR Contract # DIR-TSO-3763)

This item approves the purchase of equipment to replace 28 ruggedized laptops for Amarillo Fire Department that are used in fire trucks.

J. **CONSIDER AWARD – GOLF PRODUCTS**:
(Contact: George Priolo, GM of Golf Operations)
Award to: Acushnet Golf Products – $200,000

This item awards a contract to allow the Parks and Recreation department – Golf Operations to provide Titleist, Foot-Joy, and Pinnacle products in the pro shops located at Ross Rogers Golf Complex and Comanche Trail Golf Complex.

K. **CONSIDER APPROVAL – LEASE AGREEMENT FOR LIMITED USES – LEASE AGREEMENT BETWEEN THE CITY OF AMARILLO AND A LOCAL ORGANIZATION FOR THE LIMITED USE OF OFFICE SPACE BY THE AMARILLO POLICE DEPARTMENT NEIGHBORHOOD POLICE OFFICER (NPO) UNITS**:
(Contact: Martin Birkenfeld, Police Chief)
Bethesda Outreach Center

This item approves a lease agreement for limited uses and provides for office space in a designated neighborhood to be used by the Amarillo Police department for the Neighborhood Police Officer units. The office will be utilized for the purpose of general police activity, research, preparing reports, meetings with citizens, etc. The organization that has agreed to provide an office is: Bethesda Outreach Center.

3. NON-CONSENT ITEM:

A. **CONSIDERATION OF ORDINANCE NO. 7938**:
(Contact: Anthony Spanel, Environmental Health Director)

This is the second and final reading to consider a Variance to distance regulations prohibiting the sale of alcoholic beverages within 300' of a public school. The City Council, as the governing body of the City of Amarillo, Texas and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, may grant a Variance to Section 14-3-5 of the City of Amarillo Municipal Code (enacted pursuant to Section 109.33(a)(1) of the Texas Alcoholic Beverage Code) for alcohol sales at 3420 SW 15th. (Applicant: Marcus Schwartz representing GoBrands Texas LLC; Vicinity 15th and Dixie St)

B. **PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 10-26-21-5**:
(Contact: Andrew Freeman, Assistant City Manager)

This item is a public hearing and consideration of a resolution stating no objection for an application for 2022 Non-Competitive Housing Tax Credits to the Texas Department of Housing and Community Affairs Housing Tax Credit Program by JES Dev Co, Inc., a private entity, for the Estacado Station, a development for affordable rental property located at approximately 4000 NW 12th Avenue

C. **CONSIDER AWARD – ADVANCED METERING INFRASTRUCTURE (AMI)**:
(Contact: Floyd Hartman, Assistant City Manager)
Award to: Thirkettle Corporation DBA Utiliuse
Capital: $22,528,581.16
Annual: $ 4,496,163.60 ($224,808.18 per year for 20 years)
Total: $27,024,744.76

This item awards the Advanced Metering Infrastructure (AMI) contract for the installation of smart meters throughout the City of Amarillo. This item is funded through previously issued bond proceeds from a zero percent (0%) interest loan and a grant, both provided by the Texas Water Development Board.

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

A. Sec. 551.071 - Consult with attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter
   a. Discussion regarding status of negotiations related to the Amended and Restated Economic Development Agreement with Supreme Bright Amarillo II, LLC, and related matters.

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

Posted this 22nd day of October 2021.

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.

A

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 12th of October 2021 the Amarillo City Council met at 1:00 p.m. for a regular meeting held in Council Chambers, located on the third floor of City Hall at 601 South Buchanan Street, with the following members present:

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

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

JARED MILLER	CITY MANAGER
LAURA STORRS	ASSISTANT CITY MANAGER
ANDREW FREEMAN	ASSISTANT CITY MANAGER
BRYAN MCWILLIAMS	CITY ATTORNEY
JENIFER RAMIREZ	ASSISTANT TO THE CITY MANAGER
STEPHANIE COGGINS	CITY SECRETARY

The invocation was given by Jimmy Witcher of Trinity Fellowship. Mayor Nelson led the Pledge of Allegiance.

A proclamation was presented for "Domestic Violence Awareness Month".

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

PUBLIC ADDRESS:

James Schenck, 6216 Gainsborough, Amarillo, Texas spoke to agenda item no. 3C, agenda item 3D, and Public Address. Joe Shehan, of Amarillo, Texas, spoke to agenda item no. 3C. Barbara Cromer, of Amarillo, Texas, spoke to agenda item 3B. Alan Abraham, 7205 S.W. 35th, Amarillo, Texas spoke in support of agenda item no. 3D. Arvelle Williams spoke in opposition of agenda item no. 3D. Paul Borchardt, 3915 Kileen, Amarillo, Texas, spoke in opposition of agenda item no. 3D. Rupert Cecil Brashears, Jr., of Amarillo, Texas, spoke in opposition of agenda item no. 3D. Timothy Gassaway, Amarillo, Texas signed up to spoke but yielded his time and elected to speak during the public hearing on agenda item no. 3D. There were no further comments.

ITEM 1 – CITY COUNCIL DISCUSSED OR RECEIVED REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS:

A. Review agenda items for regular meeting and attachments;
B. Update on Broadband Initiative;
C. Update from Canadian River Municipal Water Authority;

ITEM 3 - NON-CONSENT ITEMS:

ITEM 3A (taken out of order): Mayor Nelson introduced Ordinance No. 7938 to consider a variance to distance regulations prohibiting the sale of alcoholic beverages within 300' of a public school. Anthony Spanel, Environmental Health Director, presented the item. Marcus Schwartz, representing applicant GoBrands Texas LLC spoke and answered questions. A motion was made to approve Ordinance No. 7938 and grant a variance for alcohol sales at 3420 SW 15th for applicant GoBrands Texas, LLC. pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, after consideration of the health, safety

and welfare of the public and the entities of the situation, council finds and determines that enforcement of the distance regulation in this particular instance would not be effective or necessary by Councilmember Powell, seconded by Councilmember Smith.

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

ITEM 1 – CITY COUNCIL DISCUSSED OR RECEIVED REPORTS ON THE FOLLOWING CURRENT MATTERS OR PROJECTS (continued):

D. Discuss Transit Buses and Bus Shelters; and
E. Request future agenda items and reports from City Manager.

ITEM 2 – CONSENT ACTION ITEMS:
Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. City Manager Miller stated that item 2G for the Remodel of the Public Health Annex Located at 850 Martin Road should be removed and postponed to the next City Council meeting agenda. Motion was made to approve the consent agenda with the exception of Item no. 2G by Councilmember Powell, seconded by Councilmember Smith.

A. **CONSIDER APPROVAL – MINUTES**:
Approval of the City Council minutes for the regular meeting held on September 28, 2021.

B. **CONSIDERATION OF RESOLUTION 10-12-21-1**:
(Contact: Michael Kashuba, Director of Parks and Recreation)

This item considers a resolution approving the Public Arts and Beautification Plan as an official document for the Amarillo Parks and Recreation Department, its appointed boards and City administration as a guideline for Public Arts and Beautification within the City of Amarillo.

C. **CONSIDERATION OF RESOLUTION 10-12-21-2**:
(Contact: Michael Kashuba, Director of Parks and Recreation)

This item considers a resolution approving the Hike and Bike Master Plan as the adopted plan to be used by the Amarillo Parks and Recreation Department, the Amarillo Traffic Engineering Department, its appointed boards and the City administration as a guideline for future development and redevelopment of a Hike and Bike Trail System for the City of Amarillo.

D. **CONSIDER APPROVAL – SIGNATORY AIRPORT USE AND LEASE AGREEMENT**:
(Contact: Michael W. Conner, Director of Aviation)

This item considers approval of a three-year Signatory Airport Use and Lease Agreement between Allegiant Travel Company and The Rick Husband Amarillo International Airport.

E. **CONSIDER APPROVAL – FIRST AMENDMENT TO AIRPORT USE AND LEASE AGREEMENT**:
(Contact: Michael Conner, Director of Aviation)

This item considers approval of a first amendment to the Signatory Airport Use and Lease Agreement between Allegiant Travel Company and the Rick Husband Amarillo International Airport.

F. **CONSIDER AWARD – AIRPORT MARKETING AND ADVERTISING CAMPAIGN CONTRACT TO MARY COYNE MARKETING COMMUNICATIONS**
(Contact: Michael Connor, Director of Aviation)

Contract Amount: $90,000

This contract is to manage the airport's digital and television advertising and marketing program for FY21/22.

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

ITEM 3 - NON-CONSENT ITEMS:

ITEM 3B: Mayor Nelson introduced Resolution No. 10-12-21-3 to consider approving the project plan for the first installment of American Rescue Plan Act (ARPA) funding. A motion was made adopt Resolution 10-12-21-3 to approve Resolution No. 10-12-21-3 which approves a project plan for the first installment of American Rescue Plan Act (ARPA) funding in the amount of $19,838,158.50 in accordance with eligible uses identified in the interim final ruling issued May 17, 2021 and the subsequent frequently asked questions provided by the U.S. Department of the Treasury by Councilmember Powell, seconded by Councilmember Smith.

RESOLUTION 10-12-21-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS APPROVING THE USE OF AMERICAN RESCUE PLAN ACT OF 2021 ("ARPA") FUNDS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEMS 3C and 3D: Mayor Nelson introduced the second reading of Ordinance No. 7926 to consider rezoning of 602.85 acres of land in 168, 169, 188, and 189, Block 2, AB&M Survey, Potter County, Texas pertaining to Part 1 of 2 of the North Heights Rezoning Initiative. A motion was made to postpone agenda items no. 3C for Ordinance No. 7926 and no. 3D for Ordinance No. 7939 until a later date by Councilmember Powell, seconded by Mayor Nelson.

ORDINANCE NO. 7926

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 THE NORTH HEIGHTS NEIGHBORHOOD PLAN AREA (NORTH PORTION), POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 7939

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 THE NORTH HEIGHTS NEIGHBORHOOD PLAN AREA (SOUTH PORTION), POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Voting AYE were Mayor Nelson and Councilmembers Powell and Stanley; voting NO were councilmembers Sauer and Smith; the motion carried by a 3-2 vote.

PUBLIC ADDRESS:

The Mayor opened back up public address. Timothy Gassaway, of Amarillo, Texas, spoke in opposition of agenda item no. 3C. Fransetta Crow, of Amarillo, Texas, spoke in

opposition of agenda item no. 3C. Rupert Cecil Brashears, of Amarillo, Texas, spoke in opposition of agenda item no. 3C. Mildred Darton, 2005 NW 14th, Amarillo, Texas, spoke in favor of item no. 3C. Gabe Irving, 6326 Kalie, Amarillo, Texas spoke in opposition of item no. 3C. Arvelle Williams, 1313 NE 3rd,Amarillo, Texas, spoke in opposition of agenda item no. 3C.

ITEMS 3C and 3D: A motion was made to reconsider the motion to postpone agenda items no. 3C and no. 3D by Councilmember Smith, seconded by Councilmember Stanley.

Voting AYE were councilmembers Smith Stanley; voting NO were Mayor Nelson and Councilmembers Powell and Sauer; the motion failed by a 2-3 vote.

ITEM 3E: Mayor Nelson introduced Resolution No. 10-12-21-4 to provide nominations for upcoming vacancies on the individual Potter and Randal County Appraisal Districts' Board of Directors. Stephanie Coggins, City Secretary, presented the item. A motion was made to nominate Zachary Plummer, Cindy Spanel, Kay Ledbetter, and Mitzi Wade for the Potter County Appraisal District Board of Directors and Joe Shehan, Misty Clements, and Landon Moreland for the Randall County Appraisal District Board of Directors by Councilmember Smith, seconded by Councilmember Sauer.

RESOLUTION NO. 10-12-21-4

A RESOLUTION TO MAKE NOMINATIONS TO FILL VACANCIES ON THE BOARD OF DIRECTORS OF THE POTTER-RANDALL APPRAISAL DISTRICTS

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

ITEM 3F: Mayor Nelson introduced Resolution No. 10-12-21-5 to consider acceptance of two Federal grants to support the design and construction of a passenger terminal to serve Amarillo City Transit, Greyhound, and other local transportation providers. A public hearing was opened. There was no one wishing to speak. The public hearing was closed. A motion was made to approve Resolution No. 10-12-21-5 by Councilmember Powell, seconded by Councilmember Smith.

RESOLUTION NO. 10-12-21-5

A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS CONDUCTING A PUBLIC HEARING ON THE AMARILLO CITY TRANSIT CAPITAL PROJECT; AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE FEDERAL TRANSIT ADMINISTRATION FOR GRANTS UNDER THE FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST) OF 2015, AS AMENDED

Voting AYE were Mayor Nelson and Councilmembers Powell, Stanley, and Smith; voting NO were none; absent for the vote was Councilmember Sauer; the motion carried by a 4-0 vote.

With no further business to conduct, the meeting was adjourned.

ATTEST:

Stephanie Coggins, City Secretary	Ginger Nelson, Mayor

B

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	**Council Priority**	
Department	Human Resources		
Contact	Mitchell Normand, Human Resources Director		

Agenda Caption

Review and approval of Paid Quarantine Leave Policy for firefighters and peace officers pursuant to Texas Local Government Code Section 180.008.

Agenda Item Summary

Pursuant to Texas Local Government Code Section 180.008, the City of Amarillo is required to adopt a paid quarantine leave policy for firefighters and peace officers who are employed by, appointed by, or elected to the City of Amarillo and ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.

Requested Action

Approval of Policy 610 – Paid Quarantine Leave pursuant to Texas Local Government Code Section 180.008.

Funding Summary

Respective Wage & Benefits budgets.

Community Engagement Summary

N/A

Staff Recommendation

Approval of Policy 610 – Paid Quarantine Leave pursuant to Texas Local Government Code Section 180.008.

RESOLUTION NO. 10-26-21-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS ("CITY") APPROVING A PAID QUARANTINE LEAVE POLICY IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE, SECTION 180.008; AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEE TO FILE SAME IN THE CITY OF AMARILLO'S PERSONNEL POLICIES AND PROCEDURES; PROVIDING FOR A REPEALER; AND PROVIDING SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the 87TH Legislature enacted Texas Local Government Code, Section 180.008, requiring political subdivisions to develop and place into operation a paid quarantine leave policy for fire fighters and peace officers employed by a city and ordered to quarantine or isolate due to possible or known exposure to a communicable disease while on duty;

WHEREAS, the above employees are granted paid quarantine leave with a city policy that includes specific essential policy requirements as set out in Texas Government Code, Section 180.008;

WHEREAS, in accordance with these regulations, the City of Amarillo's Human Resources Department has drafted a Paid Quarantine Leave policy that is designed to comply with all requirements as set forth by the Texas Local Government Code, Section 180.008;

WHEREAS, the Paid Quarantine Leave Policy applies to the City of Amarillo fire fighters and peace officers ordered to quarantine or isolate by the person's supervisor or the City's health authority due to possible or known exposure to a communicable disease while on duty and is entitled to receive paid quarantine leave for the duration of leave;

WHEREAS, this paid leave will not reduce such employee's sick leave, vacation leave, holiday leave or other paid balances in connection with said paid quarantine; and

WHEREAS, the City Council has reviewed the Paid Quarantine Leave Policy for the Human Resources Department, attached hereto and incorporated herein.

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

Section 1. The City Council does hereby approve the City of Amarillo's Paid Quarantine Leave Policy, dated June 15, 2021, attached hereto and incorporated herein.

Section 2. The City Council further designates the City Manager and/or his designee to authorize and include such Policy in the City of Amarillo's Personnel Policies and Procedures.

Section 3. Should any part of this Resolution conflict with any other resolution, then such other resolution is repealed to the extent of the conflict with this Resolution.

Section 4. Should any word, phrase, or part of this Resolution be found to be invalid or unconstitutional, such finding shall not affect any other word, phrase, or part hereof and such shall be and continue in effect.

Section 5. This Resolution shall be effective on and after its adoption.

PASSED AND APPROVED this 26th day of October, 2021.

Ginger Nelson, Mayor

ATTEST:

Stephanie Coggins, City Secretary

APPROVED:

Bryan McWilliams, City Attorney

City of Amarillo
Personnel Policies and Procedures

Policy Title: Paid Quarantine Leave

Policy Number: 610

Effective Date: June 15, 2021

Approved By: City Council [*pending approval at 10/26/21 Council meeting*]
Jared Miller, City Manager
Mitchell Normand, Director of Human Resources

I. PURPOSE

Pursuant to Texas Local Government Code Section 180.008, the City of Amarillo hereby adopts this paid quarantine leave policy for firefighters and peace officers who are employed by, appointed by, or elected to the City of Amarillo and ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.

II. SCOPE

This policy is applicable to all sworn firefighters and peace officers employed by the City of Amarillo.

III. DEFINITIONS

Health authority: a physician appointed by the city to administer state and local laws relating to public health within the city's jurisdiction.

Paid quarantine leave: (1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the city; and (2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.

Firefighter: a paid employee of the city's fire department who: (a) holds a position that requires substantial knowledge of firefighting; (b) has met the requirements for certification by the Texas Commission of Fire Protection under Chapter 419, Government Code; and (c) performs at least one of the following functions: (i) fire suppression; (ii) fire prevention; (iii) fire training; (iv) fire safety education; (v) fire maintenance; (vi) fire communications; (vii) fire medical emergency technology; (viii) fire photography; (ix) fire administration; or (x) fire arson investigation.

Peace officer: police officers licensed by the Texas Commission on Law Enforcement and employed by the city. (Ref. Texas Local Gov't Code 180.008(a); 143.003(4)(A); Tex. Health & Safety Code 121.021; and Tex. Code Crim. Pro. Art. 2.12.)

IV. RULES/PROCEDURES

A City of Amarillo fire fighter or peace officer who is ordered to quarantine or isolate by the person's supervisor or the city's health authority due to a possible or known exposure to a communicable disease while on duty is entitled to receive paid quarantine leave for the duration of the leave. (Ref. Texas Local Gov't Code 180.008(c).) The City of Amarillo will not reduce a firefighter's or peace officer's sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance in connection with paid quarantine leave taken in accordance with this policy.

V. EXCEPTIONS

The City Council reserves the right to modify this policy at any time as necessary in accordance with legislative requirements.

C

Amarillo City Council
Agenda Transmittal Memo

AMARILLO ECONOMIC DEVELOPMENT

Meeting Date	October 26, 2021	Council Pillar	Economic Development
Department	Amarillo Economic Development Corporation		
Contact	Kevin Carter, President and CEO		

Agenda Caption

A RESOLUTION OF THE CITY OF AMARILLO, AUTHORIZING THE SUBMISSION OF AN ECONOMIC DEVELOPMENT ADMINISTRATION APPLICATION TO THE U.S. DEPARTMENT OF COMMERCE FOR THE ECONOMIC ADJUSTMENT ASSISTANCE PROGRAM; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY OF AMARILLO'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY OF AMARILLO'S PARTICIPATION IN THE PROGRAM.

Agenda Item Summary

Amarillo Economic Development Corporation (Amarillo EDC) is developing a 195-acre property to serve as the location for the South Georgia Business Park in Amarillo. Cacique, LLC. —a Hispanic foods company and maker of authentic Mexican-style cheese, cremas, salsa, and chorizo—will be the anchor tenant developing a 55-acre site for the state-of-the-art dairy processing facility at the South Georgia Business Park. The company is going to invest $88 million dollars in the facility which will create 200 new full-time jobs initially and up to 300 additional jobs in the future. The project is the construction of Phase I water and sewer infrastructure, roads, and fence screens on the perimeter of the South Georgia Business Park to create a barrier between the industrial area and major roadways. The City of Amarillo will be a co-applicant on this application as the City will assume the operation and maintenance of the infrastructure once constructed. The anticipated cost of the Phase I project is approximately $4 million with an EDA requested investment of $2.4 million and a cash match from Amarillo EDC and the City of Amarillo of $1.6 million.

Estimated Project Scope:

1.	Improvement of a portion of South Georgia to a 5 lane arterial	$2,505,000
2.	Construction of unnamed road inside business park	$300,000
3.	Water line construction along S. Georgia and unnamed road	$170,000
4.	Sewer line construction along unnamed road	$180,000
5.	Concrete wall panel screening along S. Georgia	$780,000
6.	Project administration	$65,000
TOTAL:		$4,000,000

Requested Action

Approval of the Resolution as presented.

Funding Summary

$2,400,000 contributed by the Economic Development Administration
$1,600,000 contributed by the Amarillo EDC and City of Amarillo

Staff Recommendation

AEDC staff is recommending approval of the submission of the EDA grant application.

EDA American Rescue Plan - Economic Adjustment Assistance

Amarillo EDC: South Georgia Business Park Project

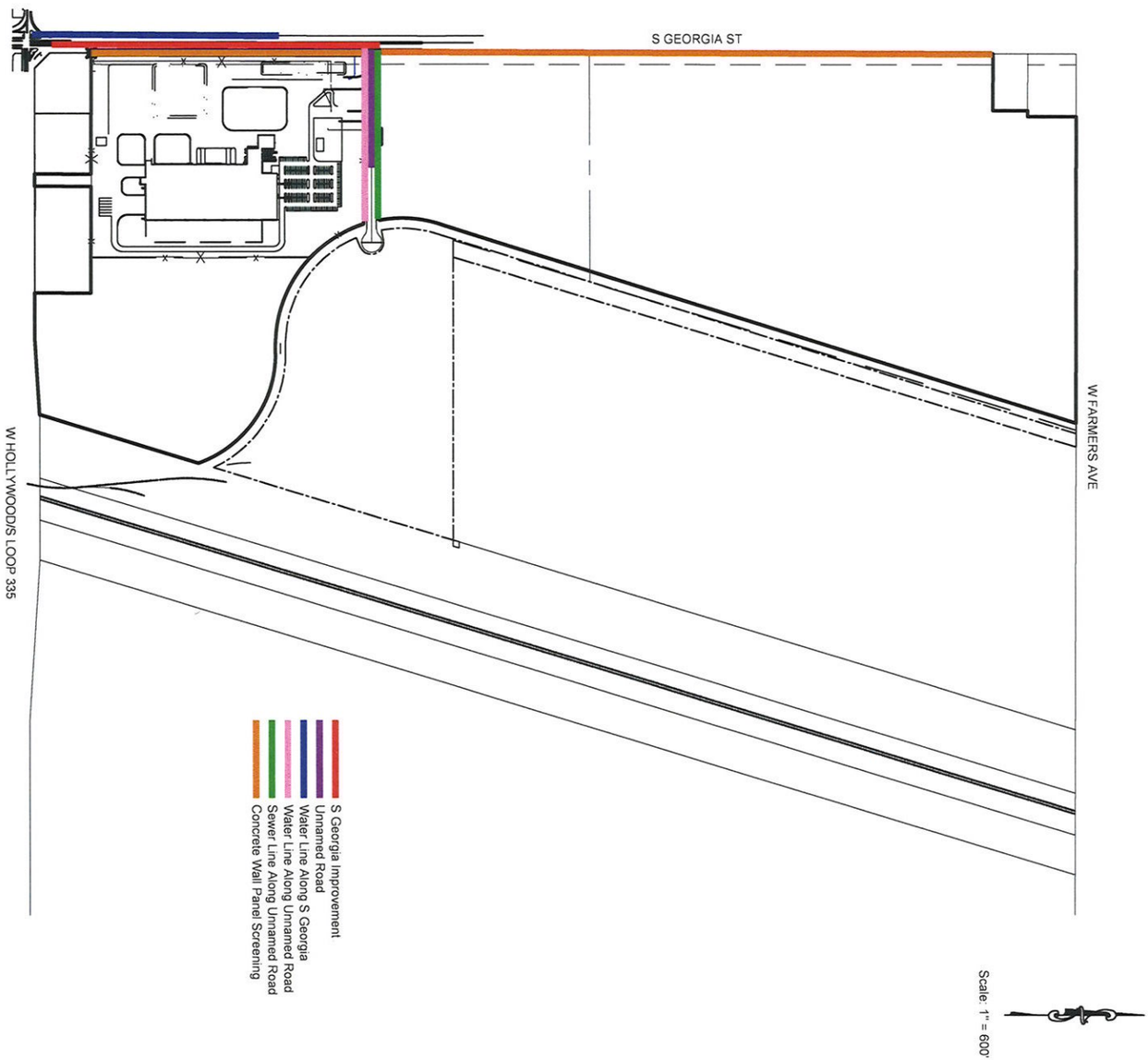
Amarillo Economic Development Corporation (Amarillo EDC) is developing a 195-acre property to serve as the location for the South Georgia Business Park in south Amarillo. Cacique, LLC. —a Hispanic foods company and maker of authentic Mexican-style cheese, cremas, salsa, and chorizo—will be the anchor tenant developing a 55-acre state-of-the-art dairy processing facility at the South Georgia Business Park. The company is going to invest $88 million dollars in the facility which will create 200 new full-time jobs initially and up to 300 additional jobs in the future. The project is the construction of Phase I water and sewer infrastructure, roads, and fence screens on the perimeter of the South Georgia Business Park to create a barrier between the industrial area and major roadways. The City of Amarillo will be a partner on this application as the City will assume the operation and maintenance of the infrastructure once constructed. The anticipated cost of the Phase I project is approximately $4 million with an EDA requested investment of $2.4 million and a cash match from Amarillo EDC and the City of Amarillo of $1.6 million.

Projects of this size have an immense regional benefit in the Texas Panhandle. In a 2021 survey of leaders throughout the Texas Panhandle, 92% of respondents stated Amarillo is the regional hub for their community. Many residents living in small communities in the Texas Panhandle commute to Amarillo for work. Thus, expanding industry in the City of Amarillo provides job opportunities for residents throughout the Texas Panhandle.

This project will work toward creating more equitable opportunities in the Texas Panhandle. The Panhandle Regional Planning Commission is geographically the largest Economic Development District in the State of Texas and the farthest from the capital in Austin. While the region accounts for about ten (10) percent of the State's landmass, it was only about 1.51 percent of the population of the State in 2020 according to a projection from the Texas Demographic Center. The State's growth is anticipated to outpace the region where it will only account for 1.19 percent of the State's population in 2050. Thus, substantial job creation in the Texas Panhandle is crucial to combat outmigration to the metro areas of the State. Additionally, Amarillo and the region do not have many large employers—StatsAmerica's Innovation 2.0 Comparison: Dynamic Industry Profile ranks the Amarillo MSA 306 out of 380 metros for the number of Large Establishments (500 or more employees per 10,000 workers) and the Texas Panhandle as 294 out of 384 Economic Development Districts for Large Establishments. Bringing more industry into the region, including Cacique and the future tenants of the South Georgia Business Park, is critical for creating generational opportunities in the region and the impact of such an investment is felt by the whole Texas Panhandle.

Estimated Project Scope:

1. Improvement of South Georgia to a 5 lane arterial	$2,505,000
2. Construction of unnamed road inside business park	$ 300,000
3. Water line construction along S. Georgia and unnamed road	$ 170,000
4. Sewer line construction along unnamed road	$ 180,000
5. Concrete wall panel screening along S. Georgia	$ 780,000
6. Project administration	$ 65,000
TOTAL:	$4,000,000



This document is released for the purpose of Preliminary Review under the authority of Lucas Johnson, P.E. 112981 on October 13, 2021. It is not to be used for construction, bidding, or permitting purposes.

Drawn By: LAJ
Checked By:
Scale: 1" = 600'
Sheet: NA

South Georgia Business Park
Roadway Extension
Amarillo, Texas

Placeholder Drive
Site Utility Plan

OJD Engineering, LP
The Benchmark
Wellington | Amarillo | Wolfforth
www.OJDEngineering.com F-4393

WELLINGTON
P.O. Box 543
Wellington, TX 79095
(806) 447-2503

AMARILLO
2420 Lakeview Drive
Amarillo, TX 79109
(806) 352-7117

WOLFFORTH
502 N. Dowden Road, Ste 102
Wolfforth, TX 79382
(806) 791-2300

D

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	**Council Priority**	Economic Development/Redevelopment

Department	Planning	**Contact Person**	Andrew Freeman, Assistant City Manager

Agenda Caption

RESOLUTION – NAMING CERTAIN AREAS CITY OF AMARILLO ENTERPRISE ZONE TRACT #148, BLOCK 2140 FOR COMMERCIAL / INDUSTRIAL TAX ABATEMENT:

This resolution names the official enterprise zone for a previously approved tax abatement with Illinois Tool Works, Inc. and Panhandle Pure, LLC.

Agenda Item Summary

An abatement agreement with Illinois Tool Works, Inc. and Panhandle Pure, LLC was approved in October 2020. A reinvestment zone was not required to be established at the time due to being in an already designated State Enterprise Zone. The law states the following:

Designation of an area as an enterprise zone under Chapter 2303, Government Code constitutes designation of the area as a reinvestment zone under this subchapter without further hearing or other procedural requirements other than those provided by Chapter 2303, Government Code.

It was discovered recently when the Potter-Randall Appraisal District was filing the tax abatement with the Comptroller's Office that while creating the zone is not necessary, we are required to designate the Enterprise Zone name for their filing system.

Requested Action

Approval of resolution as presented.

Funding Summary

N/A

Community Engagement Summary

Previous City Council meeting held in September 2020.

Staff Recommendation

Staff recommends approval as presented.

RESOLUTION NO. 10-26-21-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS NAMING CERTAIN AREAS CITY OF AMARILLO ENTERPRISE ZONE TRACT #148, BLOCK 2140 FOR COMMERCIAL / INDUSTRIAL TAX ABATEMENT, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; AND PROVIDING A SEVERANCE CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Amarillo, Texas ("City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the designation of an Enterprise Zone for commercial/industrial tax abatement;

WHEREAS, City has elected by Resolution No. 08-24-21-1 to become eligible to participate in tax abatements;

WHEREAS, the area as identified herein is an Enterprise Zone per Chapter 2303.101 of the as referenced by Texas Census Block Nos. 483750148002140 and 483750148002143; and

WHEREAS, designation of an area as an enterprise zone under Chapter 2303, Government Code constitutes designation of the area as a reinvestment zone under Chapter 312 of the Texas Tax Code without further hearing or other procedural requirements other than those provided by Chapter 2303, Government Code; and

WHEREAS, the area to be designated meets the statutory requirement that, it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the municipality, and/or meets other criteria that satisfies state law for establishment of a reinvestment zone.

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

SECTION 1. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and are adopted as findings of fact by this body and as part of its official record.

SECTION 2. The City has made the following findings and determinations:

a) That the boundaries of the area to be known as City of Amarillo Enterprise Zone Tract #148, Block 2140 ("Zone") shall be the area of land described on the document attached hereto as Exhibit "A", which is incorporated herein for all purposes; and

b) That the designation of City of Amarillo Enterprise Zone Tract #148, Block 2140 with the boundaries as described in (a) above, will result in benefits to the City and to the land included in the zone and to the City after the expiration of any Tax Abatement Agreement entered into, and the improvements sought are feasible and practical; and

c) That the Zone as defined herein by law satisfies the requirement of a Reinvestment Zone and is eligible under the Guidelines and Criteria for Tax Abatement in the City of Amarillo, Resolution No. 08-24-21-1.

SECTION 3. Pursuant to Texas Tax Code Chapter 312, Subchapter B, and Texas Government Code 2303 the City hereby designates the Zone for commercial/industrial tax abatement encompassing the area described by the legal description in Section 2 (a) above and such Zone is hereby designated and shall hereafter be designated City of Amarillo Enterprise Zone Tract #148, Block 2140.

SECTION 4. If any portion of this resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof.

SECTION 5. The establishment of City of Amarillo City of Amarillo Enterprise Zone Tract #148, Block 2140 shall take effect on the date of the final passage of this Resolution.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on the 26th day of October 2021.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM

_____
Bryan McWilliams, City Attorney

EXHIBIT A
LEGAL DESCRIPTION OF REINVESTMENT ZONE

Property Description
1001 NW 1st Ave., Amarillo, TX

TRACT 1:

A 5.361 acre tract of land out of Section 169, Block 2, A.B. & M. Survey, Potter County, Texas, further being: (i) all of Lot 1, Block 1 of the J. L. Langston Subdivision Unit No. 2, an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, recorded in Volume 1579, Page 38 of the Official Public Records of Potter County, Texas; (ii) all of Lot 4 and 5, J. L. Langston Subdivision, an addition to the City of Amarillo, according to the map or plat thereof, recorded in Volume 151, Page 291 of the Deed Records of Potter County, Texas; (iii) a portion of that certain tract of land described in that certain instrument recorded in Volume 718, Page 11 of the Deed Records of Potter County, Texas, all of that certain tract of land described in that certain instrument recorded in Volume 2725, Page 57, of said Official Public Records; (iv) a portion of that certain tract of land described in that certain instrument recorded in Volume 2282, Page 64, of said Official Public Records; (v) all of that certain tract of land described in that certain instrument, recorded in Volume 2202, Page 287, of said Official Public Records; (vi) all of that certain tract of land described in that certain instrument recorded in Volume 2066, Page 516, of said Official Public Records; (vii) all of that certain tract of land described in that certain instrument recorded in Volume 3299, Page 131, of said Official Public Records; (viii) a portion of certain tract of land described in that certain instrument recorded in Volume 3214, Page 592, of said Official Public Records; (ix) a portion of that certain tract of land described in that certain instrument recorded in Volume 3282, Page 597, of said Official Public Records; and (x) a portion of that certain tract of land described in that certain instrument recorded in Volume 3345, Page 458, of said Official Public Records; said 5.631 acre tract of land and being described by metes and bounds as follows:

BEGINNING at the Southeast intersection of N.W. 1st Avenue and N. Madison Street said point being the South R.O.W. line of N.W. 1st Avenue and the East R.O.W. line of N. Madison Street, the POINT OF BEGINNING of this tract, whence a 1/2" iron rod found with cap stamped 5374, bears S 46 °05' 02" West, 0.14 feet;

THENCE S 09° 24' 08" W, 138.96 feet to a 1/2" iron rod found with cap stamped "RPLS 5374", in the Northerly R.O.W. line of the BNSF Railway and on a curve to the left whose radius is 2391.83 feet;

THENCE along the chord bearing and distance of South 69° 53' 15" West, 63.42 feet, along said curve to the left and along said railroad R.O.W., being 100.0 feet Northwesterly from the centerline of the Old Chicago Island main track, now being the BNSF Railway industry track, to a 1/2" iron rod found with cap stamped "Furman RPLS 1995" found (Record Monument in Volume 3214, Page 529);

THENCE N 80° 35' 52" W, along the Northerly railroad R.O.W. line same being 25.0 feet Northwesterly and parallel to the centerline of the Main Track of the BNSF Railway as it exists on the ground a distance of 1089.90 feet to a sawed "X" set in concrete;

THENCE S 09° 24' 08" W, along said railroad R.O.W. line 1.0 feet to a sawed "X" set in concrete;

THENCE N 80° 35' 52" W, along said railroad R.O.W. line same being 24.0 feet Northwesterly and parallel to the said centerline of the Main Track of the BNSF Railway as exists on the ground, a distance of 336.23 feet to a 1/2" X 24" rebar with cap stamped "Gresham PLS 1939" set in the Easterly R.O.W. line of the Adams-Hughes Connector (Street Deed, Volume 1510, Page 607) and on a curve to the right having a radius of 912.93 feet;

THENCE along chord bearing and distance of N 01° 26' 07" W, 174.30 feet along said curve to the right and along the Easterly R.O.W. line of said Adams-Hughes Connector to a 60d nail with washer stamped "GAI (Gresham & Associates, Inc.) PLS 1939" set in the South R.O.W. line of N.W. 1st Avenue;

THENCE S 80° 35' 52" E, along said Southerly R.O.W. line of N.W. 1st Avenue to a 1/2" X 24" rebar with cap stamped "Gresham PLS 1939", a distance of 38.09 feet set for the Northwest corner of Lot 2, J.L. Langston Subdivision recorded in Volume 151, Page 291, Deed Records Potter County, Texas;

THENCE S 09° 24' 08" W, along the West line of said Lot 2, 49.10 feet to a 1/2" X 24" rebar with cap stamped "Gresham PLS 1939" set for the Southwest corner of said Lot 2, whence the center line of said BNSF Railway main track as exists on the ground bears South 09° 24' 08" West, 146.1 feet;

THENCE S 80° 35' 52" E, along the Southerly line of said Lot 2, same being the Northerly line of BNSF Railway as called in deed recorded in Volume 718, Page 111, Potter County Deed Records a distance of 75.0 feet to a 1/2" X 24" rebar with cap stamped "Gresham PLS 1939", set for the Southeast corner of said Lot 2;

THENCE N 09° 24' 08" E, along the Easterly line of said Lot 2, 49.10 feet to a 1/2" X 24" rebar with cap stamped "Gresham PLS 1939", set in the Southerly R.O.W. line of N.W. 1st Avenue;

THENCE S 80° 35' 52" E, along said Southerly R.O.W. line of N.W. 1st Avenue, same being 40.0 feet South and parallel to the Southerly line of Blocks 119 and 120, Glidden & Sanborn Addition as recorded in Volume 65, Pages 12 and 13, Deed Records, Potter County, Texas and parallel and 195.2 Northerly from the center line of BNSF Railway main track as it exists on the ground, a distance of 561.0 feet to a Mag nail with washer stamped "GAI PLS 1939" set at the intersection of said Southerly R.O.W. line of 1 st Avenue and the Westerly R.O.W. of Adams Street;

THENCE S 09° 24' 08" W, along the said Westerly R.O.W. line of N. Adams Street 49.10 feet to a point;

THENCE S 80° 35' 52" E, along the Southerly R.O.W. line of N. Adams Street, same being parallel and 146.1 feet Northerly from the center line of BNSF main track as it exists on the ground, a distance of 80.0 feet to a 60d nail with washer stamped "GAI PLS 1939" set at the Southeasterly corner of N. Adams Street R.O.W.;

THENCE N 09° 24' 08" E, along the Easterly R.O.W. line of Adams Street a distance of 49.10 feet to a 60d nail with washer stamped "GAI PLS 1939" set at the intersection of the Southerly R.O.W. line of N.W. 1st Avenue and the Easterly R.O.W. line of N. Adams Street;

THENCE S 80° 35' 52" E, along the Southerly R.O.W. line of N.W. 1 st Avenue same being 40.0 feet South and parallel to the Southerly line of Block 131 of said Glidden and Sanborn Addition, a distance of 100.0 feet to a 1/2" iron rod found;

THENCE S 09° 24' 08" W, 49.10 feet to a 1/2" X 24" rebar set with cap stamped "Gresham PLS 1939", whence the center line of the BNSF Railway main track as exists on the ground bears South 09° 24' 08" West, a distance of 146.1 feet;

THENCE S 80° 35' 52" E, parallel and 146.1 feet Northerly from the center line of the BNSF main track as it exists on the ground at 200.0 feet pass the Southwest corner of N. Jefferson Street R.O.W. continue a total distance of 280.0 feet to a 1/2" X 24" rebar with cap stamped "Gresham PLS 1939" set at the Southeast corner of N. Jefferson Street R.O.W.;

THENCE N 09° 24' 08" E, along the Easterly R.O.W. line of N. Jefferson Street, 49.10 feet to a point in the Southerly R.O.W. line of N.W. 1st Avenue, whence a 1/2" iron rod with cap stamped "RPLS 5374" bears North 20° 26' 55" West, 0.17 feet;

THENCE S 80° 35' 52" E along the Southerly R.O.W. line of N.W. 1st Avenue same being 40.0 feet South and parallel to the Southerly line of Block 132 of said Glidden and Sanborn Addition and 195.2 feet Northerly and parallel from the center line of BNSF main track as it exists on the ground, a distance of 380.0 feet to the POINT OF BEGINNING of this tract;

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

TRACT 2:

Being a part of Lot 6, Block 120, Glidden and Sanborn Addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, of record in Volume 65, Pages 12-13, of the Deed Records of Potter County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a mag nail set with washer stamped "GAI 1939", set at the intersection of the North line of N.W. 1st Avenue and the East line of N. Washington Street, the Southwest corner of said Lot 6, Block 120, Glidden and Sanborn Addition, the Southwest corner of this tract and POINT OF BEGINNING;

THENCE N 09° 24' 08" E, 60.00 feet along the East line of N. Washington Street to a 1/2" X 24" rebar set with cap stamped "GRESHAM PLS 1939", the Northwest corner of said Lot 6 and the Southwest corner of Lot 7, for the Northwest corner of this tract;

THENCE S 80° 35' 52" E, 93.17 feet along the North line of Lot 6 and the South line of Lot 7, to a 3/8" iron rod found with a yellow cap stamped "RPLS 1912", found for the Northeast corner of this tract;

THENCE S 09° 02' 22" W, 60.00 feet to a 3/8" iron rod found with a yellow cap stamped "RPLS 1912", found in the North line of N.W. 1 st Avenue and the South line of said Block 6 for the Southeast corner of this tract;

THENCE N 80° 35' 52" W, 93.55 feet along the South line of said Lot 6 and the North line of said N.W. 1st Avenue to the POINT OF BEGINNING of this tract.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

E

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	**Council Priority**	Civic Pride
Department	Parks and Recreation		
Contact	David Wilson, Assistant Director of Parks and Recreation		

Agenda Caption

CONSIDERATION OF RESOLUTION 10-26-21-4 – AUTHORIZING THE CITY TO APPLY FOR THE TEXAS PARKS AND WILDLIFE DEPARTMENTS COMMUNITY OUTDOOR OUTREACH PROGRAM (CO-OP GRANT) (Contact: David Wilson, Assistant Director of Parks and Recreation)

This item is to consider a resolution authorizing the City Manager to apply for the Texas Parks and Wildlife Department's CO-OP Grant Program on behalf of the City of Amarillo.

Agenda Item Summary

This item is to consider a resolution authorizing the City Manager to apply for the Texas Parks and Wildlife Departments CO-OP Grant on behalf of the City of Amarillo. These funds will be used to start a kayaking and outdoor family camp out program.

Requested Action

To approve the resolution authorizing the City to apply for the Texas Parks and Wildlife Departments CO-OP Grant Program.

Funding Summary

This is a reimbursement grant.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval.

10/21/21-CMW

RESOLUTION NO. 10-26-21-4

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AUTHORIZING THE SUBMISSION OF A COMMUNITY OUTDOOR OUTREACH PROGRAM GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED OFFICIAL IN ALL MATTERS PERTAINING TO THE GRANT; PROVIDING OTHER CLAUSES AND AN EFFECTIVE DATE.

WHEREAS, the Texas Parks and Wildlife Department ("TPWD") has established the Community Outdoor Outreach Program Grant (the "CO-OP Grant") which may provide state funding for programming that engages under-served populations in TPWD mission-oriented outdoor recreation, conservation, and environmental education activities; and,

WHEREAS, the City of Amarillo desires to purchase kayaks and outdoor family camping gear for use in outdoor recreation activities; and,

WHEREAS, the CO-OP Grant is a reimbursement-type grant; and,

WHEREAS, the City of Amarillo is eligible and intends to timely apply for CO-OP Grant funding; and,

WHEREAS, the City Council now finds that it is necessary and in the best interests of the City of Amarillo to apply for CO-OP Grant funding.

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

SECTION 1. The City Council hereby approves the submission of the CO-OP Grant application to TPWD, on behalf of the City of Amarillo.

SECTION 2. The application shall be for $58,042.00 of reimbursement grant funds to purchase kayaks and outdoor family camping equipment.

SECTION 3. The City Manager is hereby designated as the City's authorized official to act in all matters in connection with this application.

SECTION 4. Should any part of this Resolution conflict with any other resolution, then such other resolution is repealed to the extent of the conflict with this Resolution.

SECTION 5. Should any word, phrase, or part of this Resolution be found invalid or unconstitutional, such finding shall not affect any other word, phrase, or part hereof and shall be and continue in effect.

SECTION 6. This Resolution shall be effective on and after its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 26th day of October 2021.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

F

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	**Council Priority**	Transportation Systems
Department	Aviation		
Contact	Michael W. Conner – Director of Aviation		

Agenda Caption

CONSIDER: AWARD BID NO. 7064 FOR THE SNOW REMOVAL EQUIPMENT BUILDING (SRE) BUILDING MODIFICATIONS AT THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT.
Total Base Bid Amount: $1,175,753.00
Bid Alternate No. 1: ($264,066.00) (Provide silicone Roof Coating Restoration system in lieu of metal panel replacement)
Total Bid Amount: $911,687.00 to be awarded to Panhandle Steel Buildings, Inc.

Agenda Item Summary

This project involves modifications to the Snow Removal Equipment (SRE) Building that include roof repair, internal lighting modernization to LED, new infrared heating in the shop portion, HVAC replacement in the two adjoining annexes, and replacement of overhead doors.

Requested Action

Award bid No. 7064 (base bid and deductive alt. 1) in the amount of $911,687.00 to Panhandle Steel Buildings, Inc.

Funding Summary

This construction contract is contained in FAA Grant 49 for 100% reimbursement.

Community Engagement Summary

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

Staff Recommendation

Airport staff recommends award of bid no. 7064 in the amount of $911,687.00 to Panhandle Steel Buildings, Inc.

G

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	**Council Priority**	Infrastructure
Department	Facilities Department 1252		
Contact	Jerry Danforth		

Agenda Caption

Public Health Annex Remodel 850 Martin Road; BID NO. 7090

This will be a construction project for the remodel of the Public Health Annex at 850 Martin Road with Plains Builders Inc. $1,026,030.

Agenda Item Summary

This will be a construction project for the remodel of the Public Health Annex at 850 Martin Road with Plains Builders Inc. in the amount of $1,026,030.

Requested Action

Award/Approval of construction project for remodel of Public Health Annex at 850 Martin Road in the amount of $1,026,030 to Plains Builders Inc.

Funding Summary

Account# 250000 fund total $1,935,676

Community Engagement Summary

N/A

Staff Recommendation

Award/Approval of project

H

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	Council Priority	N/A

Department	Information Technology – Rich Gagnon

Agenda Caption

Award – Desktop Computer Hardware:
Dell -- $140,820.00

This item will replace 240 desktop computers and 90 monitors which have exceeded their useful life.

Agenda Item Summary

This purchase will replace equipment which has been in operation for an average of more than 7 years.

Requested Action

Approval of award to Dell in the amount of $140,820.00.

Funding Summary

This purchase will be funded from job 620063, I.T. Operations.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

I

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	Council Priority	N/A

Department	Information Technology – Rich Gagnon

Agenda Caption

Award – Desktop Computer Hardware:
Dell -- $63,271.32

This item will replace 28 ruggedized laptops for AFD that are used in fire trucks.

Agenda Item Summary

This purchase will replace equipment which has been in operation for an average of more than 7 years.

Requested Action

Approval of award to Dell in the amount of $63,271.32.

Funding Summary

This purchase will be funded from job 411744, AFD Mobile Computer.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval of award.

J

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	October 26, 2021	Council Priority	Civic Pride
Department	Parks & Recreation – Golf Operations		
Contact	George Priolo, GM of Golf Operations		

Agenda Caption

CONSIDER APPROVAL OF A CONTRACT WITH ACUSHNET GOLF PRODUCTS AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT
Total amount of agreement = $200,000

This item allows the Parks and Recreation Department - Golf Operations to provide Titleist, Foot-Joy, and Pinnacle products in the pro shops located at Ross Rogers Golf Complex and Comanche Trail Golf Complex.

Agenda Item Summary

This award is to approve an annual "not-to-exceed" contract price for the wholesale purchase of Titleist, Foot-Joy, and Pinnacle golf products in the amount of $200,000. The Acushnet Company is the exclusive manufacturer and wholesale distributor of these products and is the sole source of the products at wholesale prices. The wholesale purchase of these products provide inventory for retail sale at both pro shops at Ross Rogers Golf Complex and Comanche Trail Golf Complex. Sales of merchandise will produce an estimated gross margin of 40% or approximate 20% net profit.

Requested Action

Approval and authorization for City Manager to execute agreement.

Funding Summary

Funds were approved through the budget process in account 1811.51205.

Community Engagement Summary

N/A

Staff Recommendation

Staff recommends approval.

K

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	October 26, 2021	Council Priority	Public Safety
Department	Police		
Contact	Chief Birkenfeld		

Agenda Caption

CONSIDER APPROVAL – LEASE AGREEMENT FOR LIMITED USES – LEASE AGREEMENT BETWEEN THE CITY OF AMARILLO AND A LOCAL ORGANIZATION FOR THE LIMITED USE OF OFFICE SPACE BY THE AMARILLO POLICE DEPARTMENT NEIGHBORHOOD POLICE OFFICER (NPO) UNITS:

Agenda Item Summary

This item approves a lease agreement for limited uses and provides for office space in a designated neighborhood to be used by the Amarillo Police department for the Neighborhood Police Officer units. The office will be utilized for the purpose of general police activity, research, preparing reports, meetings with citizens, etc. The organization that has agreed to provide an office is: Bethesda Outreach Center.

Requested Action

Approval of Agreement

Funding Summary

These funds will come from 1610.51200 (Operating Expenses).

Community Engagement Summary

The NPO Unit will be a contact with the community, within the assigned area, to gather information about ongoing criminal activity and to encourage the neighborhood community to work together with the police toward a common goal.

Staff Recommendation

City Staff recommends approval.

LEASE AGREEMENT FOR LIMITED USE OF OFFICE LOCATIONS FOR AMARILLO POLICE DEPARTMENT NPO UNITS

This Lease Agreement is made and entered into by and between **Bethesda Outreach Center**, a social services organization with its principal office located at 1101 Fritch Hwy., Amarillo, Texas 79108 herein called "LESSOR", and the **CITY OF AMARILLO**, a Texas Municipal Corporation situated in Potter and Randall Counties, Texas, herein called "LESSEE" for the purpose of participating in a cooperative effort in the establishment of a dedicated neighborhood police unit.

RECITALS

WHEREAS, the Chief of Police of the Amarillo Police Department has instituted a Neighborhood Police Officer Unit ("NPO Unit"); and

WHEREAS, the NPO Unit is assigned to a specific neighborhood to work with business owners and citizens to identify and assist with ongoing problems that affect the area; and

WHEREAS, the NPO Unit will be a contact with the community, within the assigned area, to gather information about ongoing criminal activity and to encourage the neighborhood community to work together with the police toward a common goal; and

WHEREAS, the NPO Unit will work to formulate a strategy for addressing offenses, and to disrupt criminal activity; and

WHEREAS, the NPO Unit will need a centralized office in the neighborhood they are assigned to meet with citizens, prepare reports, and conduct research; and

WHEREAS, the LESSOR desires to participate in a cooperative manner to ensure neighborhood safety, and to provide an office location for the NPO Unit.

NOW, THEREFORE, in consideration of the premises and of the terms and mutual provisions herein contained, the LESSOR and the LESSEE hereby agree as follows:

1. **Premises**: LESSOR hereby agrees to lease to LESSEE, and LESSEE hereby leases from LESSOR, the following described premises: Two (2) office spaces located in the north wing of the building 1) not to exceed 12 ft x 13 ft and 2) not to exceed 11ft x 13ft in the building located at LESSOR's principal office described above.

2. **Term:** This Agreement shall become effective between the Parties on the day in which this Agreement is signed. This Agreement shall remain in full force and effect for a term of one (1) year from the effective date hereof and shall renew automatically each year for an additional one-year term until terminated.

3. **Rent:** The LESSEE will pay the LESSOR One Dollar ($1.00) per year as consideration. Payment will be made by LESSEE within thirty (30) days of the date of execution of this agreement, and within thirty (30) days of the date of renewal.

4. **Use of Premises:** LESSEE shall use the Premises for an office space for the Amarillo Police Department's Neighborhood Police Officers Unit("NPO") and shall not be used for any other purposes without written consent of LESSOR. LESSEE shall not have any rights to Premises, excluding the rights to use the Premises as described in this Agreement.

5. **Parties' Responsibilities:** LESSEE shall keep and maintain the Premises in good order and condition and will remove any debris left on the premises. LESSOR shall provide, at LESSOR'S expense, heating, air conditioning, and electricity.

6. **Installations:** LESSOR agrees that LESSEE may install furnishings and equipment necessary to perform police officer's duties, and install new locks on the office so that ONLY the officer's have access to the office. Upon vacating the premises the LESSEE will remove all signs, furnishings and equipment, and repair (at LESSEE's expense) any damage to the Premises caused by LESSEE.

7. **Signs:** LESSEE shall have the right and privilege of attaching, affixing, or exhibiting signs on the Premises relating to LESSEE's operations on the Premises.

8. **Access:** LESSOR agrees to allow LESSEE access into the Premises as is necessary to carry out NPO's obligations of community policing within the neighborhood.

9. **Insurance**: At all times during the lease term, LESSOR agrees to maintain in full force and effect, property insurance to keep the Premises insured against loss or damage by fire; and Liability Insurance to protect the owner against potential claims of citizens who enter the premises for contact with the NPOs.

10. **Termination:** This agreement may be terminated by either party without cause, upon thirty (30) days written notice to the other party.

11. **Notices:** All notices required under this Lease shall be in writing and shall be deemed to be properly served when posted by Certified United States mail, postage prepaid, return receipt requested, addressed to the parties to whom directed at the address herein set forth or at such other address as may be, from time to time, designated in writing by the party changing such address. For the purposes of this Lease, such addresses shall be as follows:

City of Amarillo
Chief of Police
200 S.E. Third Avenue
Amarillo, TX 79101-1514

Bethesda Outreach Center
1101 Fritch Hwy.,
Amarillo, Texas 79108

Refugee Services of Texas
1101 Fritch Hwy.,
Amarillo, Texas 79108

12. **Severability:** If any term of provision of this Agreement is declared invalid or unenforceable, the remainder of the Agreement shall not be affected by such determination and shall continue to be valid and enforceable.

13. **Amendments:** This Agreement may only be amended in writing. The parties shall not be bound as to any oral agreements or understandings except when the same shall be reduced to writing and duly executed by both parties as an amendment to this Agreement.

14. **Entire Agreement:** This Agreement contains the entire agreement of the parties hereto, and LESSOR and LESSEE accepting the same, acknowledge that there is no other written or oral understanding or promises between the parties, and that no representations except those that may be contained herein have been made to induce LESSOR or LESSEE to enter into this Agreement.

IN WITNESS WHEREOF the parties have caused this Agreement to be executed this _____ day of _____, 2021.

ATTEST:

_____
City Secretary

CITY OF AMARILLO

_____
City Manager

_____
Russell Pennington
Bethesda Outreach Center

_____
Andrea Soliz
Refugee Services of Texas

A

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	Council Priority	N/A
Department	Environmental Health		
Contact	Anthony Spanel, Environmental Health Director		

Agenda Caption

CONSIDERATION OF ORDINANCE NO. 7983 (UPDATED 9.27.2021)
(Contact: Anthony Spanel, Environmental Health Director)
Consideration of a Variance to distance regulations prohibiting the sale of alcoholic beverages within 300' of a public school. The City Council, as the governing body of the City of Amarillo, Texas and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, may grant a Variance to Section 14-3-5 of the City of Amarillo Municipal Code (enacted pursuant to Section 109.33(a)(1) of the Texas Alcoholic Beverage Code) for alcohol sales at 3420 SW 15th.

Applicant: Marcus Schwartz representing GoBrands Texas LLC
Vicinity 15th and Dixie St

Agenda Item Summary

The applicant GoBrands seeks permission to allow for the operation of a food and alcohol delivery service from 3420 SW 15th Amarillo, TX 79120. The applicant is specifically seeking to use the location as a hub for delivery of food, including beer and wine for off-premise consumption, and other household goods directly to consumers. The location itself will not be open to the public and no alcohol or other food/goods will be sold inside the physical location. The applicant has applied for and was ultimately denied an Alcoholic Beverage License (ABL). Denial of the ABL was based on the fact that the proposed site does not meet the minimum separation distance of 300' that a business selling alcoholic beverages needs to maintain from a public school (AmTech Career Academy 3601 Plains Blvd). The proposed delivery business would be operating in an area zoned General Retail (GR) which allows for the use of a restaurant-type business with on-premise or off-premise alcohol sales. GR would not allow for >50% alcohol facilities (Bars) on the other hand.

As measured, the applicant's site is approximately 62.9' from AmTech Career Academy. Public and Private schools are measured using the "As the Crow Files" method, in a direct line from the property line of the school to the property line of the proposed location. This method is uniquely different from churches as they are measured using the "Street Front" method, along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. As such, the applicant is now requesting a variance.

The surrounding area currently has eleven (11) legal ABL's, all of which are outside of the 300' setback. Each of the locations can continue to request an ABL moving forward and will be considered "grandfathered" for any subsequent request by another potential tenant. These locations are currently a mixture of On-Premise and Off-Premise business models but once an ABL is issued, the location can switch from Off-Premise to On-Premise and is only subject to zoning restrictions at that point.

There are a couple exceptions to the 300' minimum separation distance which are sales/transfers, renewals of existing licenses (treated as a sale/transfer) or a variance. In this instance, sales/transfers

and renewal would not apply as this property has not had an Alcoholic Beverage License in the past leaving a Variance as the only option for the applicant. Additionally, Amarillo Independent School District was notified of the requested Variance and the District has stated they are not in opposition ~~support~~ of its issuance. ~~AISD has a standing policy to not support any alcohol related requests regardless of the separation distance.~~

City Council may consider allowing a Variance if they find that enforcement of the regulation:

- Is not in the best interest of the public,
- Constitutes waste or inefficient use of land or other resources,
- Creates an undue hardship on an applicant for a license or permit,
- Does not serve its intended purpose,
- Is not effective or necessary, OR,
- Is, for any reason, after consideration of the health, safety, and welfare of the public and the equities of the situation, not in the best interest of the community.

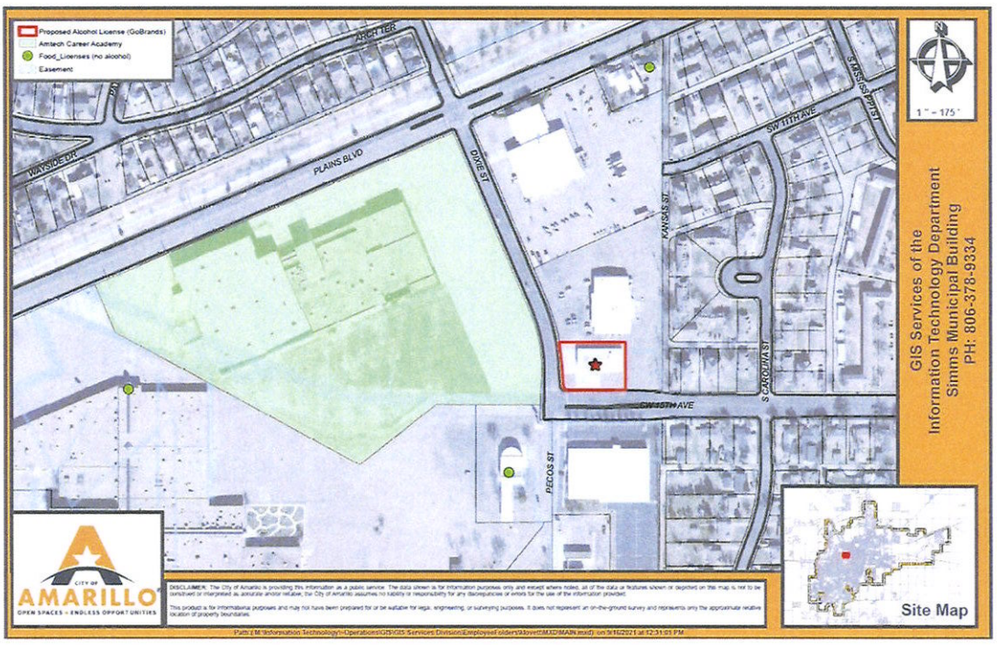
The applicant provided reasoning for requesting the Variance (attached):

> "GoBrands strives to provide a safe and convenient ordering platform for use to its customers and its community. Because this variance is for off-premises consumption and the location will be closed to the public, the likelihood of incidents involving drunkenness, disorderly conduct, or raucous behavior is greatly reduced and will likely be non-existent. The location itself will be run in a safe and sanitary manner if the requested variance is granted. GoBrands will not produce excessive noise, dirt, litter or odors in the location or surrounding area. As such, no disturbance to AmTech Career Academy, surrounding property owners, or the community at large should occur and compliance with all city ordinances and state laws will be followed".

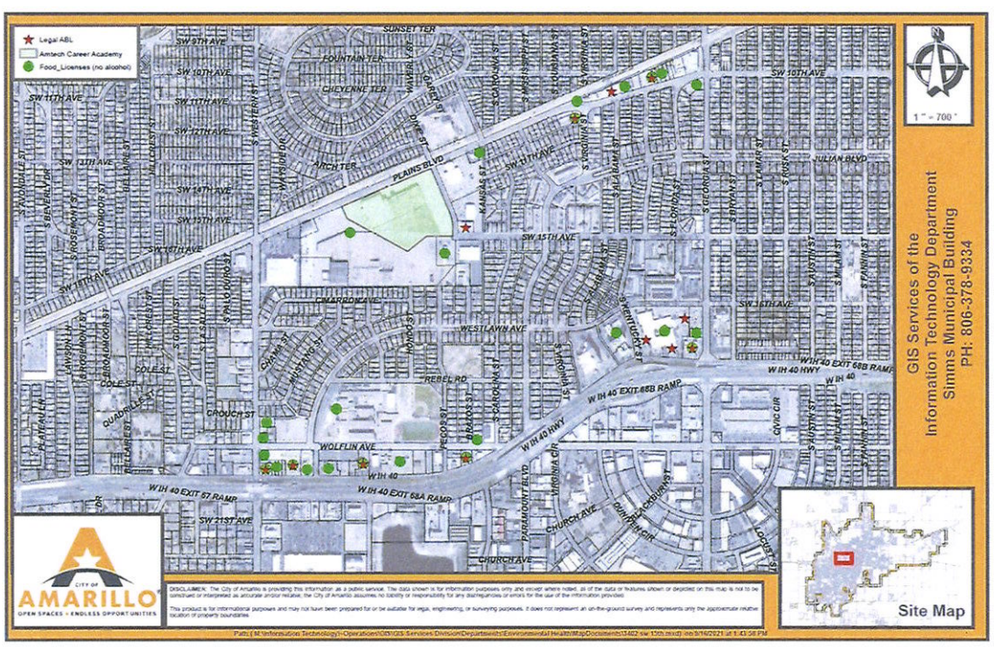
A map showing the location of the applicant's site in relation to Amarillo ISD AmTech Career Academy (Appendix A) and businesses who have current legal ABL's in the area (Appendix B) are shown below:

Amarillo City Council
Agenda Transmittal Memo

Appendix A



Appendix B



Amarillo City Council
Agenda Transmittal Memo

Community Engagement Summary
N/A

Staff Recommendation
N/A

CMW 9.21.21

ORDINANCE NO. 7938

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR A VARIANCE TO DISTANCE REGULATIONS PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A PUBLIC SCHOOL IN ACCORDANCE WITH TEXAS ALCOHOLIC BEVERAGE CODE SECTION 109.33(e) AND AMARILLO MUNICIPAL CODE SECTION 14-3-5; PROVIDING FOR SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, AND EFFECTIVE DATE.

WHEREAS, the Texas Alcoholic Beverage Code, Section 109.33(a), enables cities to enact regulations prohibiting the sale of alcoholic beverages by a dealer whose place of business is within 300 feet of a public school;

WHEREAS, the City of Amarillo, Texas, has enacted Section 14-3-5 of the City of Amarillo Municipal Code prohibiting the sale of alcoholic beverages by a dealer whose place of business is within 300 feet of a public school; and

WHEREAS, the Texas Alcoholic Beverage Code, Section 109.33(e), permits the governing body of a municipality to allow variances to the distance regulations in appropriate situations as listed below; and

WHEREAS, GoBrands Texas LLC desires to sell alcoholic beverages at the following location: 3420 SW 15th Avenue, Amarillo, Texas 79102; and

WHEREAS, said location is within 300 feet of the following public school: AmTech Career Academy, located at 3601 Plains Boulevard, Amarillo, Texas 79102; and

WHEREAS, GoBrands Texas LLC has applied for a variance to the distance regulations prohibiting the sale of alcoholic beverages within three hundred (300) feet of a public school for the following location: 3420 SW 15th Avenue, Amarillo, Texas 79102;

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

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

SECTION 2. Variance. The City Council, as the governing board of the City of Amarillo, Texas, and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds and determines that enforcement of the distance regulation in this particular instance:

_____would not be in the best interest of the public.

_____would constitute waste or inefficient use of land or other resources.

_____would create an undue hardship on the applicant.

_____would not serve its intended purpose.

__X__would not be effective or necessary.

_____would not be in the best interest of the community.

SECTION 3. The City Council hereby approves and grants a variance to Section 14-3-5 of the City of Amarillo Municipal Code, which was enacted pursuant to the Texas Alcoholic Beverage Code, Section 109.33(a)(1), for the sale of alcoholic beverages for on and off-purpose consumption at the following location: 3420 SW 15th Amarillo, TX 79102 SECT 226 A B & M BLK 0002, IRREG TR BEG 2524.94FT N & 2382.54FT E OF SW COR OF SECT, 0.6100 ACRES.

SECTION 4. Severability. If any provision, section, subsection, 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 5. Repealer. Subject to the provision in Section 6 (Continuation of Prior Law), all ordinances and resolutions, or parts thereof, in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 6. Continuation of Prior Law. Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause of action acquired or existing, under any act or ordinance hereby repealed by this ordinance; nor shall any just, vested, or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 7. Effective Date. This ordinance shall be effective from and after its date of final passage.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 12th day of October 2021 and PASSED on Second and Final Reading on this the 28th day of October 2021.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Stephanie Coggins, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

BRACKIN | SCHWARTZ
& ASSOCIATES

Marcus Schwartz
511 W 7th St.
Austin, TX 78701
512-549-8904
marcus@txliquorlaw.com

Amarillo City Council
c/o Environmental Health Department
808 S. Buchanan
Amarillo, TX 79101

VIA OVERNIGHT MAIL

9/10/2021

Re: Alcohol Distance Variance Request for GoBrands Texas LLC - 3420 SW 15th Ave.

Dear Council Members:

I represent, GoBrands Texas LLC ("GoBrands"), as the applicant's representative, in this its request for a variance from the City of Amarillo to allow for the sale of beer and wine sales for off-premises consumption only at 3420 SW 15th Ave., Amarillo, TX 79102 (the "Location"). This letter requests a variance in relation to alcohol distance prohibitions in City ordinances.

Should you have any questions or require further information or explanation regarding anything found herein, please do not hesitate to contact me at 512-549-8904 or via email at marcus@txliquorlaw.com.

Statement of Variance Request

GoBrands seeks to allow for the operation of a food and alcohol delivery service from the Location. Specifically, GoBrands seeks to use the Location as a hub for the delivery of food, including beer and wine, and other household goods directly to consumers. The Location itself will not be open to the public and no alcohol or other food/goods will be "sold" inside the Location but these items will be located inside the Location. By way of example, think of this location as a convenience store meets an Amazon warehouse. In other words, customers will order goods, whether that includes beer and wine or not, and such goods will then be delivered to their door. Products cannot be picked up from the Location – they will only be delivered to customers away from the Location.

GoBrands Texas LLC currently operates scores of locations within the State of Texas and is rapidly expanding.

This variance request to allow for beer and wine off-premises sales is meant to provide customers of GoBrands the ability to have delivered directly to their door beer and wine products to customers in the area in addition to foods and other goods. GoBrands has some 40 currently operating TABC permitted locations and this location will provide the same appropriate levels of control over the sales of its alcoholic beverage offerings delivered from the Location for the benefit of all its customers and the community. GoBrands takes all necessary measures and exceeds the minimum requirements under the law to ensure alcohol is handled in the most upright manner. A multi-step age verification process has been implemented for all transactions that contain alcohol to properly identify the age of the customer and identify impermissible locations for the sale of alcohol. Additionally, regular training is conducted to

ensure age restricted products, such as alcohol, are handled in accordance with all applicable laws and regulations. GoBrands considers it a privilege to sell restricted products, such as beer and wine, and it will ensure that they are sold in a legal and responsible manner should this variance be granted.

Location Specifics

The Location will be located on northeast corner of Dixie St, and SW 15th Ave. To the immediate west of Location across Dixie St is the AmTech Career Academy which is or will open soon for education. While the front door to front door measurement from AmTech Career Academy to the Location will be well beyond 300 feet, because the property lines between the school and Location are within 300 feet, the Location is within 300 feet of the school per City Ordinance 14-3-5. Attached is a denial letter from the City noting the same. This variance is requested to allow for the sale of beer and wine for off-premises consumption at the Location, notwithstanding its proximity to the school.

Applicant meets the standard of approval for variances pursuant to the ordinances of the City of Amarillo as GoBrands believes the enforcement of the regulation is not in the best interest of the public, does not serve its intended purpose, is not effective or necessary, and/or for any other reason the City of Amarillo may decide. As the Location is not open to the public and alcohol will not be picked up from Location, only delivered away from the Location direct to customers, any harmful effects of alcohol and its sales in proximity to a school will not take place – which is believed to be the justification for the ordinance.

GoBrands Texas LLC will apply for a wine only package store permit (a "Q" permit) from the Texas Alcoholic Beverage Commission (the "TABC") should this variance request be granted. This is the same TABC permit held by various Wal-Marts and United Supermarkets in Amarillo. The location is not open to the public, it will not sell alcohol by drive-in or drive-through service, and the enforcement of the spacing requirements in this instance does not serve the best interest of the public, the ordinance's intended purpose and/or is not effective or necessary.

Should the Variance be Granted

Should this variance request be granted, the introduction of beer and wine sales for off-premises consumption will not affect the nearby school or the area. The Location will not be open to the public. Beer and wine would only be delivered from the Location. This will not substantially increase traffic congestion or create overcrowding at the Location or in the immediately surrounding areas.

GoBrands strives to provide a safe and convenient ordering platform for use to its customers and its community. Because this variance is for off-premises consumption and the Location will be closed to the public, the likelihood of incidents involving drunkenness, disorderly conduct, or raucous behavior is greatly reduced and will likely be non-existent. The Location itself will be run in a safe and sanitary manner if the requested variance is granted. GoBrands will not product excessive noise, dirt, litter or odors in the Location or the surrounding area. As such, no disturbance to AmTech Career Academy, surrounding property owners, or the community at large should occur and compliance with all city ordinance and state laws will be followed.

For these reasons, GoBrands respectfully requests approval of a variance for the Location.

Sincerely,

Marcus Schwartz

AMARILLO AREA PUBLIC HEALTH DISTRICT

Cities of Amarillo, Canyon, the Villages of Timbercreek Canyon, Lake Tanglewood, Palisades, the Town of Bishop Hills, and Potter and Randall County
CITY OF AMARILLO, P. O. Box 1971, Amarillo, TX, 79105-1971

August 16, 2021

Go Brands LLC
537 N. 3rd Street
Philadelphia, PA. 19123

Re: Beer Retail Dealer's Off-Premise License, Wine Only Package Store Permit, Local Cartage Permit
GoBrands Texas LLC, 3420 SW 15th Ave, Amarillo, TX. 79102

Dear GoBrands Texas LLC:

Our office processes the "Certificate of City Secretary" portion of TABC Prequalification packets for the City of Amarillo. We are unable to certify your Packet for the 3420 SW 15th Ave location for the following reasons:

Section 14-3-5 of the Amarillo Municipal Code, as amended, prohibits the sale of alcohol within 300 feet of a public school. The above location is within 300 feet of AmTech Career Academy located at 3601 Plains Blvd.

For further information, you may contact Anthony Spanel, Environmental Health Director, at 806-378-9472, option 6.

Sincerely,

Shelly Andrews

Shelly Andrews
Administrative Assistant IV

Approved by:

Brenda Shaw

Brenda Shaw, Interim City Secretary

DEPARTMENT OF ENVIRONMENTAL HEALTH
808 S Buchanan
806-378-9472
FAX: 806-378-3585
TDD: (806) 378-4229

B

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	October 26, 2021	Council Priority	Economic Development/Redevelopment

Department	Planning	Contact Person	Andrew Freeman, Assistant City Manager

Agenda Caption

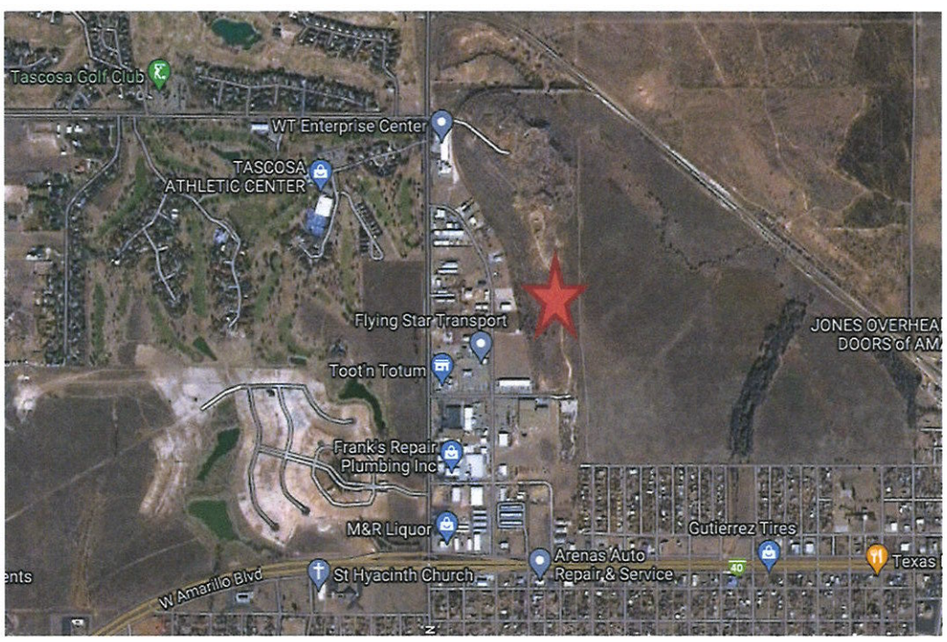
PUBLIC HEARING AND CONSIDER A RESOLUTION STATING NO OBJECTION TO THE JES DEV CO, INC. 4% HOUSING TAX CREDIT APPLICATION TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR PROPOSED NEW CONSTRUCTION OF ESTACADO STATION APARTMENTS:

This resolution is to state no objection for an application for 2022 Non-Competitive Housing Tax Credits to the Texas Department of Housing and Community Affairs Housing Tax Credit Program by JES Dev Co, Inc., a private entity, for the Estacado Station, a development for affordable rental property located at approximately 4000 NW 12th Avenue.

Agenda Item Summary

The Texas Department of Housing and Community Affairs (TDHCA) administers the Housing Tax Credit (HTC) program for the State of Texas. The HTC program provides equity financing for the development of affordable housing. In addition, the program seeks to maximize affordable housing and is structured to ensure the housing supply is well maintained and operated.

JES Dev Co, Inc is proposing a 210-unit new construction multi-family project to be located at approximately 4000 NW 12th Avenue. The complex will have 1 bed/1 bath, 2 bed/1 bath, and 3 bed/2 bath units. Most of the units will be available to individuals and families making an income of 60% of the area median income. This ranges from $30,060 to $56,640 depending on family size. If the project moves forward, it will require a zoning change from Manufactured Home District to Multiple Family District. The location is highlighted by a red start on the following map.



Requested Action

Approval of the resolution of no objection

Funding Summary

N/A

Community Engagement Summary

Increasing the availability of affordable housing aligns with the City of Amarillo's efforts to serve the needs of our community as identified in the City's Comprehensive Plan

Staff Recommendation

Staff recommends approval as presented

RESOLUTION NO. 10-26-21-5

A RESOLUTION OF THE CITY OF AMARILLO STATING NO OBJECTION TO THE JES DEV CO, INC. 4% HOUSING TAX CREDIT APPLICATION TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR PROPOSED NEW CONSTRUCTION OF ESTACADO STATION APARTMENTS IN AMARILLO, TEXAS TO PROVIDE AFFORDABLE RENTAL HOUSING.

WHEREAS, **JES Dev Co, Inc.**, ("Applicant") has proposed a development for affordable rental housing of **210** units that will be located at **approximately 4000 NW 12th Avenue** in the **City of Amarillo** to be named **Estacado Station** (the "Project") and

WHEREAS, **JES Dev Co, Inc.** has advised the City of Amarillo (the "City") that it intends to submit an application to the Texas Department of Housing and Community Affairs ("TDHCA") for **2022** Non-Competitive Housing Tax Credits to provide equity financing for the Project (the "Application").

WHEREAS, Applicant has requested a resolution stating no objection from the City; and

WHEREAS, the City Council of the City of Amarillo wishes to state it has no objection to this proposed Project's application to TDHCA to facilitate the possible award of Housing Tax Credits to the Project;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMARILLO HEREBY RESOLVES:

That in accordance with the requirements of Tex. Gov't Code §2306.67071 and 10 TAC §11.204(4), it is hereby found that:

1. Notice has been provided to the City in accordance with Tex. Gov't Code, §2306.67071(a); and

2. The City has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and

3. The City has held a hearing at which public comment may be made on the proposed Development in accordance with Tex. Gov't Code, §2306.67071(b); and

4. After due consideration of the information provided by the Applicant and public comment, the City does not object to the proposed Application; and

FURTHER RESOLVED that for and on behalf of the City, Ginger Nelson, Mayor are hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

_____

Ginger Nelson, Mayor

ATTEST:

_____

Stephanie Coggins, City Secretary

APPROVED:

_____

Bryan McWilliams, City Attorney

C

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	October 26, 2021	Council Priority	Infrastructure Initiative
Department	Water Utilities		
Contact	Jonathan Gresham – Director of Utilities		

Agenda Caption

Consider approval of Advanced Metering Infrastructure (AMI) contract for the installation of smart meters throughout the City of Amarillo.
Award to Thirkettle Corporation Dba Utiliuse for:

Capital - $22,528,581.16, Annual - $224,808.18 x 20 years = $4,496,163.60

Total Cost: $27,024,744.76

Agenda Item Summary

This project is for the replacement of all existing water meters and the installation of over 70,000 AMI smart meters for the City of Amarillo's water system. The project includes communication network hardware, AMI software and a Meter Data Management System. Project also includes integration with Tyler Munis and Esri ArcGIS with the AMI system.

Requested Action

Requesting approval and award of contract for the installation of smart meters and AMI system to Utiliuse for $27,024,744.76.

Funding Summary

Funding is available in account 530044.17400.2040 from a Texas Water Development Board loan.

Community Engagement Summary

Various community engagements will take place as part of the project. A communication plan is being prepared to facilitate communications to the citizens of Amarillo prior to and during the installation of the smart meters. Communication methods include social media, press releases, door hangers and website.

Staff Recommendation

City Staff is recommending approval and award to Thirkettle Corporation Dba Utiliuse.