A REGULAR MEETING OF THE AMARILLO CITY COUNCIL TO BE HELD ON TUESDAY, DECEMBER 10, 2019 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: Greg Dowell, Central Church of Christ

PUBLIC ADDRESS
(For items on the agenda for City Council consideration)

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. Quarterly Budget Update;
   C. Sales Tax Update;
   D. Presentation of Recommended Updates to the Downtown Amarillo Strategic Action Plan and the Downtown Amarillo Urban Design Standards;
   E. Reports and updates from City Councilmembers serving on outside Boards:
   Pedestrian and Bicycle Safety Committee; and
   F. Request future agenda items and reports from City Manager.

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

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

   A. **CONSIDER APPROVAL – MINUTES**:
   Approval of the City Council minutes for the meeting held on December 3, 2019.

   B. **CONSIDERATION OF ORDINANCE NO. 7828**:
   (Contact: Floyd Hartman, Assistant City Manager)
   This item is the second and final reading of an ordinance amending the Amarillo Municipal Code, Chapter 16-5-50, Article III, which authorizes the operation of golf carts on streets in the Central Business District (amending Ordinance No. 7782) to remove the sunset provision of the existing ordinance that provides a permit system for the use of golf carts to transport passengers among certain downtown facilities and venues.

C. **CONSIDERATION OF ORDINANCE NO. 7829**:
(Contact: Cris Valverde, Assistant Director of Planning and Development Services)
This item is the second and final reading of an ordinance rezoning a 102.39 acre tract of unplatted land in Section 61 and 62, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 325A for an industrial park and associated uses. (Vicinity: Northeast 24th Avenue and Folsom Road.)

D. **CONSIDERATION OF ORDINANCE NO. 7830**:
(Contact: Cris Valverde, Assistant Director of Planning and Development Services)
This item is the second and final reading of an ordinance rezoning a 13.98 acre tract of unplatted land in Section 191, 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 Residential District 3. (Vicinity: Temecula Creek Boulevard and Riesling Way.)

E. **CONSIDERATION OF ORDINANCE NO. 7831**:
(Contact: Cris Valverde, Assistant Director of Planning and Development Services)
This item is the second and final reading of an ordinance vacating a portion of a twenty-foot Public Utility Easement in Block 311 and a twenty-foot Public Utility Easement in Block 312, Mirror Addition, in Section 155, Block 2, AB&M Survey, Potter County, Texas (Vicinity: Southeast 3rd Avenue and Ross Street.)

F. **CONSIDER AWARD – PAPER GOODS SUPPLY AGREEMENT**:
(Contact: Trent Davis, Director of Purchasing)
Consider Award – Bid 6608 Paper Goods Supply Agreement

Miller Paper	$ 1,534.50
Empire Paper	$ 1,825.20
Mavich	$ 42,705.60
Mayfield Paper	$ 54,560.00
Total awarded:	$100,625.30

This item considers the award of the Paper Goods Supply Agreement.

G. **CONSIDER APPROVAL – CHANGE ORDER NO. 4 – BID #6072/PROJECT #462023 – REHABILITATION OF SE 34TH AVENUE FROM GRAND STREET TO EASTERN STREET FY 16/17 – FY 20/21 COMMUNITY INVESTMENT PROGRAM, PROPOSITION 1**:
(Contact: Matt Thomas, City Engineer)

Original Contract	$2,549,949.89
Previous Change Orders	$237,550.51
This Change Order	($58,347.14)
Revised Contract	$2,729,153.26

This change order is to consider the deduction of changes to the construction contract for Rehabilitation of SE 34th Avenue from Grand Street to Eastern Street.

H. **CONSIDER APPROVAL – CHANGE ORDER NO. 5 – BID #5652/PROJECT #521943 – HILLSIDE TERRACE ESTATES 30" SEWER REPLACEMENT – CONTRACT 2 – SPIESS CONSTRUCTION CO., INC.**:
(Contact: Floyd Hartman, Assistant City Manager)

Original Contract Amount	$8,655,030.00
Previous Change Orders	($ 225,403.16)
This Change Order	($ 500,143.85)
Revised Contract Total	$7,929,482.99

This change order is to consider the deduction of contingency and unused quantities from the contract. The contingency quantities were not needed, while field conditions allowed for deductive quantity adjustments.

I. **CONSIDER ACCEPTANCE OF THE HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) CAPACITY BUILDING GRANT RECEIVED FROM HUD**:
(Contact: Juliana Kitten, Director of Community Development)
Grant Award of $143,860.00 for the October 1, 2019 through September 30, 2021 period.
This grant will assist the Community Development Department, as the lead administer for the City of Amarillo's HMIS system, to enhance the capacity of all homeless service agencies in the community utilizing HMIS through standardized data collection and sharing. This will be done through training, technical assistance and data clean-up. This award will allow us to create the HUD mandated coordinated entry system for the community.

3. **NON-CONSENT ITEMS**:

A. **CONSIDERATION OF ORDINANCE NO. 7832**:
(Contact: Michael Kashuba, Director of Parks and Recreation)
This item is the first reading of an ordinance adopting revised fees for Parks and Recreation by amending Amarillo Municipal Code, Title XII, Chapter 12-1, 12-2, 12-3 and 12-4 concerning Parks and Recreation Fees.

B. **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE NO. 7833**:
(Contact: Cris Valverde, Assistant Director of Planning and Development Services)
This item is the first reading and public hearing of an ordinance rezoning 19.15 acres of unplatted land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District and Multiple-Family District 1 to Multiple-Family District 1.
(Vicinity: Farmers Avenue and Georgia Street.)

C. **CONSIDER APPROVAL – CITY OF AMARILLO 2019 INVESTMENT POLICY**:
(Contact: Laura Storrs, Director of Finance)
This item approves the City of Amarillo's 2019 Investment Policy.

D. **CONSIDER APPROVAL – ELECTION SERVICES CONTRACT**:
(Contact: Kevin Starbuck, Assistant City Manager)
This is an interlocal agreement between the City of Amarillo and Potter County to contract with the Potter County Election Administrator to provide election services to the City of Amarillo.

E. **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 551.072 – 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) Discuss property located in the NE quadrant of the Central Business District.
(2) 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) Discuss property located in the NE quadrant of the Central Business District.

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 6th day of December 2019.

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 3rd day of December 2019, the Amarillo City Council met at 1:00 p.m. for a regular meeting held 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	MAYOR PRO TEM/COUNCILMEMBER NO. 2
HOWARD SMITH	COUNCILMEMBER NO. 4

Absent was Eddy Sauer, Councilmember No. 3. Also in attendance were the following administrative officials:

JARED MILLER	CITY MANAGER
MICHELLE BONNER	DEPUTY CITY MANAGER
MARCUS NORRIS	DEPUTY CITY ATTORNEY
ANDREW FREEMAN	DIR OF PLANNING/DEVELOPMENT SERVICES
JAN SANDERS	ASSISTANT CITY SECRETARY

The invocation was given by David Ritchie, Redeemer Christian Church. Mayor Nelson led the Pledge of Allegiance.

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

PUBLIC ADDRESS

Jesse Pfrimmer III, 5723 South Milam Street, spoke on Items 2C and 2D on the consent agenda. He expressed concern on the cost of the sewer main extension, and encouraged the cost be passed to the developers and not to the residents in the area. There were no further comments.

ITEM 1:

A. Review agenda times for regular meeting and attachments;
B. Presentation AMA Safety Town;
C. Update on Golf Operations and Golf Task Force Recommendations; and
D. 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 meeting held on November 19, 2019.

B. **CONSIDER APPROVAL -- RS&H, INC. TASK ORDER #44, CONCEPTUAL DESIGN AND COST/BENEFIT/FUNDING ANALYSIS FOR A GENERAL AVIATION US CUSTOMS FACILITY AT THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT**:
(Contact: Michael W. Conner, Director of Aviation)
Awarded to RHS, Inc. – $86,793.24
This item is for design/engineering of a conceptual design and a feasibility cost/benefit study to possibly construct a general aviation US Customs Facility at the Airport to meet the new US Customs and Border Protection facility standards.

C. **CONSIDER AWARD – CATIONIC POLYMER ANNUAL CONTRACT**:
(Contact: Jonathan Gresham, Director of Water Utilities)
Award to Sterling Water Technologies -- $52,125.60
This annual contract is for Hollywood Road Water Reclamation Plant. The polymer is used to coagulate the 3% solids from the digester at the belt filter presses to greater than 20% solids as required by the Texas Commission on Environmental Quality (TCEQ) to haul the solids and dispose in the landfill.

D. **CONSIDER APPROVAL – CHANGE ORDER NO. 4, NORTHWEST INTERCEPTOR**:
(Contact: Matt Thomas, City Engineer)
Awarded to McKee Utility, Inc. -- $150,000.00

Original Contract	$10,650,000.00
Current Change Order	$150,000.00
Previous Change Orders	$178,484.25
Revised Contract Total	$10,978,484.25

The change order includes the construction of a sewer main extension needed to serve the development of the Texas Tech University Veterinary School and other future development near Evans Drive. This proposed change order will take advantage of an existing contractor working in the area on the outfall main that this line ties into. This will provide a more efficient and cost effective project by reducing mobilization cost and time. Additionally, with the installation of this main, the City will be able to collect frontage fees from other future developments served by this main.

E. **CONSIDER AWARD – HVAC FILTERS ANNUAL CONTRACT**:
(Contact: Trent Davis, Director of Purchasing)
Award to Grainger Industrial Supply in an amount not to exceed $88,000.00
This award is to approve a contract for the purchase of the HVAC Filters Annual Contract.

F. **CONSIDER PURCHASE – FIRE TRUCK, LADDER STYLE 77'**:
(Contact: Glenn Lavender, Fleet Services Superintendent)
Awarded to Hall Buck GMC -- $1,008,233.00
This item is the scheduled replacement for Unit 6501, 2004 American LaFrance Ladder truck. The new fire truck will be used for daily departmental operations. Unit 6501 has reached or exceeded its expected lifecycle.

G. **CONSIDER PURCHASE – APPROVAL OF REPLACEMENT VEHICLE FOR FIRE DEPARTMENT, PUMPER STYLE FIRE TRUCK**:
(Contact: Glenn Lavender, Fleet Services Superintendent)
Awarded to Hall Buick-GMC -- $594,297.00
This item is the scheduled replacement of Unit 6910, 2007 Ferrara Fire Truck/Pumper style. The new fire truck will be used for daily operational requirements. Unit 6910 has reached or exceeded its useable lifecycle.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

NON-CONSENT ITEMS:

ITEM 3A: Mayor Nelson presented an item considering a five-year professional services contract for professional engineering and consulting services for the future design of airport projects including construction administration, resident project representative services, air service development, and related airport consulting. This contract has a not-to-exceed amount of $7,500,000 based on project history and known future projects. RS&H, Inc., was selected by a five-person panel including airport and non-airport City staff, as part of a public RFQ process. RS&H, Inc. services will be used on Federally-funded and non-Federally-funded airport projects. This item was presented by Michael W. Conner, Director of Aviation. Motion was made by Councilmember Powell, seconded by Councilmember Smith to approve this item.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3B: Mayor Nelson presented the first reading of an ordinance amending the Amarillo Municipal Code, Chapter 16-5-50, Article III, which authorizes the operation of golf carts on streets in the Central Business District (amending Ordinance No. 7782) to remove the sunset provision of the existing ordinance that provides a permit system for the use of golf carts to transport passengers among certain downtown facilities and venues. This item was presented by Jared Miller, City Manager. Motion was made that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 16-5, ARTICLE III, TO REPEAL SECTION 16-5-50 RELATED TO OPERATING GOLF CARTS IN DOWNTOWN; PROVIDING FOR REPEALER AND AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3C: Mayor Nelson presented the first reading of an ordinance rezoning a 102.39 acre tract of unplatted land in Section 61 and 62, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 325A for an industrial park and associated uses. (Vicinity: Northeast 24th Avenue and Folsom Road.) This item was presented by Cris Valverde, Assistant 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 that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Hays:

ORDINANCE NO. 7829

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 EAST TWENTY FOURTH AVENUE AND FOLSOM ROAD, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3D: Mayor Nelson presented the first reading of an ordinance rezoning a 13.98 acre tract of unplatted land in Section 191, 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 Residential District 3. (Vicinity: Temecula Creek Boulevard and Riesling Way.) This item was presented by Cris Valverde, Assistant 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 that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Hays:

ORDINANCE NO. 7830

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 TEMECULA CREEK BOULEVARD AND RIESLING WAY, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3E: Mayor Nelson presented the first reading of an ordinance vacating a portion of a twenty-foot Public Utility Easement in Block 311 and a twenty-foot Public Utility Easement in Block 312, Mirror Addition, in Section 155, Block 2, AB&M Survey, Potter County, Texas (Vicinity: Southeast 3rd Avenue and Ross Street.) This item was presented

by Cris Valverde, Assistant 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 that the following captioned ordinance be passed on first reading by Councilmember Powell, seconded by Councilmember Smith:

ORDINANCE NO. 7831

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR PUBLIC UTILITY EASEMENTS IN THE VICINITY OF ROSS STREET AND SOUTHEAST THIRD AVENUE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO THE PROPERTY OWNER; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3F: Mayor Nelson presented an item considering approval of a Tax Increment Reinvestment Zone (TIRZ) #2 Developer Agreement for the Jamal Enterprises, LP Toot'n Totum Travel Center project to be located at 7909 East Interstate 40. The agreement is for a 90% (years 1-5) and 50% (years 6-10) annual property tax rebate for ten years. The rebate is contingent upon certain deadlines for building permit issuance and receiving a certificate of occupancy. This item was presented by Andrew Freeman, Director of Planning and Development Services. Motion was made by Councilmember Powell, seconded by Councilmember Smith to approve this item.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3G: Mr. Norris advised at 3:05p.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 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: (1) Project # 19-01-01 (Professional and Technical Services); (2) Project # 19-08-02 (Manufacturing); (3) Project # 19-10-01 (Corporate Headquarters); and 2) Section 551.072 – Deliberate the purchase or sale of real property in accordance with the Texas Open Meetings Act: a. Discuss property located in the vicinity of Estacado Lane and Bell Street.

Mr. Norris announced that the Executive Session was adjourned at 4:03p.m. and recessed the Regular Meeting.

ATTEST:

Jan Sanders, Assistant City Secretary	Ginger Nelson, Mayor

Amarillo City Council
Agenda Transmittal Memo

B

Meeting Date	December 10, 2019	**Council Priority**	Best Practices
Department	City Manager		
Contact	Floyd Hartman, Assistant City Manager		

Agenda Caption

This is the second and final reading of an ordinance removing the sunset provision of the existing ordinance that provides a permit system for the use of golf carts to transport passengers among certain downtown facilities and venues.

Agenda Item Summary

The original ordinance included a sunset clause of December 31, 2019 with a commitment to evaluate the program prior to the end of 2019. The program has proven to be an effective method for private service delivery.

Requested Action

Staff is recommending approval of this ordinance to remove the sunset clause.

Funding Summary

The current ordinance provides an administrative fee of $20.00. Staff is not recommending any change of fee.

Community Engagement Summary

The program appears to be meeting the original stakeholders needs as structured.

Staff Recommendation

Staff is recommending approval of this ordinance to remove the sunset clause.

11/20/19-mwn _____

ORDINANCE NO. 7828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 16-5, ARTICLE III, TO REPEAL SECTION 16-5-50 RELATED TO OPERATING GOLF CARTS IN DOWNTOWN; PROVIDING FOR REPEALER AND AN EFFECTIVE DATE.

WHEREAS, by a previous ordinance, the City Council established standards for the operation of golf carts on public streets in the downtown Central Business District; and

WHEREAS, that previous ordinance provided a sunset clause, codified in Section 16-5-50 of the Amarillo Municipal Code of Ordinances, which the City Council now desires to repeal, thereby leaving the adopted regulations in place as a regular provision in the Code of Ordinances;

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

SECTION 1. The Amarillo Municipal Code, Chapter 16-5, Article III, be and hereby is amended in part as follows: Section 16-5-50 is hereby REPEALED; and, such numbered section shall be labeled as "RESERVED."

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

SECTION 3. Effective Date. This ordinance shall be effective ten upon final adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading this the 3rd day of December, 2019; and PASSED on Second and Final Reading the 10th day of December, 2019.

_____
Ginger Nelson, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan S. McWilliams, City Attorney

C

Amarillo City Council Agenda Transmittal Memo

Meeting Date	December 10, 2019	Council Priority	Regular Agenda item –Public Hearing

Department	Planning and Development Services Cris Valverde - Assistant Director of Planning and Development Services

Agenda Caption

Second and final reading of an ordinance rezoning a 102.39 acre tract of unplatted land in Section 61 and 62, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 325A for an industrial park and associated uses.
(Vicinity: NE 24th Ave. and Folsom Rd)

Agenda Item Summary

Area Characteristics

Adjacent to zoning consists of General Retail District, Residential District 3, and Agricultural District to the north, Planned Development District 325 to the west, Agricultural District to the east, and Light Industrial District 1 to the south.

Adjacent land uses consist of undeveloped land in all directions.

Proposal

The applicant is requesting a change in zoning in order to expand the existing Planned Development District to the west to encompass this particular area to allow for commercial and industrial land uses.

Analysis

Analysis of zoning change request begins with referring to the Comprehensive Plan's Future Land Use and Character Map, this map identifies recommended future land uses. Additionally, staff considers what impact on area existing zoning and development patterns.

As presented, development standards of the Planned Development are proposed as follows:

Land use/s:

Allowed land uses:

Any use allowed within a Heavy Industrial District

Prohibited land uses:

No slaughter house, storage of livestock and/or live animals, no use which negatively impacts the business park or neighboring areas via offensive odor, fumes, dust, smoke, noise, pollution or which constitutes a nuisance or hazard.

In no event shall any land be used for adult entertainment of any kind.

Miscellaneous:

All other development standards shall comply with Heavy industrial District.

When comparing the above development standards, more in particular the allowed and prohibited land uses, it was the Planning Commission's opinion that the rezoning request is consistent with the adopted 2010 Comprehensive Future Land Use and Character Map, which recommends "Industrial" land uses for the area.

Regarding the existing land use and zoning pattern, although there is non-residential zoning to the north, it is the Planning Commissioner's opinion that with existing industrial zoning to the south and west in addition to other non-residential zoning (General Retail), the expansion of the existing planned development would not be inconsistent with area zoning and development patterns.

Considering all the above, the Planning and Zoning Commission believes the applicant's request provides sufficient safeguards, by way of development standards, that attempt to mitigate any negative impact on surrounding property. Additionally, Planning Commissioners believe that should this request be approved, the expansion of the existing planned development represents a logical continuation of non-residential zoning in the area.

Requested Action/Recommendation

Staff notified all property owners within 200 feet of the rezoning request as required and at the time of this writing, the Planning Department has received a comment regarding the expansion of Planned Development 325 eastward. The area property owner who owns the residentially zoned lots to the north, expressed concerns with possible nuisance odors and noise with any non-residential development in the area. During the Planning and Zoning Commission meeting, it was relayed to the property owner that there are provisions that take into account nuisance activates as well the prohibition of certain land uses.

The land owner was appreciative of these standards being included in the planned development and stated that those concerns were addressed by doing so. However, the property owner did still have some concern with the potential lowering of his property values upon expansion and development of the existing business/industrial park.

Taking all the above into account, the Planning and Zoning Commission was of the opinion that the applicant's request is appropriate and recommends approval as presented.

ORDINANCE NO. 7829

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 EAST TWENTY FOURTH AVENUE AND FOLSOM 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 a 102.39 acre tract of unplatted land in Sections 61 and 62, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Planned Development District 325A for an industrial park and associated uses, site plan attached and incorporated herein as Exhibit A, and being further described below:

A 102.39 acre tract of land out of Sections 61 and 62, Block 2, A. B. & M. Survey, Potter County, Texas, and more particularly described as follows:

BEGINNING on the east right-of-way line of Folsom Road which bears N. 00° 11' 53" E. a distance of 28.93 feet and S. 89° 48' 07" E. a distance of 73.34 from the northwest corner of said Section 61 same being the southwest corner of said Section 62 for the most northerly northwest corner of this tract.

THENCE S. 89° 48' 07" E. a distance of 2700.91 feet to the northeast corner of this tract.

THENCE S. 21° 38' 30" W. a distance of 82.55 feet to a corner of this tract.

THENCE S. 46° 24' 25" W. a distance of 49.79 feet to a corner of this tract.

THENCE S. 20° 27' 24" E. a distance of 923.40 feet to the north right-of-way line of the B.N.S.F. Railroad for the southeast corner of this tract.

THENCE S. 69° 29' 25" W., along said north right-of-way line, a distance of 1000.12 feet to a corner of this tract.

THENCE S. 20° 12' 02" E., continuing along said north right-of-way line, a distance of 24.48 feet to a corner of this tract.

THENCE S. 69° 25' 38" W., continuing along said north right-of-way line, a distance of 747.67 feet to a corner of this tract.

THENCE S. 20° 03' 36" E., continuing along said north right-of-way line, a distance of 44.93 feet to a corner of this tract.

THENCE S. 70° 03' 10" W., continuing along said north right-of-way line, a distance of 1419.65 feet to said east right-of-way line of said Folsom Road for a corner of this tract.

THENCE N. 00° 07' 40" E., along said east right-of-way line, a distance of 1629.63 feet to a corner of this tract.

THENCE N. 07° 25' 26" W., continuing along said east right-of-way line, a distance of 442.09 feet to the most westerly northwest corner of this tract.

THENCE N. 90° 00' 00" E. a distance of 43.50 feet to a corner of this tract.

THENCE N. 00° 08' 39" E. a distance of 80.21 feet to the place of BEGINNING and containing 102.39 acres (4,460,283 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 3rd day of December, 2019 and PASSED on Second and Final Reading on this the 10th day of December, 2019.

_____
Ginger Nelson, Mayor

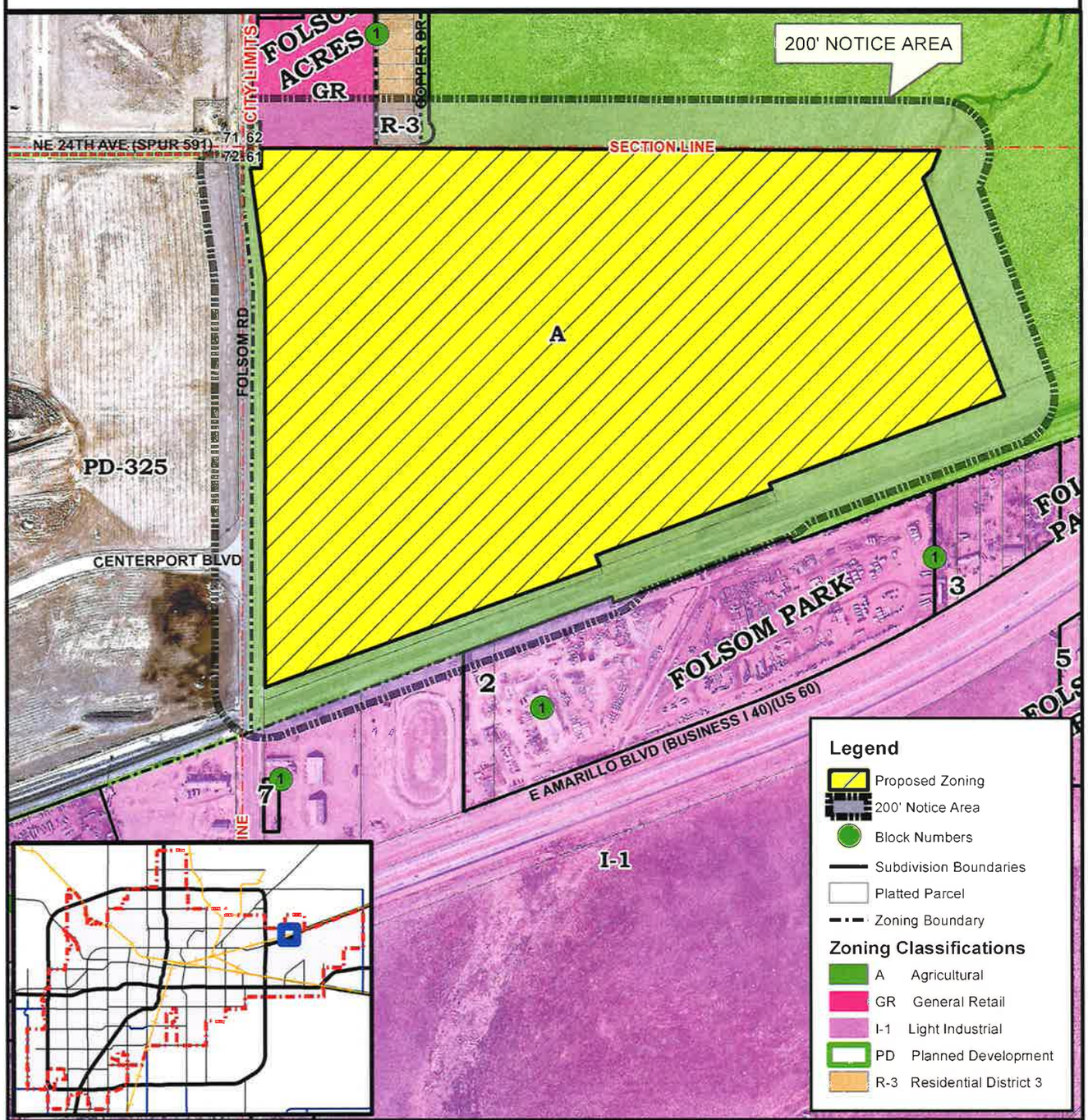
ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams,
City Attorney

REZONING FROM A TO PD



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 542 feet
Date: 10/30/2019
Case No: Z-19-21

N W E S

Rezoning of 102.39 acre tract of land in Section 61, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural to Planned Development.

Applicant: OJD Engineering

Vicinity: Folsom Rd and NE 24th Ave

AP: U-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 10, 2019	**Council Priority**	Regular Agenda Item – Public Hearing

Department	Planning and Development Services Cris Valverde - Assistant Director of Planning and Development Services

Agenda Caption

Second and final reading of an ordinance rezoning of a 13.98 acre tract of unplatted land in Section 191, 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 Residential District 3. (Vicinity: Temecula Creek Blvd. and Riesling Way)

Agenda Item Summary

Adjacent land use and zoning

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

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

The applicant's property is located in Northwest Amarillo.

Analysis

The applicant is requesting a change in zoning in order to continue with the next phase of The Vineyards Subdivision.

Analysis of zoning change request begins with referring to the Comprehensive Plan's Future Land Use and Character Map which identifies recommended future land uses. Also considered is how a zoning conforms to the Neighborhood Unit Concept (NUC) of development, and its impact on existing zoning and development patterns.

When comparing the Future Land Use Map and this rezoning request, the applicant's request differs from what is recommended for this particular area as it is designated for "rural" land uses. Rural land use designation allows for residential uses yet are for ones that have lower density developments with greater open space. Although the portion of the site to be developed will not represent the large lot sizes mentioned in the future land use description, it should be recognized that there has been a change in conditions within the area that did not exist at the time of the Future Land Use Map adoption and that the "rural" designation may have been done in order to mirror the actual zoning of the land at the time the Comprehensive Plan was adopted (Agricultural District).

As mentioned above, the Neighborhood Unit Concept is also a key piece of consideration. This concept of development ensures that commercial areas will have less of an impact to residential areas by way of the recommended transitioning mentioned previously. This rezoning request does follow the Neighborhood Unit Concept in that should it be approved, will allow for higher density residential development to occur along or near a section line in a manner that will help buffer the more traditional residential areas internal to the section from the highly travelled arterial right-of-way of Broadway Dr.

Other Planning strategies that should be considered when making decisions about land use and/or development include an emphasis on infill development in areas where utility services are present. With this area representing the sixth phase of the subdivision's development, this is strategy is being supported by creating the opportunity for further development.

It is worth noting that the area proposed for rezoning is associated with a plat for the same area. As designed, the proposed plat meets or exceeds the proposed zoning designations standards and is designed in accordance with the approved Preliminary Plan of the Vineyards Subdivision.

Requested Action/Recommendation

Notices have been sent to all property owners within 200 feet of the property regarding this rezoning request. At the time of this writing, the Planning Department has not received any comments regarding this request.

Considering the above, the Planning and Zoning Commission is of the opinion that the applicant's request is appropriate and recommended approval as presented.

ORDINANCE NO. 7830

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 TEMECULA CREEK BOULEVARD AND RIESLING WAY, 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 13.98 acre tract of unplatted land in Section 191, Block 2, A.B.&M. Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District to Residential District 3 and being further described below:

FIELD NOTES for a 13.98 acre tract of land out of Section 191, Block 2, A. B. & M. Survey, Potter County, Texas.

BEGINNING at 1/2" iron rod set with a yellow cap which bears N. 00 ° 04' 58" E. a distance of 993.06 feet and N. 89 ° 55' 02" W. a distance of 1075.58 feet from an iron rod with a cap stamped "Apex" found at the southeast corner of said Section 191 for the southeast corner of this tract.

THENCE N. 89 ° 52' 05" W. a distance of 70.00 feet to a 1/2" iron rod set with a yellow cap same being the beginning of a curve to the right for a corner of this tract.

THENCE in a northwesterly direction along said curve to the right with a radius equal to 1323.00 feet, a long chord bearing of N. 75° 32' 30" W. and a long chord distance of 240.23 feet, a curve distance of 240.56 feet to a 1/2" iron rod set with a yellow cap at the end of said curve to the right same being at the beginning of a curve to the left for a corner of this tract.

THENCE in a northwesterly direction along said curve to the left with a radius equal to 1067.00 feet, a long chord bearing of N. 80 ° 06' 02" W. and a long chord distance of 362. 04 feet, a curve distance of 363.80 feet to the end of said curve to the left for a corner of this tract.

THENCE N. 89° 52' 05" W. a distance of 360.08 feet to a 1/2" iron rod set with a yellow cap for the southwest corner of this tract.

THENCE N. 00° 05' 40" E. a distance of 612.32 feet to a 1/2" iron rod set with a yellow cap for the northwest corner of this tract.

THENCE S. 89° 52' 05" E. a distance of 348.96 feet to a 1/2" iron rod set with a yellow cap for an angle corner of this tract.

THENCE S. 84° 57' 03" E. a distance of 281.01 feet to a 1/2" iron rod set with a yellow cap for an angle corner of this tract.

THENCE S. 76° 19' 42" E. a distance of 330.65 feet to a 1/2" iron rod set with a yellow cap on a curve for the most northerly northeast corner of this tract.

THENCE in a southwesterly direction along said curve to the left with a radius equal to 5035.00 feet, a long chord bearing of S. 00° 28' 26" W. and a long chord distance of 60.12 feet, a curve distance of 60.12 feet to the end of said curve to the left for a corner of this tract.

THENCE S. 00° 07' 55" W. a distance of 261.49 feet to a 1/2" iron rod set with a yellow cap for an ell corner of this tract.

THENCE S. 89° 52' 05 E. a distance of 70.00 feet to a 1/2" iron rod set with a yellow cap for the most easterly northeast corner of this tract.

THENCE S. 00° 07' 55" W. a distance of 310.08 feet to the place of BEGINNING and containing 13.98 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 3rd day of December, 2019 and PASSED on Second and Final Reading on this the 10th day of December, 2019.

Ginger Nelson, Mayor

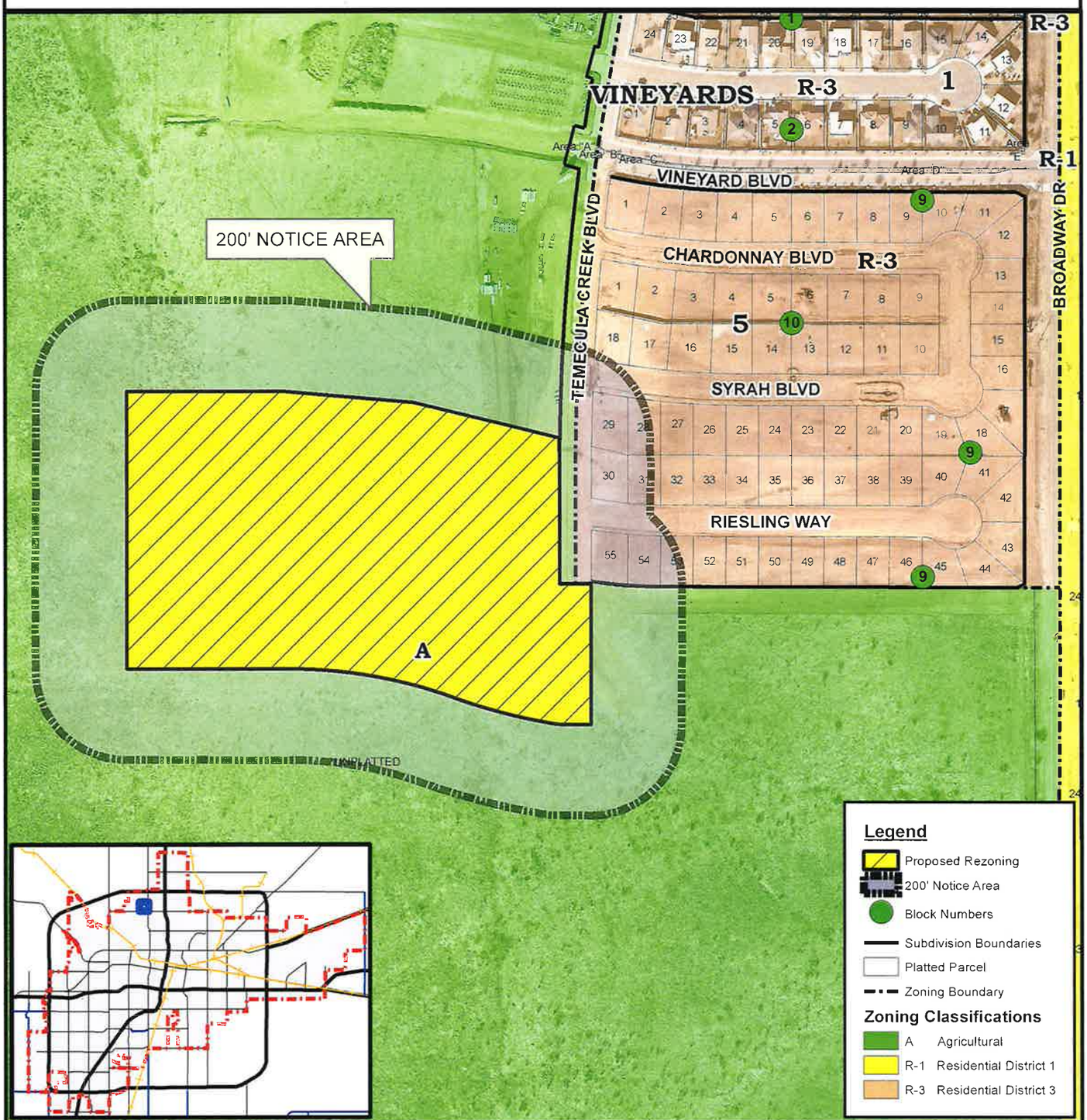
ATTEST:

Frances Hibbs, City Secretary

APPROVED AS TO FORM:

Bryan McWilliams,
City Attorney

REZONING FROM A TO R-3



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 10/29/2019
Case No: Z-19-22

N W E S

Rezoning of a 13.98 acre tract of unplatted land in Section 191, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Residential District 3

Applicant: Tommy Nielsen for Nielsen Communities

Vicinity: Temecula Creek Blvd and Riesling Way

AP: M-8

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.

E

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	December 10, 2019	Council Priority	Regular Agenda Item – Public Hearing

Department	Planning and Development Services Cris Valverde - Assistant Director of Planning and Development Services

Agenda Caption

Second and final reading of an ordinance vacating a portion of a twenty-foot Public Utility Easement in Block 311 and a twenty-foot Public Utility Easement in Block 312, Mirror Addition, in Section 155, Block 2, AB&M Survey, Potter County, Texas (VICINITY: SE 3rd Ave. and Ross St.)

Agenda Item Summary

Proposal

The applicant is proposing to vacate a Public Utility Easement and a portion of another. These easements were dedicated in 1954 and were dedicated as a result of two alleys (in the same location) being vacated at that time.

Analysis

The easements now being considered are located within two blocks of the Mirror Addition as mentioned above. These blocks were initially subdivided into lots for residential development, yet since approval in 1889, commercial zoning and development has transpired. This is evidenced by the non-residential land uses within the two blocks mentioned-above and adjacent property to the north, west, and south of these blocks.

With development not occurring as initially planned and subsequent non-residential development obtaining utility service via the adjacent rights-of-ways (Ross and 3rd), these previous alleyways were never improved or equipped with utility infrastructure (water, sewer, electrical, etc).

The applicant now owns the undeveloped portions of the two blocks and has submitted a plat that will combine the residentially platted lots into large commercial tracts. This is in preparation for the upcoming development of the site.

The vacation request has been reviewed by the customary City Departments and local utility companies and none were opposed to abandonment as there are no utilities or intent to locate within these easements.

As with any vacation request, an applicant is required to either pay fair market value to acquire the area, dedicate an area of equal or greater value, pay only the higher cost of the fair market value or the relocation cost, or complete a combination of these requirements.

In this particular case, the applicant is dedicating approximately 7,565 square feet of right-of-way (via plat) yet this square footage is below what is being vacated by 2,154 square feet. So dedication of an area of equal or greater value has not been accomplished. As such, the applicant was required to pay the fair market value of the remaining square footage which amounted to $1,076.78.

Requested Action/Recommendation

Considering all of the above, the Planning and Zoning Commission believed the applicant's request was appropriate and recommends **approval** as presented.

ORDINANCE NO. 7831

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS DETERMINING LACK OF PUBLIC NECESSITY FOR PUBLIC UTILITY EASEMENTS IN THE VICINITY OF ROSS STREET AND SOUTHEAST THIRD AVENUE, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED PUBLIC UTILITY EASEMENT; AUTHORIZING THE CITY MANAGER TO CONVEY SUCH REAL PROPERTY TO THE PROPERTY OWNER; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Amarillo has been petitioned to abandon a portion of an existing twenty foot Public Utility Easement in Block 311 and an existing twenty foot Public Utility Easement in Block 312, herein described as Easement A and Easement B and attached as an Exhibit, incorporated herein, in the vicinity of Ross Street and Southeast 3rd Avenue in Potter County, Texas; and

WHEREAS, after reviewing information presented in the petition, the Planning and Zoning Commission of the City of Amarillo has recommended to the City Council that there is no public necessity for the following described Public Utility Easements; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that the Public Utility Easements described are no longer necessary and no longer serve a public purpose; and

WHEREAS, the City Council, having reviewed said recommendation and having considered all relevant information pertaining to the proposed vacation described below, is of the opinion that same is no longer needed for public purposes; and

WHEREAS, the City Council further determined that this Public Utility Easement abandonment is not detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood.

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

SECTION 1. The herein-described Public Utility Easement to be vacated and abandoned for public purposes:

Vacation of a portion of a twenty-foot Public Utility Easement in Block 311 and a twenty-foot Public Utility Easement in Block 312, Mirror Addition, in Section 155, Block 2, AB&M Survey, Potter County, Texas, being further described below as Easement A and Easement B and attached as an Exhibit, incorporated herein:

Easement A:

A 2,920 square feet tract or parcel of land out of Block 311, Mirror Addition as filed in Volume 65, Page 16, Deed Records of Potter County, Texas, being a portion of an alley vacation as recorded in Volume 634, Page 173, Deed Records of Potter County, Texas and having been surveyed on the ground by Geospatail Data, Inc. on August 5th, 2019 and being further described by metes and bounds as follows:

Point of Beginning is a ½ inch iron rod found for the Northeast corner of Lot 26, Block 311, Mirror Addition Unit No. 8 as filed for record in Volume 1576, Page 268, Deed Records of Potter

County, Texas;

Thence N 09° 39' 53" E on the East line of Lot 6, Block 311, said Mirror Addition for a distance of 10.00 feet to a point, whence a mag nail found bears N 09° 39' 53" 77.50 feet;

Thence S 80° 20' 07" E for a distance of 144.32 feet to a point on the East line of said Mirror Addition for the Northeast corner of this tract;

Thence S 00° 11' 04" W for a distance of 20.28 feet to a point on the East line of said Mirror Addition;

Thence North 80° 20' 07" W for a distance of 147.66 feet to a point on the East line of said Lot 26, Block 311, whence a ½ inch iron rod found for the Southeast corner of said Lot 26 bears S 09° 40' 24" W 89.93 feet;

Thence N 09° 39' 53" E for a distance of 10.00 feet to the Point of Beginning.

Said tract contains 2,920 square feet of land more or less.

Easement B:

A 6,799 square foot tract or parcel of land out of Block 312, Mirror Addition as filed for record in Volume 65, Page 16, Deed Records of Potter County, Texas, being all of an alley vacation as recorded in Volume 634, Page 173, Deed Records of Potter County, Texas and having been surveyed on the ground by Geospatial Data, Inc. on August 5th, 2019 and further described by meets and bounds as follows:

Point of Beginning is a 1/2 inch iron rod with cap (4263) found on the West line of said Mirror Addition, same being a point in the apparent East Right-of-Way (R-0-W) line of Ross Street as filed for record in Volume 1768, Page 837, Deed Records of Potter County, Texas;

Thence N 06° 43' 15" E for a distance of 18.87 feet to a point on the North line of said 20 foot Public Utility Easement for the Northwest corner of this tract, whence a 1/2 inch iron rod found for the Southwest corner of said Block 312 bears N 06° 43' 15" E -271.53 feet;

Thence S 80° 28' 30" E for a distance of 338.79 feet to a point on the East line of said Block 312 for the Northeast corner of this tract;

Thence S 00° 11' 04" W on said East line for a distance of 20.28 feet to a point;

Thence N 80° 28' 30" W for a distance of 341.16 feet to a point on the West line of said Block 312, same being the East R-0-W line of said Ross Street for the Southwest corner of this tract, whence a 1/2 inch iron rod with cap {4263) found for the Southwest corner of Block 312 bears S 09° 39' 53" W -139.85 feet;

Thence North 09° 39' 53" E for a distance of 1.15 feet to the Point of Beginning. Said tract contains 6,799 square feet of land, more or less.

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

SECTION 3. Repealer. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of conflict with this Ordinance.

SECTION 4. Severability. If any provision, section, subsection, clause or the application of sale 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. 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 3rd day of December, 2019 and PASSED on Second and Final Reading on this the 10th day of December, 2019.

_____
Ginger Nelson, Mayor

ATTEST:

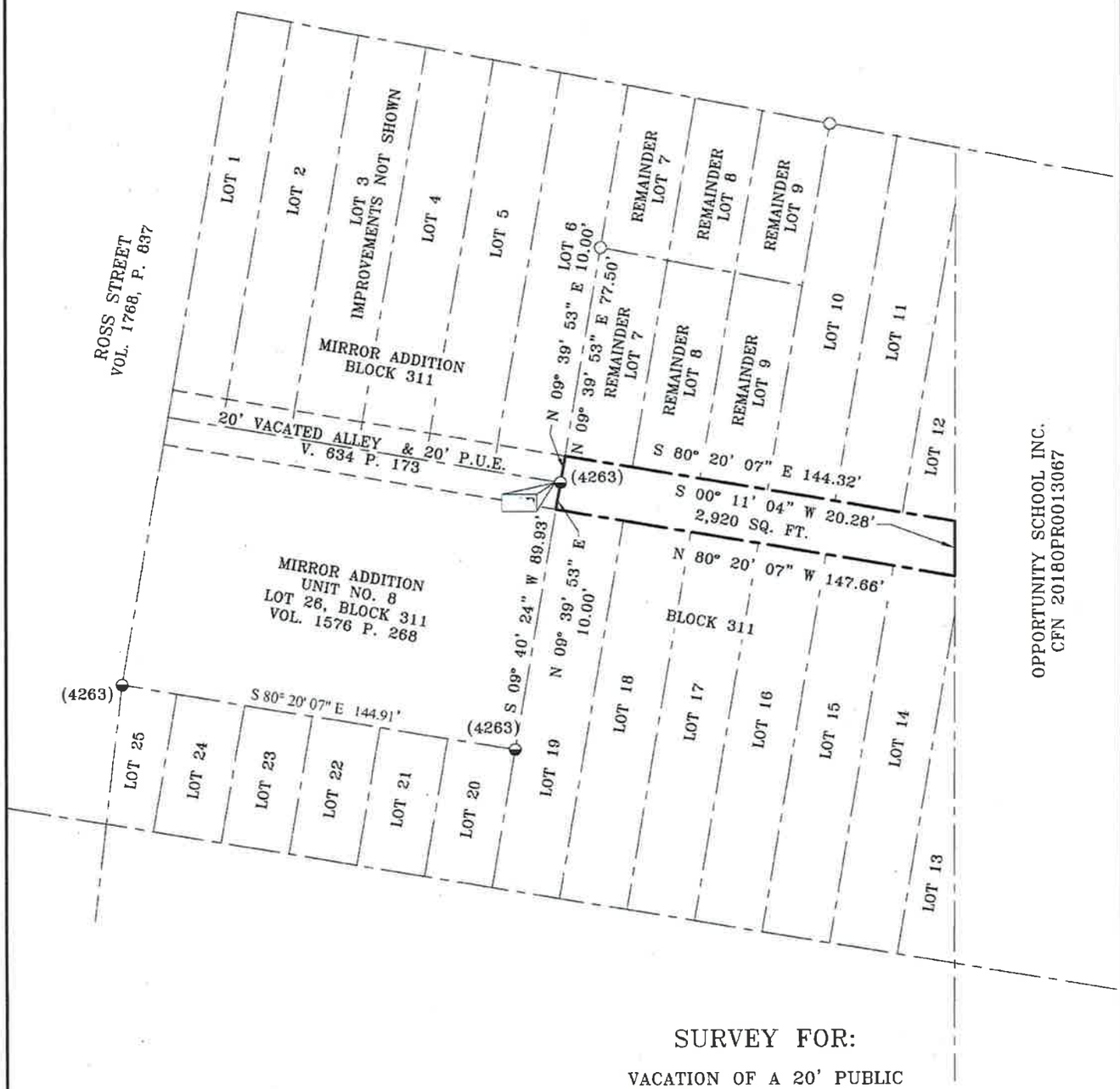
_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams, City Attorney

LEGEND:

POB	POINT OF BEGINNING	◒	1/2" IRON ROD W/ CAP FND
CFN	CLERKS FILE NUMBER	⊙	MAG NAIL FND
CM	CONTROL MONUMENT	— —	EXISTING EASEMENT
RM	REFERENCE MONUMENT	POB	POINT OF BEGINNING
(XXXX)	NAME OR NUMBER IN ( ) INDICATES MONUMENT ORIGIN		
V.	VOLUME		
P.	PAGE		



SURVEY FOR:

VACATION OF A 20' PUBLIC UTILITY EASEMENT OUT OF BLOCK 311, MIRROR ADDITION, CITY OF AMARILLO

N

SCALE 1"= 50'

0 25 50 100

STATE OF TEXAS
REGISTERED AS
M.K. McENTIRE
5718
PROFESSIONAL
LAND SURVEYOR

M.K. McEntire - RPLS 5718

GDI
Geospatial Data, Inc.
ENGINEERING • SURVEYING
GIS • ENVIRONMENTAL
BEYONDMAPPING.COM

Surveying & GIS Division
M.K. McEntire, RPLS - Noah C. Huntington, RPLS

3501 S. Georgia, Suite A
Amarillo, Texas 79109
Phone: 806.467.3777
Firm Registration #: F-10194246

PROJECT NO. 19-160- EASEMENTS
G:\PROJECTS\2019\E19-160\OPPORTUNITY SCHOOL\SURVEY

NOTES

1. Original seal and signature of the surveyor must be present on each page for survey to be valid.

2. This plat is the property of Geospatial Data, Inc. Geospatial Data, Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Geospatial Data, Inc. Copyright 2018.

3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

4. Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of underground containers and/or facilities which may affect the use or development of this tract.

Description

A 2,920 square feet tract or parcel of land out of Block 311, Mirror Addition as filed in Volume 65, Page 16, Deed Records of Potter County, Texas, being a portion of an alley vacation as recorded in Volume 634, Page 173, Deed Records of Potter County, Texas and having been surveyed on the ground by Geospatial Data, Inc. on August 5th, 2019 and being further described by metes and bounds as follows:

Point of Beginning is a 1/2 inch iron rod found for the Northeast corner of Lot 26, Block 311, Mirror Addition Unit No. 8 as filed for record in Volume 1576, Page 268, Deed Records of Potter County, Texas;

Thence N 09° 39' 53" E on the East line of Lot 6, Block 311, said Mirror Addition for a distance of 10.00 feet to a point, whence a mag nail found bears N 09° 39' 53" E – 77.50 feet;

Thence S 80° 20' 07" E for a distance of 144.32 feet to a point on the East line of said Mirror Addition for the Northeast corner of this tract;

Thence S 00° 11' 04" W for a distance of 20.28 feet to a point on the East line of said Mirror Addition;

Thence North 80° 20' 07" W for a distance of 147.66 feet to a point on the East line of said Lot 26, Block 311, whence a 1/2 inch iron rod found for the Southeast corner of said Lot 26 bears S 09° 40' 24" W – 89.93 feet;

Thence N 09° 39' 53" E for a distance of 10.00 feet to the Point of Beginning.

Said tract contains 2,920 square feet of land more or less.

SURVEY FOR:

VACATION OF A 20' PUBLIC UTILITY EASEMENT OUT OF BLOCK 311, MIRROR ADDITION, CITY OF AMARILLO

STATE OF TEXAS
REGISTERED
M.K. McENTIRE
5718
PROFESSIONAL LAND SURVEYOR

M.K. McEntire - RPLS 5718

GDI
Geospatial Data, Inc.
ENGINEERING • SURVEYING
GIS • ENVIRONMENTAL
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Surveying & GIS Division
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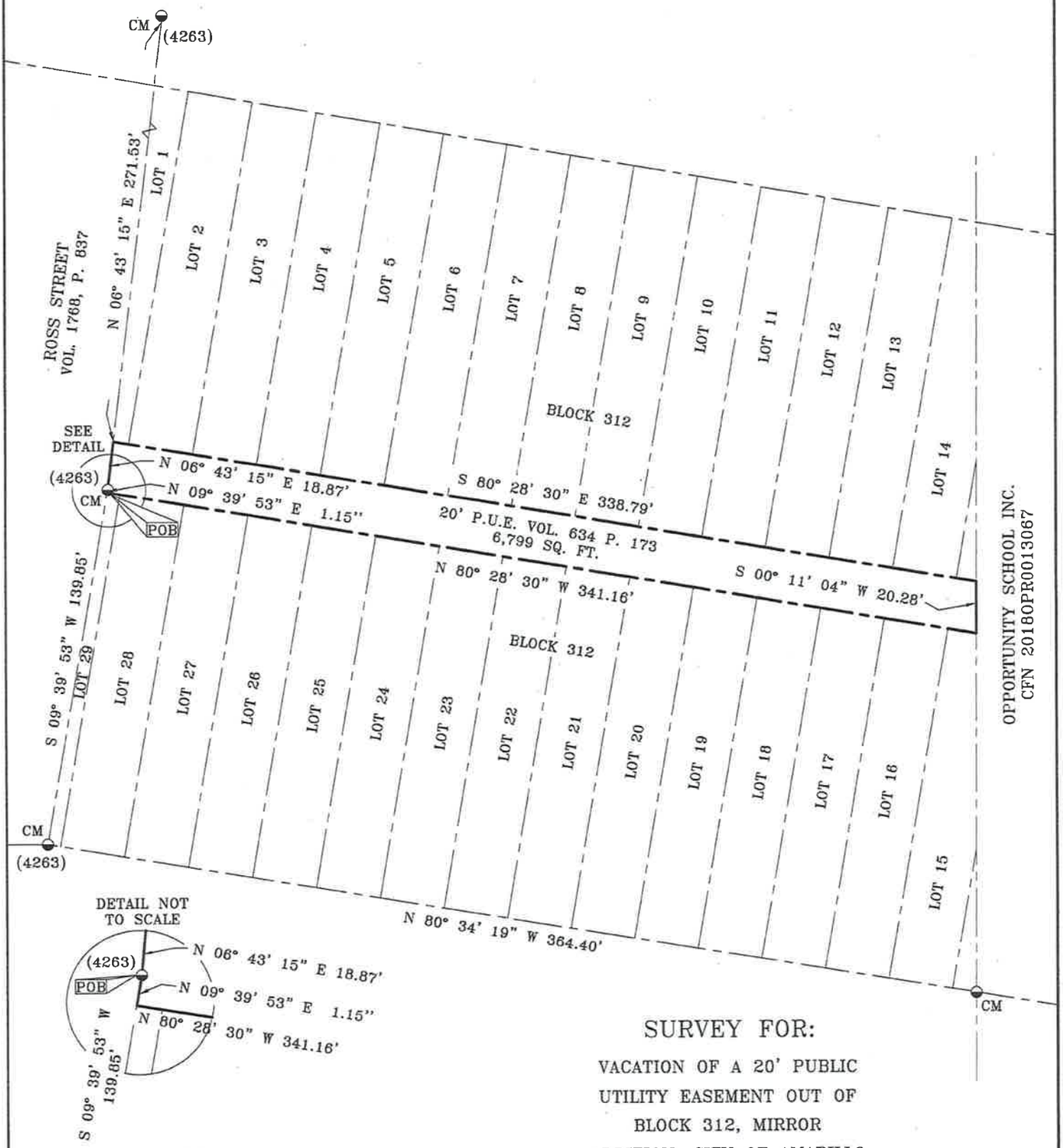
3501 S. Georgia, Suite A
Amarillo, Texas 79109
Phone: 806.467.3777
Firm Registration #: F-10194246

PROJECT NO. 19-160- EASEMENTS
G:\PROJECTS\2019\E19-160\OPPORTUNITY SCHOOL\SURVEY

EXHIBIT: EASEMENT B

LEGEND:

POB	POINT OF BEGINNING	◒	1/2" IRON ROD W/ CAP FND
CFN	CLERKS FILE NUMBER	RM	REFERENCE MONUMENT
CM	CONTROL MONUMENT	(XXXX)	NAME OR NUMBER IN ( ) INDICATES MONUMENT ORIGIN
		POB	POINT OF BEGINNING



SURVEY FOR:

VACATION OF A 20' PUBLIC UTILITY EASEMENT OUT OF BLOCK 312, MIRROR ADDITION, CITY OF AMARILLO

N

SCALE 1"= 50'

0 25 50 100

STATE OF TEXAS REGISTERED M.K. McENTIRE 5718 PROFESSIONAL LAND SURVEYOR

10/15/19

M.K. McEntire - RPLS 5718

GDI Geospatial Data, Inc.
ENGINEERING • SURVEYING
GIS • ENVIRONMENTAL
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3501 S. Georgia, Suite A
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PROJECT NO. 19-160- EASEMENTS
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NOTES

1. Original seal and signature of the surveyor must be present on each page for survey to be valid.

2. This plat is the property of Geospatial Data, Inc. Geospatial Data, Inc. accepts no responsibility for the use of this plat for any purpose other than its original intended use. The intended use being the consummation of the original transaction between the parties listed in the certificate hereon and issuance of title insurance for the property surveyed. Reproduction of this plat for any purpose other that its original intended use is expressly forbidden without the written consent of an authorized agent of Geospatial Data, Inc. Copyright 2019.

3. No investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose have been made by this Surveyor.

4. Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of underground containers and/or facilities which may affect the use or development of this tract.

Description

A 6,799 square foot tract or parcel of land out of Block 312, Mirror Addition as filed for record in Volume 65, Page 16, Deed Records of Potter County, Texas, being all of an alley vacation as recorded in Volume 634, Page 173, Deed Records of Potter County, Texas and having been surveyed on the ground by Geospatial Data, Inc. on August 5th, 2019 and further described by meets and bounds as follows:

Point of Beginning is a 1/2 inch iron rod with cap (4263) found on the West line of said Mirror Addition, same being a point in the apparent East Right-of-Way (R-O-W) line of Ross Street as filed for record in Volume 1768, Page 837, Deed Records of Potter County, Texas;

Thence N 06° 43' 15" E for a distance of 18.87 feet to a point on the North line of said 20 foot Public Utility Easement for the Northwest corner of this tract, whence a 1/2 inch iron rod found for the Southwest corner of said Block 312 bears N 06° 43' 15" E - 271.53 feet;

Thence S 80° 28' 30" E for a distance of 338.79 feet to a point on the East line of said Block 312 for the Northeast corner of this tract;

Thence S 00° 11' 04" W on said East line for a distance of 20.28 feet to a point;

Thence N 80° 28' 30" W for a distance of 341.16 feet to a point on the West line of said Block 312, same being the East R-O-W line of said Ross Street for the Southwest corner of this tract, whence a 1/2 inch iron rod with cap (4263) found for the Southwest corner of Block 312 bears S 09° 39' 53" W - 139.85 feet;

Thence North 09° 39' 53" E for a distance of 1.15 feet to the Point of Beginning.

Said tract contains 6,799 square feet of land, more or less.

SURVEY FOR:

VACATION OF A 20' PUBLIC UTILITY EASEMENT OUT OF BLOCK 312, MIRROR ADDITION, CITY OF AMARILLO

STATE OF TEXAS REGISTERED M.K. McENTIRE 5718 PROFESSIONAL LAND SURVEYOR

10/15/19

M.K. McEntire - RPLS 5718

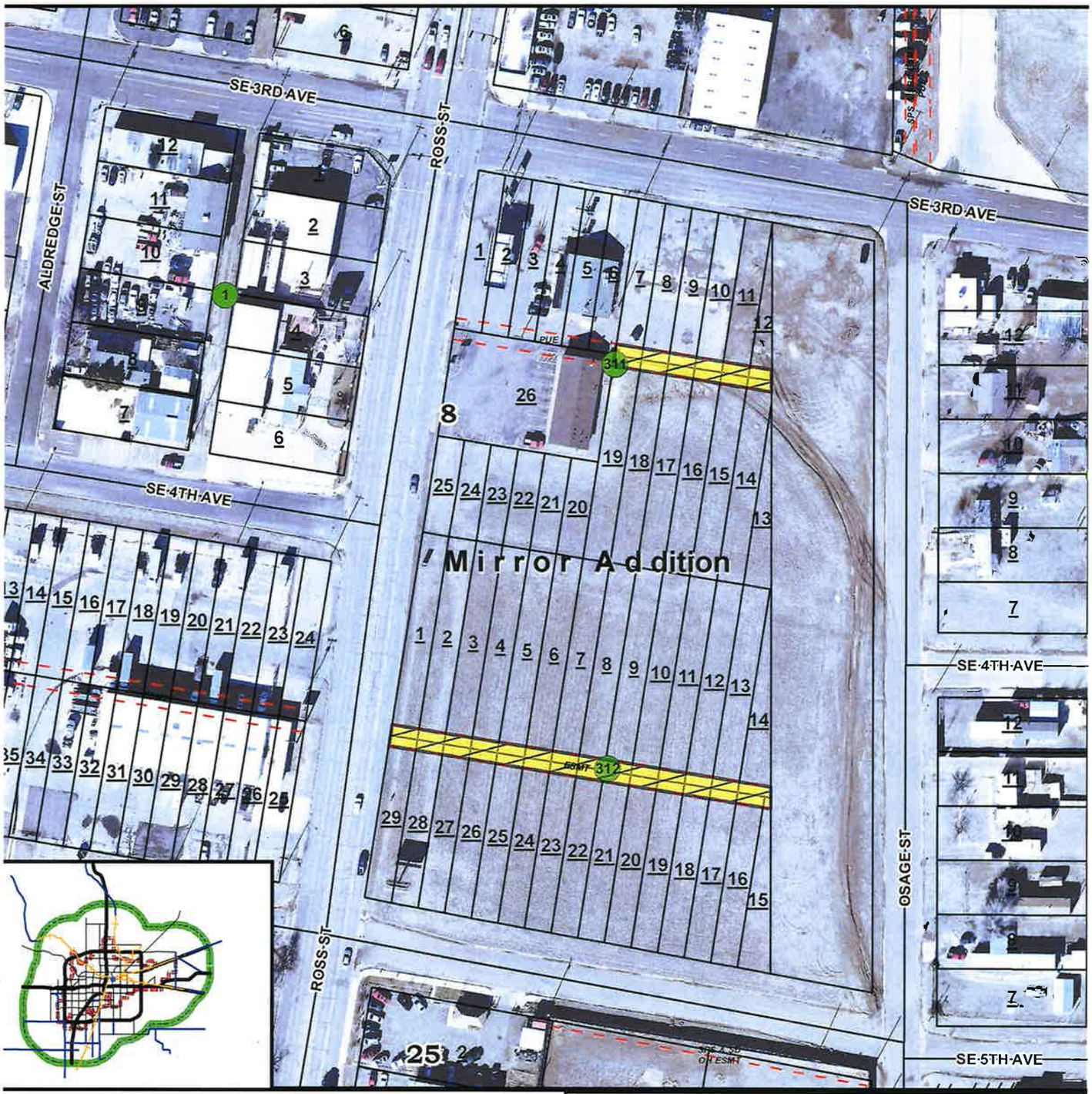
GDI
Geospatial Data, Inc.
ENGINEERING • SURVEYING
GIS • ENVIRONMENTAL
BEYONDMAPPING.COM

Surveying & GIS Division
M.K.McEntire, RPLS - Noah C. Huntington, RPLS

3501 S. Georgia, Suite A
Amarillo, Texas 79109
Phone: 806.467.3777
Firm Registration #: F-10194246

PROJECT NO. 19-160- EASEMENTS
G:\PROJECTS\2019\E19-160\OPPORTUNITY SCHOOL\SURVEY

VACATION OF TWO PUBLIC UTILITY EASEMENTS



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 " = 125 '
Date: 10/17/2019
Case No: V-19-04

V-19-04 Vacation of a portion of a twenty-foot Public Utility Easement in Block 311 and a twenty-foot Public Utility Easement in Block 312, Mirror Addition, in Section 155, Block 2, AB&M Survey, Potter County, Texas

VICINITY: SE 3rd Ave. and Ross St.
APPLICANT/S: Jill Goodrich Opportunity School, Inc.

AP: O-12

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.

F

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	12/10/2019	Council Priority	Fiscal Responsibility
Department	Central Stores		
Contact	Trent Davis		

Agenda Caption

Consider Award-Bid 6608 Paper Goods Supply Agreement

Miller Paper	$ 1,534.50
Empire Paper	$ 1,825.20
Mavich	$ 42,705.60
Mayfield Paper	$ 54,560.00

Total Awarded $100,625.30

Agenda Item Summary

Bid 6608
These items to consider award of the Paper Goods Supply Agreement

Requested Action

Consider approval of the award to Miller Paper, Empire Paper, Mavich, & Mayfield Paper in the amount of $100,625.30

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. 6608 PAPER GOODS SUPPLY AGREEMENT
Opened 4:00 p.m. November 07, 2019

To be awarded as one lot	MILLER PAPER & PACKAGING	EMPIRE PAPER	MAVICH	MAYFIELD PAPER CO	OFFICEWISE FURNITURE & SUPPLY	GLOBAL EQUIPMENT	PYRAMID SCHOOL PRODUCTS	MSC
Line 1 Cup, Styrofoam 8 oz, per specifications								
30 ca								
Unit Price	$19.350	$22.140	$21.650	$22.190	$23.160	$47.030	$26.980	$36.420
Extended Price	580.50	664.20	649.50	665.70	694.80	1,410.90	809.40	1,092.60
Line 2 Tissue, Jumbo Roll Toilet, per specifications								
120 ca								
Unit Price	$18.100	$15.210	$34.250	$23.130				$36.180
Extended Price	2,172.00	1,825.20	4,110.00	2,775.60	-	-	-	4,341.60
Line 3 Tissue, Multi-Ply Toilet, per specifications								
960 ca								
Unit Price	$37.530	$36.740	$36.220	$47.710	$64.540	$65.580	$52.980	$36.470
Extended Price	36,028.80	35,270.40	34,771.20	45,801.60	61,958.40	62,956.80	50,860.80	35,011.20
Line 4 Tissue, Facial 2-ply, per specifications								
1,800 bx								
Unit Price	$0.530	$0.550	$0.554	$0.580	$0.550	$1.640	$0.600	$34.100
Extended Price	954.00	990.00	997.20	1,044.00	990.00	2,952.00	1,080.00	61,380.00
Line 5 Towels, Multi-Fold Paper, per specifications								
3,200 ca								
Unit Price	$26.190	$25.630	$24.790	$17.050		$48.960	$46.980	$44.430
Extended Price	83,808.00	82,016.00	79,328.00	54,560.00	-	156,672.00	150,336.00	142,176.00
Line 6 Towels, Electronic Roll, per specifications								
180 ca								
Unit Price	$52.890	$50.110	$44.080	$46.800			$68.990	$78.330
Extended Price	9,520.20	9,019.80	7,934.40	8,424.00	-	-	12,418.20	14,099.40
Bid Total	133,063.50	129,785.60	127,790.30	113,270.90	63,643.20	223,991.70	215,504.40	258,100.80
Award by Vendor	1,534.50	1,825.20	42,705.60	54,560.00				

G

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	December 10, 2019	Council Priority	Transportation
Department	Capital Projects & Development Engineering - 1415		
Contact	Matt Thomas		

Agenda Caption

CONSIDER CHANGE ORDER #4 - Bid #6072/Project #462023 - Rehabilitation of SE 34th Avenue from Grand Street to Eastern Street FY 16/17 – FY 20/21 Community Investment Program, Proposition 1

Holmes Construction – ($58,347.14)
Original Contract $2,549,949.89
Previous Change Orders $237,550.51
This Change Order ($58,347.14)
Revised Contract $2,729,153.26

This item is to consider approval of changes to the construction contract for Rehabilitation of SE 34th Avenue from Grand Street to Eastern Street.

Agenda Item Summary

This change is for actual striping quantities, modifications to ADA ramps and extra sidewalk for compliance and for actual 8" flatwork completed at the intersection of SE 34th Avenue & Bolton Street. A lesser amount of Lime was needed than anticipated and has been reduced.

Requested Action

Consider approval of the change order for execution by the City Manager.

Funding Summary

Funding for this project is available in the Project Budget Number 462023.17400.2040. The construction expenses for this change order were funded from the Proposition 1 funds for Paving Rehabilitation.

Community Engagement Summary

Construction of this project has a major impact on the community. It is in a location currently in construction and will have some impact on traffic through the area. Traffic will be detoured during work. Traffic status will be updated through press releases.

Staff Recommendation

Staff recommends approval of Change Order #4.

Bid No. 6072 STREET & DRAINAGE IMPROVEMENTS REHABILITATION OF 34TH AVE FROM GRAND TO EASTERN STREET
Opened 4:00 p.m. May 17, 2018

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 1 Removal and disposal of concrete cap (COA 3.03) complete @,per specifications						
60 SY						
Unit Price	$30.000		$11.600		$64.000	
Extended Price		1,800.00		696.00		3,840.00
Line 2 Preparing the Right of Way or Project Site: Removal and disposal of concrete structure as shown on plans (COA 3.03) complete @,per specifications						
1 ea						
Unit Price	$1,200.000		$1,769.000		$2,000.000	
Extended Price		1,200.00		1,769.00		2,000.00
Line 3 Preparing the Right of Way or Project Site: Removal and disposal of trees as shown on plan (COA 3.03) complete @,per specifications						
4 ea						
Unit Price	$300.000		$515.000		$470.000	
Extended Price		1,200.00		2,060.00		1,880.00
Line 4 Preparing the Right of Way or Project Site: Removal and disposal of concrete curb and gutter with saw cuts where necessary, (COA 3.03 complete @,per specifications						
762 LF						
Unit Price	$3.600		$5.100		$12.600	
Extended Price		2,743.20		3,886.20		9,601.20

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 5 Preparing the Right of Way or Project Site: Removal and disposal of reinforced concrete pipe, (COA 3.03) complete @, per specifications						
41 LF						
Unit Price	$30.000		$16.000		$43.500	
Extended Price		1,230.00		656.00		1,783.50
Line 6 Preparing the Right of Way or Project Site: Concrete slab removal including walks, drives, valleys, etc. and saw cuts where necessary, (COA 3.03) complete as specified @, per specifications						
16,397 SF						
Unit Price	$1.200		$0.800		$1.600	
Extended Price		19,676.40		13,117.60		26,235.20
Line 7 Road Excavation to lines and grades as shown on plans, (COA 4.02) complete @, per specifications						
17,426 CY						
Unit Price	$4.800		$11.700		$15.000	
Extended Price		83,644.80		203,884.20		261,390.00
Line 8 Excavation, regrading, and channel grading to the slopes shown on the plans, (COA 4.02) complete @, per specifications						
5,776 CY						
Unit Price	$6.000		$9.000		$12.300	
Extended Price		34,656.00		51,984.00		71,044.80

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 9 Furnish, haul, place, and compact new fill, select material (PL < 15). Materials is to be placed in lifts not to exceed six inches (6") and compacted to 95% Std Proctor, (COA 4.02), per specifications						
18 CY						
Unit Price	$30.000		$42.000		$166.000	
Extended Price		540.00		756.00		2,988.00
Line 10 Lime for subgrade, (COA 4.04) @, per specifications						
315 Ton						
Unit Price	$225.000		$210.000		$226.300	
Extended Price		70,875.00		66,150.00		71,284.50
Line 11 Lime Subgrade stabilization to a depth of six inches (6"), at 3% by weight, including preparation, mixing, and compaction of the stabilized subgrade under flexible base, valleys, spandrels, and curb and gutter, (COA 4.04) complete @, per specifications						
41,666 SY						
Unit Price	$3.450		$2.600		$3.350	
Extended Price		143,747.70		108,331.60		139,581.10
Line 12 FL BS (CMP in PLC)(TY A)(GR 2)(6"), complete @, per specifications						
618 SY						
Unit Price	$17.250		$12.000		$28.000	
Extended Price		10,660.50		7,416.00		17,304.00

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 13 FL BS (CMP in PLC)(TY A)(GR 2)(13"), complete @, per specifications						
41,666 SY						
Unit Price	$13.950		$15.500		$21.200	
Extended Price		581,240.70		645,823.00		883,319.20
Line 14 Six inch (6") 3000 psi Concrete curb and gutter, as detailed on plans, (COA 4.09) complete as specified @, per specifications						
5,741 LF						
Unit Price	$16.250		$16.500		$18.200	
Extended Price		93,291.25		94,726.50		104,486.20
Line 15 Six inch (6") concrete flatwork, minimum 3000 psi at 28 days, with #4 steel reinforcing bars, 12" O.C. eash way, including all necessary earthwork and subgrade preparation (COA 4.09) complete @,per specification						
1,607 SF						
Unit Price	$8.400		$6.900		$8.750	
Extended Price		13,498.80		11,088.30		14,061.25
Line 16 Four inch (4") concrete flatwork (sidewalks) reinforced with 6X6-W1.4xW1.4 welded wire mesh on a one inch (1") sand cushion including all necessary earthwork and subgrade preparation, (COA 4.10) installed complete @,per specification						
11,233 SF						
Unit Price	$5.250		$5.450		$5.100	
Extended Price		58,973.25		61,219.85		57,288.30

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 17 Curb Ramp, install concrete flatwork, thickness and type as indicated on plans, complete with truncated dome surface and side curb as required in COA Curb Ramp details, (COA 4.10) complete @,per specifications						
1,426 SF						
Unit Price	$33.600		$20.000		$19.450	
Extended Price		47,913.60		28,520.00		27,735.70
Line 18 Eight inch (8") concrete flatwork (alley aprons and commercial driveways), minimum 400 psi at 28 days reinforced with #4 reinforcing bars on 12" centers both ways, including all necessary earthwork and subgrade preparation, (COA 4.11) installed complete @, per specifications						
13,266 SF						
Unit Price	$8.950		$7.800		$7.550	
Extended Price		118,730.70		103,474.80		100,158.30
Line 19 Furnish & Install Concrete Cap with #5 steel reinforcing bars, 12" O.C. each way, including all necessary earthwork and subgrade preparation (COA 4.11) complete @per specifications						
123 SY						
Unit Price	$57.750		$71.000		$84.300	
Extended Price		7,103.25		8,733.00		10,368.90

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 20 Plane existing Asphaltic Concrete Pavement (ACP) one and one half inches (1-1/2") and Stockpile Salvaged Materials, (COA 4.15) complete as specified@						
642 SY						
Unit Price	$5.500		$5.600		$13.950	
Extended Price		3,531.00		3,595.20		8,955.90
Line 21 Plane existing Asphaltic Concrete Pavement (ACP) two inches (2") and stockpile salvaged material, (COA 4.15) complete @,per specifications						
24,088 SY						
Unit Price	$2.200		$1.800		$2.200	
Extended Price		52,993.60		43,358.40		52,993.60
Line 22 Furnish, haul,place, and compact one and one-half inch (1-1/2") hot mix asphaltic concrete, Type D, (COA 4.17) complete as specified @						
1,320 SY						
Unit Price	$18.400		$13.300		$16.600	
Extended Price		24,288.00		17,556.00		21,912.00
Line 23 Furnish, haul, place, and compact three inch (3") Hot-Mix Asphaltic Concrete (HMAC), type D, (COA 4.17) in two (2) one and a half inch (1-1/2") lifts complete a specified @						
40,264 SY						
Unit Price	$16.950		$16.000		$16.200	
Extended Price		682,474.80		644,224.00		652,276.80

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 24 Remove and replace existing asphaltic concrete pavement, base course and subgrade adjacent to concrete flatwork and curb and gutter as noted on plans as necessary, including saw cuts, installed per COA Paving Tie (Typ) detail (COA 4.02,4.07 and 4.17) complete as specified @, per specifications						
228 SY						
Unit Price	$34.500		$68.000		$43.000	
Extended Price		7,866.00		15,504.00		9,804.00
Line 25 Reflectorized Pavement Markings Type I, White, (100 Mil) Four inch (4") Solid, (COA 4.20), installed complete@, per specificiations						
918 LF						
Unit Price	$0.610		$0.640		$0.650	
Extended Price		559.98		587.52		596.70
Line 26, Reflectorized Pavement Markings Type I, White, (100 Mil) Four inch (4") Broken, (COA 4.20), installed, per specificiations						
9,486 LF						
Unit Price	$0.610		$0.640		$0.650	
Extended Price		5,786.46		6,071.04		6,165.90

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 27 Reflectorized Pavement Markings Type I, Yellow, (100 Mil) Four inch (4"), Solid, (COA 4.20), installed complete @, per specificiations						
3,305 LF						
Unit Price	$0.610		$0.640		$0.650	
Extended Price		2,016.05		2,115.20		2,148.25
Line 28 Reflectorized Pavement Markings Type I, Yellow, (100 Mil) Four inch (4"), Broken, (COA 4.20), installed complete @, per specificiations						
3,335 LF						
Unit Price	$0.610		$0.640		$0.650	
Extended Price		2,034.35		2,134.40		2,167.75
Line 29 Prefabricated Pavement Markings (Type C, White, Twenty-Four inch (24"), Solid. (COA 4.20) installed complete@, per specificiations						
178 LF						
Unit Price	$31.500		$33.000		$3.450	
Extended Price		5,607.00		5,874.00		614.10
Line 30 Prefabricated Pavement Markings (Type C, White, Arrow), (COA 4.20), installed complete @, per specificiations						
18 ea						
Unit Price	$472.500		$495.000		$513.000	
Extended Price		8,505.00		8,910.00		9,234.00

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 31 Prefabricated Pavement Markings (Type C, White, Chevron), (COA 4.20), installed complete, per specificiations						
10 ea						
Unit Price	$183.750		$195.000		$200.000	
Extended Price		1,837.50		1,950.00		2,000.00
Line 32 Trenching, supplying, laying, joining, and backfilling Twenty-four inch (24") Reinforced Concrete Pipe, Class III, (COA 5.01) installed complete @, per specificiations						
546 LF						
Unit Price	$145.000		$497.000		$120.600	
Extended Price		79,170.00		271,362.00		65,847.60
Line 33 Trenching, supplying, laying, joining, and backfilling Forty-eight (48") Reinforced Concrete Pipe, Class III, (COA 5.01) installed complete @, per specificiations						
41 LF						
Unit Price	$450.000		$285.000		$416.600	
Extended Price		18,450.00		11,685.00		17,080.60
Line 34 Trenching, supplying, laying, joining, and backfilling Thirty-six inch (36") Reinforced Concrete Pipe, Class IV, (COA 5.01) installed complete @, per specificiations						
143 LF						
Unit Price	$295.000		$233.000		$242.000	
Extended Price		42,185.00		33,319.00		34,606.00

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 35 Remove existing concrete top and replace with reinforced concrete, Type B-10, storm sewer inlet top, As specified on Plans, (COA 5.01) installed complete @,per specificiations						
1 ea						
Unit Price	$10,500.000		$6,207.000		$6,000.000	
Extended Price		10,500.00		6,207.00		6,000.00
Line 36 install Type B-25, Storm Sewer Inlet, As specified on Plans, (COA 5.01) installed complete @, per specificiations						
2 ea						
Unit Price	$17,000.000		$16,511.000		$24,160.000	
Extended Price		34,000.00		33,022.00		48,320.00
Line 37 Furnish and Install Headwall, Wings & Apron As specified on Plans, (COA 5.01) installed complete@, per specificiations						
2 ea						
Unit Price	$16,500.000		$12,853.000		$15,300.000	
Extended Price		33,000.00		25,706.00		30,600.00
Line 38 Reinforced concrete storm sewer inlet box, Type B-12, furnished, (COA 5.01) installed complete @, per specificiations						
1 ea						
Unit Price	$25,500.000		$24,619.000		$27,735.000	
Extended Price		25,500.00		24,619.00		27,735.00

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 39 Junction box complete as detailed on plans, including all miscellaneous items, (COA 5.05) installed complete @, per specificiations						
2 ea						
Unit Price	$20,500.000		$37,891.000		$28,250.000	
Extended Price		41,000.00		75,782.00		56,500.00
Line 40 Water Valve Box Adjustment, installed complete as specified @, per specificiations						
8 ea						
Unit Price	$605.000		$106.000		$457.000	
Extended Price		4,840.00		848.00		3,656.00
Line 41 Manhole Adjustment, installed complete as specified @, per specificiations						
9 ea						
Unit Price	$935.000		$406.000		$1,545.000	
Extended Price		8,415.00		3,654.00		13,905.00
Line 42 Furnish, install, and maintain Traffic Control Plan, (COA 9.04) complete as specified @ per specifications						
1 LS						
Unit Price	$86,625.000		$81,674.000		$97,270.000	
Extended Price		86,625.00		81,674.00		97,270.00

To be awarded as one lot	HOLMES CONSTRUCTION		LA FULLER & SONS CONSTRUCTION		J LEE MILLIGAN	
Line 43 Mobilization/Demobilization including Insurance, Payment Bond, Performance Bond, Maintenance Bond, and related Ancillary Costs. (Shall not exceed three percent (3%) of the Total Construction Cost) (COA 10.01) @, per specificiations						
1 LS						
Unit Price	$59,000.000		$84,611.000		$92,200.000	
Extended Price		59,000.00		84,611.00		92,200.00
Line 44 Furnish and Install Sandbags for Erosion Control (6") COA 10.02 complete@,per specifications						
41 ea						
Unit Price	$65.000		$4.600		$15.900	
Extended Price		2,665.00		188.60		651.90
Line 45 Furnish and Install Seeding and Hydromulch as shown and per Specifications, (COA 10.04) Complete in Place @,per specificiations						
1 AC						
Unit Price	$11,500.000		$1,335.000		$4,000.000	
Extended Price		14,375.00		1,668.75		5,000.00
Bid Total		2,549,949.89		2,820,518.16		3,074,591.25

Total Awarded	2,549,949.89
Change Order #1	9,596.44
Change Order #2	104,500.00
Change Order #3	123,454.07
Change Order #4	(58,347.14)
Revised Total	2,729,153.26

H

Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	December 10, 2019	Council Priority	Infrastructure Initiative
Department	Capital Projects & Development Engineering		
Contact	Floyd Hartman – Assistant City Manager		

Agenda Caption

Consider for Approval – Change Order No. 5-Bid #5652/Project #521943 – Hillside Terrace Estates 30" Sewer Replacement – Contract 2 – Spiess Construction Co., Inc.

Original Contract Amount	$8,655,030.00
Previous Change Orders	$ (225,403.16)
This Change Order No. 5	$ (500,143.85)
Revised Contract Total	$7,929,482.99

Agenda Item Summary

Bid #5652/Project #521943
This item is to approve Change Order No. 5 to Spiess Construction Co., Inc., which deducts contingency and unused quantities from the contract. The contingency quantities were not needed, while field conditions allowed for deductive quantity adjustments.

Requested Action

Consider approval of Change Order No. 5.

Funding Summary

Funding for this project is available in the Project Budget Number 521943.17400.1091. This change order results in a net deduct to the construction contract.

Community Engagement Summary

The change order decreases the scope of work. The contractor will coordinate notices to affected property owners as needed.

Staff Recommendation

City Staff is recommending approval of Change Order No. 5.

Bid No. 5652 Hillside Terrace Estates 30" sewer Replacement Contract 2
Opened 4:00 p.m., February 17, 2017

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Part A: Alignment 1 Bid (Items 1 through 37)										
Segment 1 - STA 1+00 (MH 27) to STA 15+40.53 (MH 23) - Open Cut Only										
Line 1a 30-inch FRP Wastewater Pipe by Open Cut, 0' - 20' Depth, per specifications										
183 lf										
Unit Price	$650.000		$969.00		$650.000		$300.00		$700.00	
Extended Price		118,950.00		177,327.00		118,950.00		54,900.00		128,100.00
Line 1b 30-inch FRP Wastewater Pipe by Open Cut, >20' to 30' Depth, per specifications										
258 lf										
Unit Price	$750.000		$969.00		$850.000		$400.00		$1,000.00	
Extended Price		193,500.00		250,002.00		219,300.00		103,200.00		258,000.00
Line 1c 30-inch FRP Wastewater Pipe by Open Cut, >30' Depth, per specifications										
1,000 lf										
Unit Price	$850.000		$969.00		$1,100.000		$600.00		$1,200.00	
Extended Price		850,000.00		969,000.00		1,100,000.00		600,000.00		1,200,000.00
Segment 2: STA 15+40.53 (MH 23) to STA 23+41.93 (MH 22) - Open Cut, Pilot Tube Auger Bore (PTAB) or Micro tunneling (MTMB)										
Line 2 30-inch FRP Wastewater Pipe by Open Cut, Micro tunnel (MTBM) or Pilot Tube Auger Bore (PTAB), per specifications										
801 lf										
Unit Price	$850.000		$1,069.00		$920.000		$1,300.00		$800.00	
Extended Price		680,850.00		856,269.00		736,920.00		1,041,300.00		640,800.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 3 30-inch FRP Wastewater Pipe by Micro tunnel (MTBM) or Pilot Tube Auger Bore (PTAB) , per										
3,287 lf										
Unit Price	$1,470.000		$1,395.00		$1,800.000		$1,600.00		$1,330.00	
Extended Price		4,831,890.00		4,585,365.00		5,916,600.00		5,259,200.00		4,371,710.00
Line 4 Allowance for Mobilization and Demobilization, insurance, bonds and related ancillary costs, a maximum of 5 percent of the Contract Amount, per specifications										
1 ls										
Unit Price	$320,000.000		$400,000.00		$500,000.000		$250,000.00		$500,000.00	
Extended Price		320,000.00		400,000.00		500,000.00		250,000.00		500,000.00
Line 5 Remove, Replace and Salvage Existing 6-ft FRP Manholes, All Depths, per specifications										
4 ea										
Unit Price	$3,000.000		$38,400.00		$35,000.000		$33,000.00		$3,900.00	
Extended Price		12,000.00		153,600.00		140,000.00		132,000.00		15,600.00
Line 6 New 6-ft FRP Manholes (Up to 20' deep), per specifications										
12 ea										
Unit Price	$40,000.000		$22,300.00		$34,000.000		$30,000.00		$3,690.00	
Extended Price		480,000.00		267,600.00		408,000.00		360,000.00		44,280.00
Line 7 New 6-ft FRP Manholes, Extra Depth (>20' deep), per specifications										
60 VF										
Unit Price	$200.000		$140.00		$600.000		$1,200.00		$500.00	
Extended Price		12,000.00		8,400.00		36,000.00		72,000.00		30,000.00
Line 8 Modified Manhole and STA 48+41.72, per specifications										
1 ea										
Unit Price	$5,000.000		$5,000.00		$6,000.000		$10,000.00		$4,000.00	
Extended Price		5,000.00		5,000.00		6,000.00		10,000.00		4,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 9 Drop Connections at New Manholes, per specifications										
4 ea										
Unit Price	$4,000.000		$1,300.00		$7,500.000		$2,500.00		$7,200.00	
Extended Price		16,000.00		5,200.00		30,000.00		10,000.00		28,800.00
Line 10 8-inch PVC Sewer by Open Cut, per specifications										
45 lf										
Unit Price	$100.000		$100.00		$200.000		$80.00		$370.00	
Extended Price		4,500.00		4,500.00		9,000.00		3,600.00		16,650.00
Line 11 18-inch Sewer by Open Cut, per specifications										
50 lf										
Unit Price	$200.000		$120.00		$300.000		$130.00		$370.00	
Extended Price		10,000.00		6,000.00		15,000.00		6,500.00		18,500.00
Line 12 Existing Manhole Survey, per specifications										
1 ls										
Unit Price	$5,000.000		$15,000.00		$8,000.000		$5,500.00		$22,600.00	
Extended Price		5,000.00		15,000.00		8,000.00		5,500.00		22,600.00
Line 13 Inspection/Sampling of Pipe (Between MH 27 and MH 23), per specifications										
6 ea										
Unit Price	$10,000.000		$18,700.00		$85,000.000		$5,000.00		$95,200.00	
Extended Price		60,000.00		112,200.00		510,000.00		30,000.00		571,200.00
Line 14 Abandon Existing 30-inch VCP pipe, per specifications										
1 ls										
Unit Price	$100,000.000		$57,000.00		$225,000.000		$185,000.00		$210,000.00	
Extended Price		100,000.00		57,000.00		225,000.00		185,000.00		210,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 15 Abandon Existing 6-ft FRP Manholes, per specifications										
8 ea										
Unit Price	$3,000.000		$4,500.00		$2,000.000		$5,000.00		$7,000.00	
Extended Price		24,000.00		36,000.00		16,000.00		40,000.00		56,000.00
Line 16 Remove and Salvage Existing 6-ft FRP Manholes, All Depths, per specifications										
1 ea										
Unit Price	$5,000.000		$2,500.00		$5,000.000		$7,000.00		$4,500.00	
Extended Price		5,000.00		2,500.00		5,000.00		7,000.00		4,500.00
Line 17 Special Manhole Abandonment at STA 42+98.86, per specifications										
1 ea										
Unit Price	$3,000.000		$3,100.00		$1,500.000		$10,000.00		$3,100.00	
Extended Price		3,000.00		3,100.00		1,500.00		10,000.00		3,100.00
Line 18 Bypass Pumping , per specifications										
1 ls										
Unit Price	$100,000.000		$100,000.00		$450,000.000		$75,000.00		$157,000.00	
Extended Price		100,000.00		100,000.00		450,000.00		75,000.00		157,000.00
Line 19 Furnish, Install, and Maintain Trench Safety System complying with OSHA rules and regulations, per specifications										
2,242 lf										
Unit Price	$1.000		$0.01		$1.000		$400.00		$22.00	
Extended Price		2,242.00		22.42		2,242.00		896,800.00		49,324.00
Line 20 Pipe Shoring, per specifications										
5,100 sf										
Unit Price	$2.000		$5.00		$2.000		$200.00		$1.00	
Extended Price		10,200.00		25,500.00		10,200.00		1,020,000.00		5,100.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 21 Trenchless Construction Shafts , per specifications										
11 ea										
Unit Price	$50,000.000		$54,000.00		$110,000.000		$125,000.00		$73,000.00	
Extended Price		550,000.00		594,000.00		1,210,000.00		1,375,000.00		803,000.00
Line 22 Geotechnical Instrumentation, per specifications										
1 ls										
Unit Price	$5,000.000		$6,300.00		$10,000.000		$70,000.00		$63,000.00	
Extended Price		5,000.00		6,300.00		10,000.00		70,000.00		63,000.00
Line 23 Storm Water Pollution Prevention Plan, per specifications										
1 ls										
Unit Price	$30,000.000		$7,500.00		$24,000.000		$60,000.00		$15,000.00	
Extended Price		30,000.00		7,500.00		24,000.00		60,000.00		15,000.00
Line 24 Temporary Odor Control, All Depths, per specifications										
1 ls										
Unit Price	$15,000.000		$5,000.00		$5,000.000		$15,000.00		$36,000.00	
Extended Price		15,000.00		5,000.00		5,000.00		15,000.00		36,000.00
Line 25 Traffic Control, per specifications										
1 ls										
Unit Price	$30,000.000		$40,000.00		$15,000.000		$50,000.00		$113,000.00	
Extended Price		30,000.00		40,000.00		15,000.00		50,000.00		113,000.00
Line 26 Pre-Construction Video, per specifications										
1 ls										
Unit Price	$10,000.000		$8,000.00		$5,000.000		$5,000.00		$6,100.00	
Extended Price		10,000.00		8,000.00		5,000.00		5,000.00		6,100.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 27 Sodding, per specifications										
750 sy										
Unit Price	$2.000		$10.00		$30.000		$12.00		$10.00	
Extended Price		1,500.00		7,500.00		22,500.00		9,000.00		7,500.00
Line 28 Hydromulch, per specifications										
6 ac										
Unit Price	$3,000.000		$4,800.00		$5,500.000		$6,000.00		$1,800.00	
Extended Price		16,500.00		26,400.00		30,250.00		33,000.00		9,900.00
Line 29 Pavement Replacement/Repair, per specifications										
1,300 sy										
Unit Price	$40.000		$20.50		$60.000		$640.00		$120.00	
Extended Price		52,000.00		26,650.00		78,000.00		832,000.00		156,000.00
Line 30 Sidewalk Replacement/Repair, per specifications										
4,150 sf										
Unit Price	$5.000		$8.25		$20.000		$20.00		$18.00	
Extended Price		20,750.00		34,237.50		83,000.00		83,000.00		74,700.00
Line 31 Additional Controlled Low-Strength Material (CLSM), per specifications										
160 cy										
Unit Price	$80.000		$75.00		$135.000		$250.00		$150.00	
Extended Price		12,800.00		12,000.00		21,600.00		40,000.00		24,000.00
Line 32 Additional Subsurface Utility Engineering Test Holes (Level A), Owner-Authorized, per specifications										
10 ea										
Unit Price	$500.000		$720.00		$3,900.000		$5,000.00		$3,900.00	
Extended Price		5,000.00		7,200.00		39,000.00		50,000.00		39,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 33 Additional rock for Trench Foundation Stabilization, Owner-Authorized, per specifications										
200 cy										
Unit Price	$20.000		$50.00		$75.000		$150.00		$80.00	
Extended Price		4,000.00		10,000.00		15,000.00		30,000.00		16,000.00
Line 34 Obstruction Removal, Owner-Authorized, per specifications										
1 ea										
Unit Price	$5,000.000		$45,000.00		$96,000.000		$15,000.00		$6,600.00	
Extended Price		5,000.00		45,000.00		96,000.00		15,000.00		6,600.00
Line 35 Owner's Allowance for Unanticipated Problems During Construction, Owner-Authorized, per specifications										
1 ls										
Unit Price	$100,000.000		$100,000.000		$100,000.000		$100,000.000		$100,000.000	
Extended Price		100,000.00		100,000.00		100,000.00		100,000.00		100,000.00
Line 36 Utility Coordination Allowance, Owner-Authorized, per specifications										
1 ls										
Unit Price	$50,000.000		$50,000.00		$50,000.000		$50,000.00		$50,000.00	
Extended Price		50,000.00		50,000.00		50,000.00		50,000.00		50,000.00
Line 37 Debris/Obstruction Removal as part of Pipe Abandonment, Owner-Authorized, per specifications										
2 ea										
Unit Price	$5,000.000		$45,000.00		$96,000.000		$4,000.00		$90,000.00	
Extended Price		10,000.00		90,000.00		192,000.00		8,000.00		180,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Miscellaneous Add/Deduct Part A: Alignment 1 Bid										
To be distributed proportionally to all items in Part A unless specific items are to receive the additions/deductions as listed below: Items: 1,2,3, per										
1 ea										
Unit Price	($1,000,000.000)		$45,000.00		$96,000.000		$4,000.00		$90,000.00	
Extended Price		(1,000,000.00)		45,000.00		96,000.00		4,000.00		90,000.00
SUBTOTAL PART A ALIGNMENT 1 BID ITEMS 1-37		7,761,682.00		9,109,372.92		12,460,062.00		12,997,000.00		10,035,064.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Part B: Alignment 2 Bid (Items 1 through 50)										
Segment 1 - STA 1+00 (MH 27) to STA 75+11.05 (MH 23)										
- Open Cut Only										
Line 1a 30-inch FRP Wastewater Pipe by open cut, 0'-20' Depth, per specifications										
1,015 lf										
Unit Price	$500.000		$959.00		$600.000		$300.00		$500.00	
Extended Price		507,500.00		973,385.00		609,000.00		304,500.00		507,500.00
Line 1b 30-inch FRP Wastewater Pipe by open cut, 20'-30' Depth, per specifications										
2,481 lf										
Unit Price	$650.000		$959.00		$800.000		$350.00		$1,400.00	
Extended Price		1,612,650.00		2,379,279.00		1,984,800.00		868,350.00		3,473,400.00
Line 1c 30-inch FRP Wastewater Pipe by open cut, >30' Depth, per specifications										
3,915 ls										
Unit Price	$750.000		$959.00		$1,000.000		$450.00		$1,600.00	
Extended Price		2,936,250.00		3,754,485.00		3,915,000.00		1,761,750.00		6,264,000.00
Line 2 30-inch FRP Wastewater Pipe by Micro tunnel (MTBM) or Pilot Tube Auger Bore (PTAB), per specifications										
952 lf										
Unit Price	$1,500.000		$1,370.00		$900.000		$2,100.00		$1,700.00	
Extended Price		1,428,000.00		1,304,240.00		856,800.00		1,999,200.00		1,618,400.00
Line 3 Allowance for Mobilization and Demobilization , insurance, bonds and related ancillary costs, a maximum of 5 percent of the Contract Amount, per specifications										
1 ls										
Unit Price	$360,000.000		$500,000.00		$500,000.000		$250,000.00		$800,000.00	
Extended Price		360,000.00		500,000.00		500,000.00		250,000.00		800,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 4 Remove, Replace and salvage Existing 6-ft FRP Manholes (up to 20' deep), per specifications										
4 ea										
Unit Price	$3,000.000		$38,400.00		$35,000.000		$32,000.00		$46,000.00	
Extended Price		12,000.00		153,600.00		140,000.00		128,000.00		184,000.00
Line 5 New 6-ft FRP Manholes (Up to 20' deep), per specifications										
19 ea										
Unit Price	$40,000.000		$22,700.00		$34,000.000		$30,000.00		$36,000.00	
Extended Price		760,000.00		431,300.00		646,000.00		570,000.00		684,000.00
Line 6 New 6-ft FRP Manholes, Extra Depth (>20' deep), per specifications										
125 VF										
Unit Price	$200.000		$140.00		$600.000		$1,500.00		$4,400.00	
Extended Price		25,000.00		17,500.00		75,000.00		187,500.00		550,000.00
Line 7 Modified Manhole at STA 76+75.51, per specifications										
1 ea										
Unit Price	$5,000.000		$5,000.00		$6,000.000		$10,000.00		$1,700.00	
Extended Price		5,000.00		5,000.00		6,000.00		10,000.00		1,700.00
Line 8 Drop Connections at New Manholes, per specifications										
8 ea										
Unit Price	$4,000.000		$1,300.00		$7,500.000		$2,500.00		$6,600.00	
Extended Price		32,000.00		10,400.00		60,000.00		20,000.00		52,800.00
Line 9 21-inch PVC Sewer by Other-Than-Open-Cut, per specifications										
180 lf										
Unit Price	$1,000.000		$780.00		$910.000		$1,300.00		$1,700.00	
Extended Price		180,000.00		140,400.00		163,800.00		234,000.00		306,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 10 8-inch PVC Sewer by Open Cut, per specifications										
1,445 lf										
Unit Price	$100.000		$119.00		$115.000		$45.00		$110.00	
Extended Price		144,500.00		171,955.00		166,175.00		65,025.00		158,950.00
Line 11 15-inch PVC Sewer by Open Cut , per specifications										
100 lf										
Unit Price	$200.000		$130.00		$230.000		$60.00		$140.00	
Extended Price		20,000.00		13,000.00		23,000.00		6,000.00		14,000.00
Line 12 18-inch PVC Sewer PVC by Open Cut, per specifications										
50 lf										
Unit Price	$200.000		$120.00		$295.000		$80.00		$140.00	
Extended Price		10,000.00		6,000.00		14,750.00		4,000.00		7,000.00
Line 13 8-inch PVC Sewer Extensions along Ellen Hope Street, per specifications										
7 ea										
Unit Price	$1,000.000		$775.00		$10,000.000		$2,000.00		$100.00	
Extended Price		7,000.00		5,425.00		70,000.00		14,000.00		700.00
Line 14 8-inch PVC Water Pipe by Open Cut, per specifications										
1,730 lf										
Unit Price	$80.000		$70.00		$80.000		$55.00		$200.00	
Extended Price		138,400.00		121,100.00		138,400.00		95,150.00		346,000.00
Line 15 12-inch PVC Water Pipe by Open Cut, per specifications										
182 lf										
Unit Price	$100.000		$85.00		$100.000		$60.00		$1,200.00	
Extended Price		18,200.00		15,470.00		18,200.00		10,920.00		218,400.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 16 Removal of Existing Water Main, per specifications										
1,087 lf										
Unit Price	$10.000		$6.00		$25.000		$30.00		$17.00	
Extended Price		10,870.00		6,522.00		27,175.00		32,610.00		18,479.00
Line 17 Furnish and Install Fire Hydrant, Owner-Authorized, per specifications										
1 ea										
Unit Price	$5,000.000		$4,200.00		$3,500.000		$4,000.00		$7,200.00	
Extended Price		5,000.00		4,200.00		3,500.00		4,000.00		7,200.00
Line 18 Relocate and Reinstall Fire Hydrant, per specifications										
3 ea										
Unit Price	$7,000.000		$2,400.00		$3,500.000		$1,400.00		$3,700.00	
Extended Price		21,000.00		7,200.00		10,500.00		4,200.00		11,100.00
Line 19 Install New 8-inch Gate Valve, Owner-Authorized, per specifications										
2 ea										
Unit Price	$1,500.000		$2,400.00		$1,700.000		$2,800.00		$900.00	
Extended Price		3,000.00		4,800.00		3,400.00		5,600.00		1,800.00
Line 20 Install New 12-inch Gate Valve, Owner-Authorized, per specifications										
2 ea										
Unit Price	$2,000.000		$3,100.00		$2,500.000		$4,000.00		$1,800.00	
Extended Price		4,000.00		6,200.00		5,000.00		8,000.00		3,600.00
Line 21 Salvage and Reinstall Existing 8" & 12" Gate Valves, per specifications										
17 ea										
Unit Price	$1,500.000		$1,500.00		$2,600.000		$1,500.00		$7,800.00	
Extended Price		25,500.00		25,500.00		44,200.00		25,500.00		132,600.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 22 Remove/Salvage Existing Storm Inlets, Extend Existing Storm Drains along Ellen Hope Street, per										
2 ea										
Unit Price	$3,000.000		$37,000.00		$24,000.000		$1,700.00		$1,800.00	
Extended Price		6,000.00		74,000.00		48,000.00		3,400.00		3,600.00
Line 23 Existing Manhole Survey , per specifications										
1 ls										
Unit Price	$5,000.000		$15,000.00		$8,000.000		$5,500.00		$2,700.00	
Extended Price		5,000.00		15,000.00		8,000.00		5,500.00		2,700.00
Line 24 Inspection/Sampler of Pipe (Between MH 27 and MH 23), per specifications										
6 ea										
Unit Price	$10,000.000		$18,700.00		$95,000.000		$5,000.00		$15,000.00	
Extended Price		60,000.00		112,200.00		570,000.00		30,000.00		90,000.00
Line 25 Abandon Existing 30-inch VCP Sewer, per specifications										
1 ls										
Unit Price	$100,000.000		$57,000.00		$400,000.000		$150,000.00		$191,000.00	
Extended Price		100,000.00		57,000.00		400,000.00		150,000.00		191,000.00
Line 26 Abandon existing 6-ft FRP Manholes, per specifications										
8 ea										
Unit Price	$3,000.000		$4,500.00		$2,000.000		$5,000.00		$6,400.00	
Extended Price		24,000.00		36,000.00		16,000.00		40,000.00		51,200.00
Line 27 Remove and Salvage Existing 6-ft FRP Manholes, All Depths, per specifications										
1 ea										
Unit Price	$5,000.000		$2,500.00		$5,000.000		$7,000.00		$36,000.00	
Extended Price		5,000.00		2,500.00		5,000.00		7,000.00		36,000.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 28 Special Manhole Abandonment at STA 2+58 on 8-inch Lateral, per specifications										
1 ea										
Unit Price	$3,000.000		$3,100.00		$1,500.000		$10,000.00		$6,200.00	
Extended Price		3,000.00		3,100.00		1,500.00		10,000.00		6,200.00
Line 29 Remove Existing 30" Sewer Line, per specifications										
410 lf										
Unit Price	$30.000		$52.00		$30.000		$75.00		$1,140.00	
Extended Price		12,300.00		21,320.00		12,300.00		30,750.00		467,400.00
Line 30 Bypass Pumping, per specifications										
1 ls										
Unit Price	$100,000.000		$100,000.00		$450,000.000		$50,000.00		$48,000.00	
Extended Price		100,000.00		100,000.00		450,000.00		50,000.00		48,000.00
Line 31 Furnish, Install and Maintain Trench Safety System complying with OSHA rules and regulations, per										
9,900 lf										
Unit Price	$1.000		$0.01		$1.000		$190.00		$1.00	
Extended Price		9,900.00		99.00		9,900.00		1,881,000.00		9,900.00
Line 32 Pipe Shoring, per specifications										
13,000 sf										
Unit Price	$2.000		$5.00		$2.000		$100.00		$1.00	
Extended Price		26,000.00		65,000.00		26,000.00		1,300,000.00		13,000.00
Line 33 Trenchless Construction Shafts, per specifications										
6 ea										
Unit Price	$50,000.000		$54,000.00		$25,000.000		$125,000.00		$27,600.00	
Extended Price		300,000.00		324,000.00		150,000.00		750,000.00		165,600.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 34 Geotechnical Instrumentation, per specifications										
1 ls										
Unit Price	$5,000.000		$4,000.00		$10,000.000		$70,000.00		$10,100.00	
Extended Price		5,000.00		4,000.00		10,000.00		70,000.00		10,100.00
Line 35 Storm Water Pollution Prevention Plan, per specifications										
1 ls										
Unit Price	$30,000.000		$24,000.00		$24,000.000		$55,000.00		$30,500.00	
Extended Price		30,000.00		24,000.00		24,000.00		55,000.00		30,500.00
Line 36 Temporary Odor Control, per specifications										
1 ls										
Unit Price	$15,000.000		$5,000.00		$5,000.000		$15,000.00		$102,000.00	
Extended Price		15,000.00		5,000.00		5,000.00		15,000.00		102,000.00
Line 37 Traffic Control Plan, per specifications										
1 ls										
Unit Price	$30,000.000		$53,000.00		$15,000.000		$40,000.00		$69,000.00	
Extended Price		30,000.00		53,000.00		15,000.00		40,000.00		69,000.00
Line 38 Pre-Construction Video, per specifications										
1 ls										
Unit Price	$10,000.000		$10,000.00		$5,000.000		$5,000.00		$6,000.00	
Extended Price		10,000.00		10,000.00		5,000.00		5,000.00		6,000.00
Line 39 Sodding, per specifications										
1,630 sy										
Unit Price	$2.000		$10.00		$30.000		$12.00		$10.00	
Extended Price		3,260.00		16,300.00		48,900.00		19,560.00		16,300.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 40 Hydromulch , per specifications										
18 ac										
Unit Price	$3,000.000		$4,800.00		$5,500.000		$6,000.00		$1,600.00	
Extended Price		54,000.00		86,400.00		99,000.00		108,000.00		28,800.00
Line 41 Pavement Replacement/Repair, per specifications										
1,820 sy										
Unit Price	$30.000		$20.50		$60.000		$600.00		$170.00	
Extended Price		54,600.00		37,310.00		109,200.00		1,092,000.00		309,400.00
Line 42 Pavement Resonation along Ellen Hope Street (West Side), per specifications										
1,270 sy										
Unit Price	$30.000		$20.50		$60.000		$500.00		$170.00	
Extended Price		38,100.00		26,035.00		76,200.00		635,000.00		215,900.00
Line 43 Sidewalk Replacement/Repair, per specifications										
4,600 sf										
Unit Price	$5.000		$8.25		$20.000		$20.00		$16.00	
Extended Price		23,000.00		37,950.00		92,000.00		92,000.00		73,600.00
Line 44 Additional Controlled Low-Strength Material (CLSM), Owner-Authorized, per specifications										
900 cy										
Unit Price	$80.000		$75.00		$135.000		$250.00		$90.00	
Extended Price		72,000.00		67,500.00		121,500.00		225,000.00		81,000.00
Line 45 Additional Subsurface Utility Engineering Test Holes (Level A), Owner-Authorized, per specifications										
22 ea										
Unit Price	$500.000		$720.00		$3,900.000		$5,000.00		$900.00	
Extended Price		11,000.00		15,840.00		85,800.00		110,000.00		19,800.00

To be awarded as one lot	Spiess Construction Co Inc		SJ Louis Construction of Texas LTD		Utility Contractors of America Inc		Kajacs Contractors Inc		BRH-Garver Construction LP	
Line 46 Additional Rock for Trench Foundation Stabilization, Owner-Authorized, per specifications										
350 cy										
Unit Price	$20.000		$50.00		$75.000		$150.00		$100.00	
Extended Price		7,000.00		17,500.00		26,250.00		52,500.00		35,000.00
Line 47 Obstruction Removal, Owner-authorized, per specifications										
1 ea										
Unit Price	$5,000.000		$45,000.00		$96,000.000		$15,000.00		$6,000.00	
Extended Price		5,000.00		45,000.00		96,000.00		15,000.00		6,000.00
Line 48 Owner's Allowance for Unanticipated Problems During Construction, owner-Authorized, per specifications										
1 ls										
Unit Price	$100,000.000		$100,000.00		$100,000.000		$100,000.00		$100,000.00	
Extended Price		100,000.00		100,000.00		100,000.00		100,000.00		100,000.00
Line 49 Utility Coordination Allowance, Owner-Authorized, per specifications										
1 ls										
Unit Price	$50,000.000		$50,000.00		$50,000.000		$50,000.00		$50,000.00	
Extended Price		50,000.00		50,000.00		50,000.00		50,000.00		50,000.00
Line 50 Debris/Obstruction Removal as part of Pipe Abandonment, Owner-Authorized, per specifications										
2 ea										
Unit Price	$5,000.000		$45,000.00		$96,000.000		$4,000.00		$82,000.00	
Extended Price		10,000.00		90,000.00		192,000.00		8,000.00		164,000.00

To be awarded as one lot	Spiess Construction Co Inc	SJ Louis Construction of Texas LTD	Utility Contractors of America Inc	Kajacs Contractors Inc	BRH-Garver Construction LP
Miscellaneous Add/Deduct Part B: Alignment 2					
To be distributed proportionally to all items in Part A unless specific items are to receive the additions/deductions as listed below: Items 1,2, per specifications					
1 ea					
Unit Price	($780,000.000)	$50,000.00	$50,000.000	$50,000.00	$50,000.00
Extended Price	(780,000.00)	50,000.00	50,000.00	50,000.00	50,000.00
SUBTOTAL PART B: ITEMS 1-50	8,655,030.00	4,495,866.00	5,874,450.00	10,673,415.00	7,568,729.00
Bid Total	16,416,712.00	9,109,372.92	12,460,062.00	12,997,000.00	10,035,064.00

Award by Vendor	8,655,030.00
Change Order #1	(89,103.16)
Change Order #3	(136,300.00)
Change Order #4 (**Additional 45 Calendar Days**)	0.00
Change Order #5	(500,143.85)
Revised Amount	7,929,482.99

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Amarillo City Council
Agenda Transmittal Memo

CITY OF AMARILLO
CITY MANAGER

Meeting Date	12/10/19	**Council Priority**	Advancing of Best Practices
Department	Community Development		
Contact	Juliana Kitten, Director of Community Development		

Agenda Caption

Consider acceptance of the Homeless Management Information System Capacity Building Grant received from HUD

Agenda Item Summary

This grant will assist the Community Development Department, as the lead administer for the City of Amarillo's HMIS system, to enhance the capacity of all homeless service agencies in the community utilizing HMIS through standardized data collection and sharing. This will be done through training, technical assistance and data clean-up. This award will allow us to create the HUD mandated coordinated entry system for the community

Requested Action

Acceptance of the HUD HMIS Capacity Building Grant

Funding Summary

Total funding is $143,860.00 over a period of two years from October 1, 2019 until September 30, 2021.

Community Engagement Summary

Homeless Service providers have an increased understanding of HMIS and how to best utilize it. This grant allows Community Development to support their efforts as well as increase our compliance with HUD's expectations, which ultimately will lead to increased funding opportunities for our community homeless service providers

Staff Recommendation

Acceptance of the HUD HMIS Capacity Building Grant

Homeless Management Information System Capacity Building Project
Grant Agreement

1. **DUNS : 650328070000**
2. **Tax ID No.: 75-6000444**
3. **Recipient name: City of Amarillo**
4. **Continuum of Care No. : TX-611**
5. **Federal Award Date/Period of Performance Start Date:** SEP 30 2019
6. **Grant No.: TX0541H6T111800**
7. **CFDA Number:** 14.261
8. **Is the award R&D?** No

Article I

This Grant Agreement between the United States Department of Housing and Urban Development (HUD) and **City of Amarillo** (the Recipient) is made under the authority of Division K of the Consolidated and Further Continuing Appropriations Act, 2017 (Public Law 115-31) and the Fiscal Year (FY) 2017 Homeless Management Information Systems Capacity Building Project NOFA, FR-6100-N-40 (the NOFA), which can be accessed at https://www.hud.gov/sites/dfiles/SPM/documents/fy2017hmis.pdf.

The following are attached to and made a part of this Grant Agreement:

_____ Attachment 1 - Project Plan and Project Budget

and

_____ Appendix 1 - Award Term for Reporting Subawards and Executive Compensation
_____ Appendix 2 – Indirect Cost Rate Schedule
_____ Appendix 3 – Performance Schedule

Article II

A. Definitions.

a. "Application" means the application submissions on the basis of which the Grant was approved by HUD, including the certifications, assurances, and any information or documentation required to meet any Grant award condition.

b. "Continuum of Care" (CoC) means the group organized to carry out the responsibilities under 24 CFR part 578 and that is composed of representatives of organizations, including nonprofit homeless providers, victim service providers, faith based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless

veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate.

c. "Collaborative Applicant" means the private nonprofit organization, State, local government, or instrumentality of State and local government that has been designated by the CoC to apply for a grant for CoC planning funds under 24 CFR part 578 on behalf of the CoC.

d. "Homeless Management Information System" (HMIS) means the information system designated by the CoC to comply with the requirements of the McKinney-Vento Act, 24 CFR part 578, and other HMIS requirements prescribed by HUD, and is used to record and analyze client, service, and housing data for individuals and families who are homeless or at risk of homelessness.

e. "HMIS Consolidation" means creating a single HMIS, governed by a shared HMIS governance charter, from two or more HMIS that were independently governed by their own HMIS governance charters.

f. "HMIS End User" means an individual who enters or uses data in an HMIS or a comparable database approved by the CoC.

g. "HMIS Lead" means a private nonprofit organization, State, local government, or instrumentality of State or local government designated by the CoC in accordance with 24 CFR part 578 to operate the CoC's HMIS on its behalf.

h. "HMIS Software Change" is a process in which a CoC designates a new HMIS software and then transfers project, client, and service data from the original HMIS product to a different HMIS product.

B. **Project.** Recipient must use its Grant Funds to complete the HMIS improvement project described in Attachment 1 (the Project), in accordance with the Budget in the Attachment, and only for costs of eligible activities under IV.F of the NOFA.

C. **Budget.** The Secretary agrees, subject to the terms of the Grant Agreement, to provide the Grant Funds in the amount specified below for the Project. HUD's total fund obligation for the Project is **$143,860**, which shall be allocated as described in the Attachment 1 Budget.

D. **Changes.** The Recipient must not make any significant change to the Project Plan and Budget without prior HUD approval, evidenced by a Grant amendment signed by HUD and the Recipient. Significant changes are a change of Recipient, a change of project site, additions or deletions in the types of eligible activities approved, a shift of more than 10 percent from one Budget Line Item on the Attachment 1 Project Budget to another, a reduction in the activities being undertaken, and any other change to the Project.

E. **Performance.** The Recipient must comply with the Performance Schedule established in Appendix 3 and must complete the Project no later than the Period of Performance End Date. Upon completion of the Project, the Recipient's HMIS must be able to unduplicate client records, collect all data standards established in the most recent HUD Data Standards (https://www.hudexchange.info/resource/3824/hmis-data-dictionary/), maintain historical data, archive data, generate .CSV files for Annual Performance Reports

(APR) and Consolidated Annual Performance and Evaluation Report (CAPER) submission, generate System Performance Measure table shells, and generate .CSV files for the 2018, or subsequent, Longitudinal Systems Analysis (LSA) submission as defined in the 2018, or subsequent, LSA programming specifications. (https://www.hudexchange.info/resource/5726/lsa-report-specifications-and-tools/).

F. **Technical Assistance (TA) Requirements.** HUD will make TA to help the Recipient perform under the Grant Agreement available throughout the term of the Grant Agreement. Recipients required to receive TA must provide to the TA provider a monthly status update on the Recipient's activities and milestones, and the Recipient must work with the TA provider to ensure both that the Project Plan, including Accomplishments, described in Attachment 1, is completed and that all instances of non-compliance with HUD's HMIS requirements are resolved by the end of the period of performance. If the Recipient's Project Plan includes HMIS Consolidation or HMIS functionality changes, the Recipient agrees to receive HUD-funded TA . If the Recipient's Project Plan includes HMIS Consolidation or HMIS functionality changes, the Recipient must submit its HMIS Governance Charter and HMIS Policies and Procedures to a HUD-funded TA provider for review by the deadline specified in Appendix 3. Upon receiving the TA provider's comments and recommendations, the Recipient must review each comment and recommendation identified by the TA provider and must correct all instances of non-compliance with HUD's HMIS requirements. The Recipient acknowledges that the TA provider's review and recommendations are provided solely to improve the capacity of the Recipient and its CoC to meet applicable HMIS requirements, including Governance Charter requirements and HMIS Data and Technical Standards.

G. **CoC Governance Charter.** Recipient must revise and update the applicable governance charter(s) (required by 24 CFR 578.7(a)(5)) within 12 months of the Federal Award Date to meet the following standards and obtain CoC and HUD approval of the updated governance charter(s) within the 12-month period:

a. Identifies a single designated HMIS Lead, along with the process for identifying the HMIS Lead;
b. Specifies the CoC(s) responsible for entering into the HMIS Lead agreement with the HMIS Lead;
c. Specifies the responsibilities and relationships between the CoC(s), HMIS Lead, and other participants relevant to the HMIS;
d. Specifies how the CoC(s) and the HMIS Lead will work together to establish, support, and manage the HMIS in a manner that meets HUD's standards for data quality, privacy, and security;
e. Outlines the process the HMIS Lead will follow to develop and maintain required HMIS policies and standards related to functionality, privacy, security, and data quality;
f. Requires that the HMIS Lead enter into written HMIS End User agreements with each organization that participates in and contributes data to the HMIS, which

organizations are also known as Contributing Homeless Organizations (CHOs); and

g. Specifies HMIS End User fee charged of CHOs by the Continuums(s) or HMIS Lead, if any, and the basis for the fee.

H. **HMIS Consolidation Project Memorandum of Understanding (MOU).** If the Recipient's Project includes HMIS Consolidation the Recipient must ensure that each Collaborative Applicant, UFA, and HMIS Lead involved in the consolidation is carrying out its respective roles and responsibilities as provided in the MOU required by Article III.E.6 of the NOFA throughout the term of the Grant Agreement.

I. **Program Income.** Costs that are incidental to the generation of program income, as defined under 2 CFR 200.80, and that are not paid with Grant Funds may be deducted from gross income when determining program income for purposes of this Grant Agreement. The share of program income generated by the Project that is proportional to the share of total Project costs paid with Grant Funds must be treated as an addition to the Grant Funds and used for the purposes and under the conditions of this Grant Agreement. The Recipient must expend available program income before drawing down Grant Funds, as required by 2 CFR 200.305.

J. **Reporting.** Every three months during the Period of Performance, the Recipient must submit performance reports to HUD and must include a completed Federal financial report as part of, and an attachment to, each performance report. During the Period of Performance, the Recipient must submit these reports within 30 days following the end of each three-month period. The Recipient must submit its final performance report, including the final financial report, within 90 days after the Period of Performance End Date. If HUD determines more frequent reporting is necessary for the effective monitoring of the Recipient's performance or use of funds under this Grant Agreement, HUD may require the Recipient to submit its performance reports on a monthly basis. The performance reports must contain the information required under 2 CFR 200.328(b)(2), including a comparison of actual accomplishments to the objectives indicated in the Recipient's approved application, the reasons why established goals were not met, and additional pertinent information including analysis and explanation of cost overruns, high unit costs, or lack of drawdowns over the three-month period covered in the performance report. Financial reports must be submitted using the Federal Financial Report (SF-425), or such other reports as HUD may require and as approved by OMB and listed on the OMB Web site at https://www.whitehouse.gov/omb/. If a report submission is insufficient, HUD will reject the report and notify the Recipient in writing of the corrections the Recipient must make. HUD may suspend the Recipient's ability to draw down Grant Funds while the Recipient has an overdue performance or financial report.

K. **Indirect Costs.** The Recipient must complete Appendix 2, the "Indirect Cost Rate Schedule" and return it to HUD with this Grant Agreement. The Recipient must provide HUD with a revised schedule when any change is made to the rate(s) included in the schedule. The schedule and any revisions HUD receives from the

Recipient are incorporated into and made part of this Grant Agreement, provided that each rate included satisfies the applicable requirements under 2 CFR part 200 (including appendices).

Article III

A. **2 CFR Part 200.** The Recipient and each subrecipient under this Grant must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200, as now in effect and as may be amended from time to time. These requirements include, but are not limited to, the requirements at 2 CFR 200.317 – 200.326 (Procurement Standards), 2 CFR Part 200, Subpart E (Cost Principles), and 2 CFR Part 200, Subpart F (Audit Requirements). The Recipient must notify HUD upon any change in the Recipient's indirect cost rate during the Period of Performance, so that HUD can amend the Grant Agreement, if necessary, to reflect the change.
B. **Compliance with Civil Rights Laws.** As applicable, the activities undertaken under the Grant Agreement are subject to Title VI of the Civil Rights Act of 1964 and implementing regulations at 24 CFR part 1, Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8, and the Age Discrimination Act and implementing regulations at 24 CFR part 146.
C. **Equal Participation of Faith-based Organizations in HUD Programs and Activities.** The Recipient must comply with 24 CFR 5.109.
D. **Real Property Acquisition and Relocation.** The Recipient must comply with 49 CFR part 24.
E. **Compliance with Transparency Act**. The Recipient must comply with the Award Term for Reporting Subawards and Executive Compensation, which is attached as Appendix I to this Grant Agreement.
F. **Debarment and Suspension**. The Recipient must comply with 2 CFR Part 2424.
G. **Participation in HUD-Sponsored Program Evaluation.** The Recipient agrees to cooperate with all HUD staff, contractors, or designated grantees that perform HUD-funded research or evaluation studies.
H. **Drug-Free Workplace.** The Recipient must comply with drug-free workplace requirements in 2 CFR Part 2429, which adopts the governmentwide implementation (2 CFR part 182).
I. **Conflicts of Interest.** The Recipient must disclose in writing any potential conflict of interest to HUD. The Recipient and any subrecipient under this Grant must have written standards of conduct for procurements that meet all requirements in 2 CFR 200.318(c). In cases not governed by 2 CFR 200.318(c), the Recipient and its subrecipient(s) must comply with the following conflict of interest requirements:

    a. General prohibition. No person who is an employee, agent, consultant, officer, or official of the Recipient or subrecipient and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the

activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or for one year thereafter. Immediate family ties include the following relations of the person, whether by blood, marriage or adoption: spouse, parent (including a stepparent), child (including a stepchild), sibling (including a stepbrother or stepsister), grandparent, grandchild, and in-laws.

b. Exceptions. HUD may grant an exception to the General Prohibition (described in paragraph (a)) upon the Recipient's written request and satisfaction of the Threshold Requirements for Exceptions (described in paragraph (c)), if HUD determines the exception will further the Federal purpose of the Grant and the effective and efficient administration of the Grant-funded activities, taking into account the cumulative effects of the Factors To Be Considered for Exceptions (described in paragraph (d)).

c. Threshold Requirements for Exceptions. HUD will consider an exception only after the Recipient has provided the following documents:
    i. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
    ii. An opinion of the Recipient's attorney that the interest for which the exception is sought would not violate State or local law.

d. Factors to Be Considered for Exceptions. In determining whether to grant a requested exception after the Recipient has satisfactorily met the Threshold Requirements for Exceptions (described in paragraph (c)), HUD will consider the cumulative effect of the following factors, where applicable:
    i. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program that would otherwise not be available;
    ii. Whether an opportunity was provided for open competitive bidding or negotiation;
    iii. Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
    iv. Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;
    v. Whether the interest or benefit was present before the affected person was in a position as described in paragraph (a);
    vi. Whether undue hardship will result either to the Recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
    vii. Any other relevant considerations.

J. **Prohibition Against Lobbying Activities.** The Recipient must comply with the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment) and 24 CFR Part 87, which prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, loan, or cooperative agreement. The Recipient must include in its award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements), the requirements for the certification required by Appendix A to 24 CFR Part 87 and for disclosure using Standard Form- LLL (SF-LLL), "Disclosure of Lobbying Activities." In addition, the Recipient must obtain the executed certification required by Appendix A and an SF-LLL from all covered persons. "Person" is as defined by 24 CFR Part 87.

K. **Environmental Requirements.** As provided in Section VI.B.10 of the NOFA, the activities funded under this Grant Agreement are categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to environmental review under related laws and authorities.

Article IV.

A. **Noncompliance.** If HUD determines preliminarily that the Recipient or one of its subrecipients has not complied with the terms and conditions of the Grant Agreement, HUD will give the Recipient notice of this determination and an opportunity to demonstrate, within the time prescribed by HUD, and on the basis of substantial facts and data, that the Recipient has complied with the requirements. Upon preliminary determination HUD may change the method of payment to reimbursement and require the Recipient to submit documentation before payment and obtain HUD's prior approval each time the Recipient draws down funds. To obtain prior approval, the Recipient may be required to manually submit its payment requests and supporting documentation to HUD in order to show that the funds to be drawn down will be expended on eligible activities in accordance with the Grant Agreement. If the Recipient fails to demonstrate to HUD's satisfaction within the prescribed time that the activities were carried out in compliance with the Grant Agreement, HUD may impose additional conditions, as described in 2 CFR §200.207, or take one or more of the actions described in 2 CFR 200.338, or require the Recipient to receive HUD-funded TA, or may terminate the grant.

B. **Closeout.** The grant will be closed out in accordance with 2 CFR part 200. No later than 90 days after the Period of Performance End Date, unless HUD grants an extension, the Recipient must provide to HUD the following, in the format(s) approved by HUD:
   a. A certification of completion of all activities;
   b. A certification of compliance with all requirements of the Grant Agreement;
   c. A report of the amount and types of costs charged to the Grant and a certification that the costs meet the allowability and allocability requirements of 2 CFR Part 200, Subpart E.

d. The final performance report, including as an attachment the final financial report.

C. **Continuing requirements**. Closeout of the Grant shall not affect the Recipient's record retention responsibilities under 2 CFR 200.333 or any other continuing responsibilities of the Recipient under this Grant Agreement. When original or replacement equipment acquired under this Grant Agreement is no longer needed for the activities described in the application or activities supported by HUD, the Recipient shall request disposition instructions from HUD.

Article V

A. **Notice.** All notices, requests, demands, reports, and other communications which are required or permitted to be given under this Grant Agreement must be in writing and sent by email to the addresses listed below. All such notices, requests, demands, reports and other communications shall be effective upon the date the email is sent. Either party to this Grant Agreement may change such party's address for purposes of this Section by sending to the other party to this Grant Agreement written notice of the new address in the manner specified in this Section.

If to HUD, to: HMISNOFA@hud.gov

If to Recipient, to: amy.dixon@amarillo.gov

B. **Entire Agreement.** This Grant Agreement constitutes the entire agreement between the parties hereto and may be amended only in writing executed by HUD and the Recipient.

This agreement is hereby executed on behalf of the parties as follows:

UNITED STATES OF AMERICA,
Secretary of Housing and Urban Development

BY: _____
(Signature)

Jemine A. Bryon, Deputy Assistant Secretary for Special Needs
(Name and Title of Authorized Official)

SEP 30 2019
_____
(Date)

RECIPIENT

_____
(Name of Organization)

BY: _____
(Signature of Authorized Official)

_____
(Name and Title of Authorized Official)

_____
(Date)

Attachment 1

Project Plan and Project Budget: City of Amarillo - TX-611

Project Plan, including Activity, Outcomes and Completion Date

Budget Line Item Category	Activity	Outcome	Completion (time from award date)
1	Introducing Skanpoint to help providers with Null Data and missing Universal Data Elements (UDEs)	HMIS software provider configures existing HMIS with Skanpoint and HMIS Lead staff or HMIS software provider trains end users on usage and provides card printer, 1,000 card and toner as well as handheld scanner to end user agencies.	6 months
1	Configuring UDEs to show up in bold	HMIS software provider configures existing HMIS to emphasize required data elements for end users	6 months
1	Rebuilding provider tree structures in HMIS and updating Coordinated Entry (CE) functionality	HMIS software provider reconfigures provider tree structures and adds CE functionality to existing HMIS per HMIS Lead requirements	10 months
1	Updating visibility settings to assist with CE process	HMIS software provider updates visibility settings per HMIS Lead requirements	10 months
1	Creating "by name list" functionality in HMIS	HMIS software provider adds "by name list" functionality to existing HMIS per HMIS Lead requirements	24 months
2	Closing all open entries prior to 1/1/2015	HMIS software provider updates all open entries back to 1/1/2015.	3 months
2	Cleaning null data in existing data records	HMIS software provider cleans all null data in existing records	8 months
2	Creating train the trainer model	HMIS Lead staff establishes "train the trainer" curriculum and plan to train all agency administrators who can train staff at each end user agency	24 months
2	Training end users	HMIS Lead staff train all end users on universal data elements and basic use of HMIS	24 months

3	Training of HMIS staff and CoC leads through attendance at the annual WellSky User conference, HUD Data Academy and the National Human Data Consortium	A minimum of six (6) units of training are obtained by attendance of two (2) HMIS or CoC staff at three (3) HUD approved trainings, including some combination of the following: Vulnerability assessment tool training with DESC, WellSky User Conference, NHSDC conference, HUD Data Academy or other HUD approved trainings	24 months

Project Budget and Budget Line Items (BLI)

The parties agree this Attachment contains the approved budget for the project. Differences from the budget proposal contained in the applicant's phase 2 application and this Attachment are intentional. Any conflict between the applicant's phase 2 budget proposal and this Attachment will be resolved by adhering to this Attachment.

Budget Line Items* (bold) and sub-activities (unbolded)	Amount Awarded
1. BLI: Upgrading, customizing, and configuring existing HMIS's functionality	**74,240**
Skanpoint configuration and training plus equipment***	29,120
Bolding UDEs	4,250
Updating provider trees	15,750
Updating visibility settings	8,750
Creating by name list	16,370
2. BLI: Improving HMIS data quality so that it meets HUD's HMIS data and performance standards and the CoC's data needs	**49,620**
Closing open data entries	11,250
Cleaning null data	23,370
Creating train the trainer	7,500
Training end users	7,500
3. BLI: Training of HMIS Lead staff and CoC Leadership through participation in HUD approved training event(s)	**20,000**
Attend annual WellSky User Conference and National Human Data Consortium training/conference. System admin training, Conference attendance, Vulnerability Assessment Tool training with DESC	20,000
4. BLI: Activities necessary to complete an HMIS consolidation	**$0**
5. BLI: Indirect administrative cost	**$0**
Total Budget	**143,860**

*Budget Line Item changes greater than ten percent (10%) require HUD approval. Note that the 10% applies to Budget Line Items and not to each activity listed underneath each Budget Line Item.

***The Recipient must retain ownership of all hardware and software purchased with HMIS Capacity Building NOFA funds for these costs to be eligible.

Appendix 1

Award Term for Reporting Subawards and Executive Compensation

a. Reporting of first-tier subawards.
1. Applicability. Unless the Recipient is exempt as provided in paragraph d. of this Award Term, the Recipient must report each action that obligates $25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this Award Term).
2. Where and when to report.
i. The Recipient must report each obligating action described in paragraph a.1. of this award term to http://www.fsrs.gov.
ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report. The Recipient must report the information about each obligating action that the submission instructions posted at http://www.fsrs.gov specify.

b. Reporting Total Compensation of Recipient Executives.
1. Applicability and what to report. The Recipient must report total compensation for each of the Recipient's five most highly compensated executives for the preceding completed fiscal year, if—
i. the total Federal funding authorized to date under this award is $25,000 or more;
ii. in the preceding fiscal year, the Recipient received—
(A) 80 percent or more of the Recipient's annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)
2. Where and when to report. The Recipient must report executive total compensation described in paragraph b.1. of this award term:
i. As part of the Recipient's registration profile at https://www.sam.gov
ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless the Recipient is exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, the Recipient shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
i. in the subrecipient's preceding fiscal year, the subrecipient received—
(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at
http://www.sec.gov/answers/execomp.htm.)
2. Where and when to report. The Recipient must report subrecipient executive total compensation described in paragraph c.1. of this award term:
i. To http://www.fsrs.gov
ii. By the end of the month following the month during which the Recipient makes the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), the Recipient must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions
If, in the previous tax year, the Recipient had gross income, from all sources, under $300,000, the Recipient is exempt from the requirements to report:
i. Subawards,
and
ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions.
For purposes of this award term:
1. *Entity* means all of the following, as defined in 2 CFR part 25:
i. A Governmental organization, which is a State, local government, or Indian tribe;
ii. A foreign public entity;
iii. A domestic or foreign nonprofit organization;
iv. A domestic or foreign for-profit organization;
v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. *Executive* means officers, managing partners, or any other employees in management positions.
3. *Subaward*:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which the Recipient received this award and that the Recipient awards to an eligible subrecipient.
ii. The term does not include the Recipient's procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
iii. A subaward may be provided through any legal agreement, including an agreement that the Recipient or a subrecipient considers a contract.4. *Subrecipient* means an entity that:
i. Receives a subaward from the Recipient under this award; and
ii. Is accountable to the Recipient for the use of the Federal funds provided by the subaward.
5. *Total compensation* means the cash and noncash dollar value earned by the executive during the Recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
i. Salary and bonus.
ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
v. Above-market earnings on deferred compensation which is not tax-qualified.
vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

Appendix 2

INDIRECT COST RATE SCHEDULE

Agency/department/major function	Indirect cost rate (%)	Type of Direct Cost Base
	%	
	%	
	%	

Instructions: This schedule must include each indirect cost rate that will be used to calculate the Recipient's indirect costs under the Grant. The schedule must also specify the type of direct cost base to which each included rate applies (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rate information for subrecipients.

For government entities, enter each agency or department that will carry out activities under the Grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR 200.414), and the type of direct cost base to which the rate will be applied.

For nonprofit organizations that use the Simplified Allocation Method for indirect costs or elect to use the de minimis rate of 10% of Modified Total Direct Costs in accordance with 2 CFR 200.414, enter the applicable indirect cost rate and type of direct cost base in the first row of the table.

For nonprofit organizations that use the Multiple Base Allocation Method, enter each major function of the organization for which a rate was developed and will be used under the Grant, the indirect cost rate applicable to that major function, and the type of direct cost base to which the rate will be applied.

To learn more about the indirect cost requirements, see 2 CFR part 200, subpart E; Appendix IV to Part 200 (for nonprofit organizations); and Appendix VII to Part 200 (for state and local governments).

Appendix 3

PERFORMANCE SCHEDULE

Grant Agreement Deliverable	Due Date
Recipients required to receive HUD-assigned Technical Assistance (TA)*	
Meet with HUD-assigned TA provider to agree on level and frequency of TA support needed	30 days after the Federal Award Date
Provide status update on activities and milestones to TA provider	30 days after the Federal Award Date and every 30 days thereafter.
Submit current CoC Governance Charter and HMIS Policies and Procedures to assigned TA provider for review	30 days after the Federal Award Date
Submit updated CoC Governance Charter and HMIS Policies and Procedures to HUD, including documentation evidencing a review of each comment and recommendation identified by the TA provider and correction of all instances of non-compliance with Article II.G. standards and HUD's HMIS requirements.	9 months after the Federal Award Date
CoC Governance Charter must meet Article II.G. standards.	12 months after the Federal Award Date
Submit performance reports, including financial reports	90 days after the Federal Award Date and every 90 days thereafter.
Complete all activities	24 months after the Federal Award Date
Recipients not receiving HUD-assigned TA or voluntarily receiving HUD-assigned TA	
Submit CoC Governance Charter and HMIS Policies and Procedures to HUD for review	6 months after the Federal Award Date
CoC Governance Charter must meet Article II.G. standards.	12 months after the Federal Award Date
Submit performance reports, including financial reports	Starting 90 days after the Federal Award Date and every 90 days thereafter.
Complete all activities	24 months after the Federal Award Date

**For Grant Agreements that include HMIS Consolidations or HMIS functionality changes the Recipient must receive HUD-funded TA throughout the term of the Grant Agreement. HUD has not approved software changes without HMIS Consolidation.*

Amarillo City Council
Agenda Transmittal Memo

A

Meeting Date	December 10, 2019	**Council Priority**	Civic Pride
Department	Parks & Recreation		
Contact	Michael Kashuba, Director of Parks and Recreation		

Agenda Caption

CONSIDERATION OF ORDINANCE 7832
(Contact: Michael Kashuba, Director of Parks and Recreation)
This is a first reading of an ordinance adopting revised fees for Parks and Recreation by amending Amarillo Municipal Code, Title XII, Chapter 12-1, 12-2, 12-3 and 12-4 concerning Parks and Recreation Fees.

Agenda Item Summary

Staff is requesting the adoption of fee revisions that were proposed during the annual budget process.

Requested Action

Approve the first reading of Ordinance 7832.

Funding Summary

N/A

Community Engagement Summary

Park Board Engagement:
5/21/2019 – Staff presented the proposed 2019-20 Department Fees to the Park Board.

Staff Recommendation

Staff recommends approval of proposed fees.

12/5/19 BSM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, AMENDING CHAPTERS 12-1, 12-2, 12-3, AND 12-4 CONCERNING PARK AND RECREATION FEES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Amarillo Parks and Recreation Department wishes to adopt and amend various user fees related to park programs; and

WHEREAS, the City Council finds that it is necessary and proper to establish user fees to be charged for the use of the City's public parks and recreational facilities.

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

SECTION 1. That, Chapter 12-1, Article I, Section 12-1-1, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 12-1-1. - Athletic team and player fees.

Each team and player shall pay to the Parks Department the seasonal fee specified below prior to using a city facility or park for a team or league activity

Softball: (Spring/Fall)	
Team	$400.00
Players Fee	$15.00
Late Registration	$50.00
Volleyball: (Indoor)	
Team	$225.00
Players Fee	$15.00
Late Registration	$25.00

~~Summer:~~ Volleyball (Outdoor)	
Team	$150.00
Players Fee	$15.00
Late Registration	$25.00
~~Fall:~~	
~~Team~~	~~$130.00~~
~~Players Fee~~	~~$15.00~~
~~Winter:~~	
~~Team~~	~~$200.00~~
~~Players Fee~~	~~$15.00~~
~~Grass Volleyball:~~	
~~Team~~	~~$80.00~~
~~Players Fee~~	~~$15.00~~
Basketball:	
Team	$375.00
Players Fee	$15.00
~~#1 Men's Team~~	~~$485.00~~
~~Players Fee~~	~~$15.00~~

Late Registration	~~$25.00~~ $50.00
~~Track:~~	
~~Per participant~~	~~$20.00~~
~~Flag Football:~~	
~~Team (8 vs. 8)~~	~~$360.00~~
~~Players Fee (after 15 players)~~	~~$15.00~~
Softball - Summer	
Team	$300.00
Each Additional Player beyond 16	$15.00
Late Registration	$50.00

SECTION 2. That Chapter 12-1, Article I, Section 12-1-2, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 12-1-2. - Tennis center.

The following fees are authorized to be collected for tennis. Annual permits are valid for one year from date of purchase.

a.	Outdoor Court Fees (per 90 minutes per person)	$3.00, before 5:30 p.m. and $3.50, after 5:30 p.m.
b.	Senior Outdoor Court, Monday—Friday (Per 90 minutes per person)	$2.00, 9:00 a.m. to 3:00 p.m.
c.	Indoor Court	$2.00 ~~(Seniors, $1.00,~~

	additional fee	~~9:00 a.m. – 3:00 p.m., Mon. – Fri. only)~~
	~~Indoor Court before 5:30 PM~~	~~$5.00~~
	~~Indoor Court after 5:30 PM~~	~~$5.50~~
	~~Senior M-F from 9 AM to 3 PM~~	~~$4.00~~
d	Annual Court permits	~~$100.00~~ $125.00, Adult (Outdoor)
		~~$50.00~~ $63.00, Junior
		$~~25~~ $32.00, add'l family member
		~~$100.00, Indoor Court fee~~
e	Annual Combo permits (Indoor/Outdoor)	Adult (18 and older) ~~$150~~ $188.00 Add'l Family Member ~~$75~~ $94.00
f.	Punch Card (20 visits)	Before 5:30 p.m. $25.00 (outdoor only; indoor add $2.00) After 5:30 p.m. $35.00 (outdoor only; indoor add $2.00) Indoor card $35.00
g.	Ball Machine	$15.00 per hour
h	Annual Ball Machine Permit	$100.00/per person

SECTION 3. That Chapter 12-3, Section 12-3-4, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 12-3-4. - Swimming pool fees.

(a) *Admission fees.*

(1) Frequent user card (10 admissions)

Child (12 and under) 25.00

Adult (13—54) 30.00

Senior (55 and over) 20.00

(2) Non-swimmer: 2.00

(3) Swimmers:

	Regular	After 4 p.m.
Youth (age 1 to 12)	$3.00	$2.00
Adult	4.00	3.00
Senior Adult (55 & older)	3.00	2.00

(4) Family admission night, per member $2.00

(5) Annual pass:

Family of 4 or more 185.00

Child (12 and under) 75.00

Adult (13—54) 85.00

Senior (55 and over) 65.00

Each additional family member $25.00

(b) *Miscellaneous fees.*

(1) Youth swim lessons (1—3 classes) $35.00

(4—6 classes) 25.00

(7—9 classes) 15.00

(10 or more classes) 10.00

(2) Junior lifeguard class 50.00

(3) Public lifeguard class 100.00

(4) Swim team ~~weekly~~ rental ..... ~~325.00~~

Regular Season Hourly Rate $50.00

Out of Season Hourly Rate $100.00

(5) All other goods, services, activities: rates as approved by the City Manager.

(c) Private pool rental (maximum of 50 guests) 200.00

Plus for up to 75 guests 25.00

And for each additional unit of up to 25 guests ..... 25.00.

~~Optional: inflatable rental~~

~~(Dolphin slide) ..... 75.00~~

~~(Jungle run) ..... 100.00~~

~~Optional: water volleyball or basketball setup ..... 10.00~~

Optional: Sand Volleyball Rental (SW POOL) $10.00

(d) Basic birthday party packages (25 guests) 75.00

(e) Administrative Fee (Refund) $10.00

SECTION 4. That Chapter 12-4, Section 12-4-5 of the Amarillo Municipal Code is hereby amended to read as follows

Sec. 12-4-5. - Golf fees.

(a) – (b) [NO TEXT CHANGE]

(c) -Annual Premium Pass: Regular (any age) ..... ~~$2,000.00~~ $175.00 monthly

Unlimited play. All days, all courses, good for green fees only, range balls included)

-Ultimate Annual Premium Golf Pass ..... ~~$3,400.00~~ $300.00 monthly

(Unlimited play. All days, all courses, green fees and ~~includes~~ cart included, range balls included)

-Senior Premium Pass .....$135.00 monthly (50 years of age and over as of purchase date, Unlimited play, All days, all courses , good for green fees only, range balls included)

-Ultimate Senior Premium Pass .....$260.00 monthly (50 years of age and over as of purchase date, Unlimited play, All days, all courses , good for green fees and cart rental, range balls included)

-Super Senior Premium Pass …… $90.00 monthly (age 65 and over as of purchase date, play Monday—Friday, excludes holidays, good for green fees only, range balls included) ~~….. $ 1,000.00~~

-Ultimate Super Senior Golf Pass ….. ~~$2,000.00~~ $180.00 monthly (age 65 and over as of purchase date, ~~Unlimited play~~. Monday –Friday only excludes holidays, all courses, green fees and cart included, range balls included ~~includes cart~~)

-Old Timer Golf Pass …… $50.00 monthly (age 80 and over as of purchase date, play Monday—Friday only, excludes holidays, good for green fees only).

-Old Timer Premium Golf Pass ….. $120.00 monthly (age 80 and over as of purchase date, Monday –Friday only, excludes holidays, all courses, green fees and cart included..

Mini Golf Pass ….. $400.00 (20-Rounds, All days, All courses, good for 12 months from date of purchase) (pass includes the Capital Improvement Fee).

Spouse Pass ….. ~~The City Manager shall have the authority to create an annual Spouse Pass and determine the reasonable fee therefor~~. Add a Spouse to any pass for $25.00 per month.

Family Pass ….. ~~The City Manager shall have the authority to create an annual Family Pass and determine the reasonable fee therefor~~. Add Family to any plan for $40.00 per month.

(d) [NO TEXT CHANGE]

(e) Unless specifically described otherwise, all golf passes are good ~~for the issued calendar year~~ twelve (12) months cycle from the date of purchase ~~only~~ and are non-transferrable.

(f) – (g) [NO TEXT CHANGE]

(h) All Passes are good for 12 months cycle from date of purchase. All fees shall be billed and paid on a monthly basis. Failure to timely pay a monthly invoice will result in the revocation of the Pass and the player will be barred from purchasing another pass for one calendar year from the date of purchase.

(i) All passes will automatically renew until cancelled by a 30-day written notice from the purchaser or their designee

(j) The purchaser agrees to pay the current rates as of October 1st of each year as approved in the City of Amarillo Annual Budget.

(k) Annual passes do not include the one-time administrative fee of $25.

(l) Players that fail to complete the initial 12 month cycle for the passes may be charged reinstatement fee of $100 for the initiation of a second annual pass. The Director of Parks and Recreation or his designee may waive said fee in extenuating circumstances.

(m) Players that fail to complete a second 12 month cycle for the passes will be not be eligible for annual passes in the future.

SECTION 5. That, Chapter 12-2, Section 12-2-2, of the Amarillo Municipal Code is hereby amended to read as follows:

Sec. 12-2-2. - ~~Same~~Director—Duties.

The Director of Parks and Recreation shall do and perform any and all duties directed by the City Manager, including but not limited to, programming, concessions, and camps with corresponding fees and such other duties as may properly pertain to managing the public parks and recreation system or as may be prescribed by this Code.

SECTION 6. 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 7. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby amended or repealed as may be minimally necessary to resolve and to the extent of conflict, with this ordinance.

SECTION 8. Effective Date. This ordinance shall be effective as prescribed by law.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading the 10th day of December, 2019; and PASSED on Second and Final Reading the 17th day of December, 2019.

_____

Ginger Nelson, Mayor

ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM

_____
Bryan McWilliams, City Attorney

B

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 10, 2019	**Council Priority**	Regular Agenda Item – Public Hearing

Department	Planning and Development Services Cris Valverde - Assistant Director of Planning and Development Services

Agenda Caption

Public hearing and reading of an ordinance rezoning 19.15 acres of unplatted land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District and Multiple-Family District 1 to Multiple-Family District 1. (Vicinity: Farmers Ave. and Georgia St.)

Agenda Item Summary

ADJACENT LAND USE AND ZONING

The adjacent zoning consists of Agricultural District to the north and south, Residential District 3 to the east, is bounded by current City Limits line to the west.

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

PROPOSAL

The applicant is requesting Multiple-Family District 1 in order to develop the land with multi-family land uses (apartments).

As alluded to in the description of this request, a portion (17.69 acres) of this request is currently zoned Multi-Family District 1 and was recently approved by City Council in August of this year. Shortly after approval, development plans changed that made additional land to the north necessary. This additional land amounts to 1.46 acres.

The developer purchased the additional acreage and then proceeded to submit a request for rezoning of the 1.46 acres currently zoned Agricultural District. It was soon discovered that the submitted description of the tract to be rezoned included the previously approved Multi-Family acreage. Although staff considered requiring the applicant to submit a separate metes and bounds description for only the additional land needed to the north (1.46 acres), in an effort to avoid unnecessary delays and expense to the applicant in preparing this separate metes and bounds description, staff agreed to include the entire land owned by the applicant which reflects all land purchased for the project (17.69 acres and 1.46 acres).

Therefore, if approved, a total of 19.15 acres would be zoned Multiple-Family District 1. Should approval not occur, the previously approved Multi-Family tract would remain with only the 1.46 acres of remaining as now zoned (Agricultural District).

In short, this request is in actuality only to rezone the additional 1.46 acres of land zoned Agricultural District needed for the development.

ANALYSIS

Considerations that were taken into account with the August's approval of the Multi-Family tract apply with this request as well. The Planning and Zoning Commission then and now analyzed conformance with the Comprehensive Plan's Future Land Use and Character Map, impact on existing zoning and development patterns, as well as conformity to the Neighborhood Unit Concept (NUC) of development.

Considering the above, it was the opinion that adding a mere 1.46 acres of Multiple-Family zoning to the previously approved multi-family tract is appropriate.

It is worth noting that notices have been sent to all property owners within 200 feet regarding this request. During the November 25th Planning and Zoning Commission meeting, a property owner that lives within the area notified inquired as to timing of adjacent infrastructure improvements needed as a result of the apartment development. It was explained that upon review of formal development plans for the tract and in the area for that matter, requirements for improvements such as drainage, street widening, warranting of a traffic signal, and others would be determined and if necessary, improved and/or installed.

Requested Action/Recommendation

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

ORDINANCE NO. _____

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 GEORGIA STREET AND FARMERS AVENUE, 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, exhibit attached hereto and incorporated herein:

Rezoning of a 19.15 acre tract of unplatted land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District and Multiple-Family District 1 to Multiple-Family District 1 and being further described below:

A 19.15 acre± tract of land situated in Section 183, Block 2, A.B. & M. Survey, Randall County, Texas and being a portion of a 217.22 acre tract of land as described in that certain instrument of conveyance recorded under Clerk's File No. 2016014173 of the Official Public Records of Randall County, Texas. Said 19.15 acre± tract of land having been surveyed on the ground by Furman Land Surveyors, Inc. on June 26, 2019 and being more particularly described by metes and bounds as follows:

BEGINNING at a mag nail in asphalt found as called for in the South line of said Section 183, same point being the Southwest corner of said 217.22 acre tract and also being the Southwest corner of this tract of land, from whence a

railroad spike found as called for at the Southwest corner of said Section 183 bears North 89° 59' 53" West, 60.00 feet;

THENCE North 00° 10' 22" West (parallel with the West line of said Section 183 – base line) along the West line of said 217.22 acre tract of land, same being the East line of a 10 foot wide tract of land as conveyed to the City of Amarillo for right-of-way by instrument recorded under Clerk's File No. 2009010006 of the Official Public Records of Randall County, Texas, at 60.00 feet passing a 1/2 inch iron rod with cap stamped "FURMAN RPLS" found, a total distance of 360.25 feet to a 1/2 inch iron rod with illegible cap found in the South line of a 60 foot by 120 foot tract of land as conveyed to the City of Amarillo by instrument recorded in Volume 325, Page 736 of the Deed Records of Randall County, Texas same point being a corner of said 10 foot wide City of Amarillo tract, the most Southerly Northwest corner of said 217.22 acre tract of land and also being the most Southerly Northwest corner of this tract of land;

THENCE North 89° 46' 20" East a distance of 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" found as called for at the Southeast corner of said 60 foot by 120 foot City of Amarillo tract of land, same point being an interior jog corner of this tract of land;

THENCE North 00° 10' 22" West a distance of 60.00 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" found as called for at the Northeast corner of said 60 foot by 120 foot City of Amarillo tract of land, same point being an interior jog corner of this tract of land;

THENCE South 89° 46' 20" West along the North line of said 60 foot by 120 foot City of Amarillo Tract a distance of 60.00 feet to a 1/2 inch iron rod with illegible cap found at a corner of said 10 foot wide City of Amarillo tract;

THENCE North 00° 10' 22" West along the West line of said 217.22 acre tract of land, same being the East line of said 10 foot wide City of Amarillo tract, a distance of 291.68 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the most West Northwest corner of this tract of land, from whence a 1/2 inch iron rod with cap stamped "FURMAN RPLS" found as called for at the Northwest corner of said 217.22 acre tract of land bears North 00° 10' 22" West, 2160.44 feet;

THENCE North 44° 49' 33" East, 14.14 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set at the most North Northwest corner of this tract of land;

THENCE North 89° 49' 29" East, 1148.50 feet to a 1/2 inch iron rod with cap stamped "FURMAN RPLS" set in the West line of South Georgia Place Unit No. 26, an addition to the City of Amarillo, Randall County, Texas according to the map or plat thereof recorded under Clerk's File No. 2007007538 of the Official Public Records of Randall County, Texas, same point being the Northeast corner of this tract of land, from whence a 1/2 inch iron rod with illegible cap found for the Northwest corner of said South Georgia Place Unit No. 26 bears North 00° 03' 23" West, 856.67 feet;

THENCE South 00° 03' 23" East along the West line of said South Georgia Place Unit No. 26, at 663.33 feet passing a 1/2 inch iron rod with illegible cap found at the Southwest corner of said South Georgia Place Unit No. 26, a total distance of 725.50 feet to a railroad spike found as called for in the South line of said Section 183, same point being the Southeast corner of this tract of land;

THENCE North 89° 59' 53" West along the South line of said Section 183, a distance of 1157.03 feet to the PLACE OF BEGINNING and containing a computed area of 19.15 acres of land, more or less, of which 1.59 acres± lies within the right-of-way of Farmers Avenue.

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 10th day of December, 2019 and PASSED on Second and Final Reading on this the 17th day of December, 2019.

_____
Ginger Nelson, Mayor

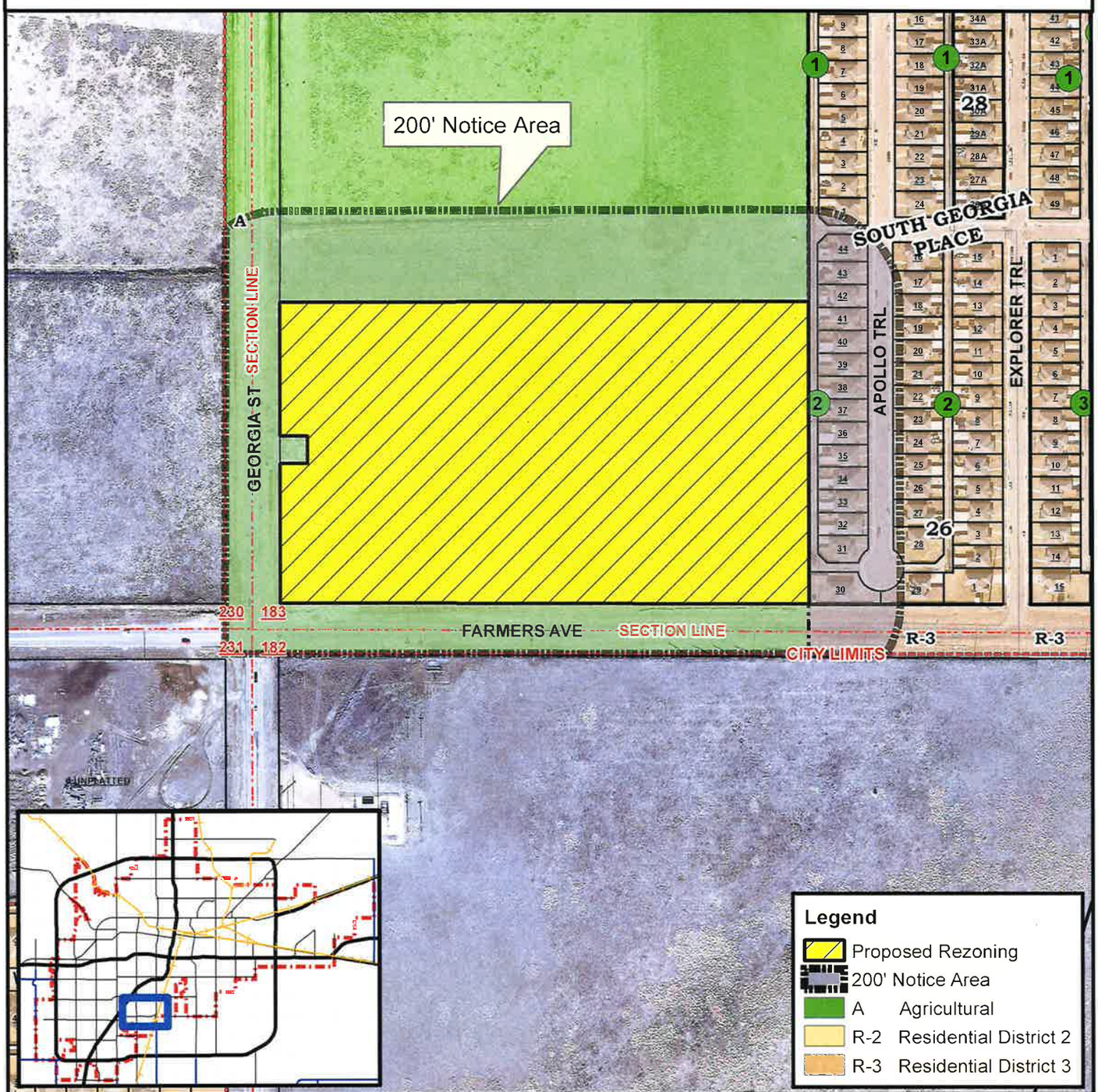
ATTEST:

_____
Frances Hibbs, City Secretary

APPROVED AS TO FORM:

_____
Bryan McWilliams,
City Attorney

REZONING FROM A & MF-1 TO MF-1



CITY OF AMARILLO
PLANNING DEPARTMENT

Scale: 1 inch = 300 feet
Date: 11/12/2019
Case No: Z-19-23

N W E S

Z-19-23 Rezoning of 19.15 acre tract of unplatted land in Section 183, Block 2, AB&M Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District and Multiple- Family District 1 to Multiple-Family District 1

Vicinity: Farmers Ave. and Georgia St.
Applicant: Dustin Eggleston for 87th Street Partners, LLC

AP: M16

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.

C

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 10, 2019	Council Pillar	Fiscal Responsibility

Department	Finance Laura Storrs, Finance Director

Agenda Caption

Approval of the City of Amarillo 2019 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 2019 Investment Policy.

Funding Summary

N/A

Community Engagement Summary

N/A

City Manager Recommendation

The Investment Committee reviewed this policy on 11/12/19 and is recommending approval. The City Manager also recommends acceptance of this item.

MEMO

To: Mayor and City Council

From: Laura Storrs, Finance Director

Date: December 2, 2019

Subject: City of Amarillo 2019 Investment Policy

Attached for your review and approval is the proposed 2019 City of Amarillo Investment 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.

During 2018, the 2017 Investment Policy was submitted to the Government Treasurers' Organization of Texas (GTOT) for certification. This was the second time the City had participated in this program offered by the GTOT and was awarded the Certificate of Distinction. This certification is good for a two-year period ending March 31, 2020. We will submit the 2019 Investment Policy, once approved, for another two-year certification.

A summary of the major changes to the 2019 Investment Policy is as follows:

- Page 5 and 9 – Updated the Deputy/Assistant City Manager over financial services title
- Page 8, BROKERS/DEALERS – Added two additional approved banks that the City has bond escrow accounts with

The Investment Committee reviewed this policy on 11/12/19 and is recommending approval. Please let me know if you have further questions about this policy. I appreciate your consideration of this request.

CITY OF AMARILLO INVESTMENT POLICY AND STRATEGY
~~October 30, 2018~~December 10, 2019

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 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 this state. 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 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 ~~of~~ over f~~F~~inancial s~~S~~ervices, 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 ~~of~~ over f~~F~~inancial s~~S~~ervices 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 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.

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 ~~of~~ over f~~F~~inancial s~~S~~ervices, 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.

Amarillo City Council
Agenda Transmittal Memo

Meeting Date	December 10, 2019	**Council Priority**	Economic Development and Redevelopment; Civic Pride
Department	City Manager Office		
Contact	Kevin Starbuck, Assistant City Manager		

Agenda Caption

CONSIDER APPROVAL - ELECTION SERVICES CONTRACT
(Contact: Kevin Starbuck, Assistant City Manager)
This is an interlocal agreement between the City of Amarillo and Potter County to contract with the Potter County Election Administrator to provide election services to the City of Amarillo.

Agenda Item Summary

In preparation for a potential City General Election on May 2, 2020, the City of Amarillo is contracting with the Potter County Election Administrator to accomplish all tasks necessary to ensure an efficient election process in compliance with election laws and regulations. The City agrees to pay the Administrator and Potter County for use of space and election equipment, supplies, and services of election workers assisting with the election. Provisions in the interlocal agreement allow for cancellation of the agreement should the City not order an election, reimbursing the Administrator and Potter County for expenses incurred in preparation for a potential election.

Requested Action

To approve the Election Services Contract between the City of Amarillo and Potter County Elections Administrator.

Funding Summary

Election services provided by Potter County are estimated to cost $170,000. The City will reimburse Potter County for actual expenses incurred to provide election services.

Community Engagement Summary

The City of Amarillo has engaged in an extensive community engagement campaign associated with Conversation: Civic Center.

Staff Recommendation

Staff recommends approval of the Election Services Contract, authorizing the City Manager to execute the agreement with the Potter County Election Administrator.

ELECTION SERVICES CONTRACT

This Election Services Contract (the Contract) is made by the following parties (the Parties), on the terms stated herein:

Potter County Elections Administrator (the Administrator)
City of Amarillo (the City)

I. RECITALS

The City wishes to contract with the Administrator for services in relation to a city election to be held on May 2, 2020 (the Election). Potter County does not own enough voting equipment to accommodate both the Election and other election obligations in May, 2020. The City will therefore contract with Hart InterCivic to lease a voting system approved by the Texas Secretary of State pursuant to Chapter 122 of the Texas Election Code and compliant with the accessibility requirements of Section 61.012 of the Code. The Administrator will administer the Election under the terms of this Contract. The City Council and the Potter County Commissioner's Court will adopt the use of the Hart InterCivic voting system for the Election only. The Administrator and her personnel will receive appropriate training for operation of the system and administration of the Election, and the parties will otherwise cooperate pursuant to the terms of this Contract.

II. TERMS

A. ADMINISTRATION

1. The Administrator will assist the City with coordination and supervision of all aspects of the Election. The City will appoint an individual to serve as its liaison to work in close cooperation with the Administrator at all reasonable times to accomplish all tasks necessary to ensure an efficient election process in compliance with election laws and regulations. The City agrees to pay the Administrator and Potter County for use of office space and elections equipment, supplies, and services of election workers assisting with the Election, as more specifically addressed herein and in the exhibits to the Contract.

2. The Administrator will provide advice and guidance to the City's election liaison and other City agents and employees who participate in the Election process. The parties will bear ultimate responsibility for decisions and actions of their own agents and employees.

B. RESPONSIBILITY FOR DOCUMENTS

1. The City, with the Administrator's assistance, will be responsible for the preparation, adoption, publication, and filing of all election orders, resolutions, notices, and any other documents required by the Texas Election Code or the City's governing body, charter, or ordinances in relation to the Election. Preparation and transmission of all necessary information and documents for same, and translation of same into languages

other than the English language, if required or desired, will be the sole responsibility of the City with the assistance of the Administrator.

2. In compliance with the Voting Rights Act of 1965, the City will prepare and transmit required submissions to the United States Department of Justice for pre-clearance of any special election or changes in election procedures for which pre-clearance is required.

C. VOTING LOCATIONS

The Administrator will arrange for locations for early and election-day voting at customary locations as available, or if not available at alternative locations approved by the City, and in that event will see to the posting of change-of-location notices as required by law. The Election will be conducted via City-wide voting with up to 6 Early Voting locations and 14 Election Day polling locations, with registered voters permitted to vote at any of the designated polling locations in those areas of Randall and Potter Counties that lie within the City. Prospective locations for the Election are set forth in Exhibits A and B to this contract.

D. ELECTION WORKERS

1. Election clerks, presiding judges, and alternate judges will be proposed by the Administrator and approved by the City, to include at least one official per polling location who is fluent in both the English and Spanish languages. All personnel who are recruited, trained and staffed by the Administrator specifically for the Election which is the subject of this contract will be temporary employees of the Administrator and will be compensated by the City per Exhibit "C".

2. The Administrator will inform all prospective election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take reasonable and necessary steps to assure that all persons proposed and appointed for service as election judges are eligible for such service.

3. Persons appointed for service as election judges will be notified of same by letter from the Administrator, to include notification of the date, time, and place for training and distribution of election supplies, and the number of election clerks to be appointed by presiding judges.

4. The Administrator will arrange for training of election judges and clerks, and for compensation for election training and service, by the City, as shown on Exhibit C.

E. TASKS, SUPPLIES, VOTING EQUIPMENT, and BALLOTS

1. The Administrator will assist the City in preparing election supplies and voting equipment including sample ballots, official ballots, voter registration lists, voting stations, and all forms, signs and other materials for use at the voting locations.

2. The City will provide the Administrator with the proposition(s) upon which votes will be cast, showing the exact manner in which such proposition(s) are to appear on the official ballot, including translated versions of titles and text into each language in which the ballot is to be printed. At a minimum, all ballots and related information will be provided in both the English and Spanish languages. This information is to be delivered to the Administrator on or before February 15, 2020.

3. Other election-related tasks will be undertaken as a cooperative effort between the City's appointed liaison and the Administrator, and their respective personnel.

F. EARLY VOTING

1. The City appoints the Administrator as its early voting clerk for purposes of the Election, and the Administrator's permanent employees as deputy early voting clerks, and further agrees that the Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting, and that these additional clerks will be compensated at an hourly rate set by Potter County pursuant to Section 83.052 of the Texas Election Code. Early voting by personal appearance will be held at the locations, dates, and times as set forth in Exhibit B. All persons eligible to vote in the Election may vote early by personal appearance at any one of the specified early voting locations.

2. The Administrator, as early voting clerk, is authorized to receive applications for early voting ballots for submission by mail in accordance with Chapters 31 and 86 of the Texas Election Code. All requests received by the City for early voting mail-in ballots will be forwarded immediately to the Administrator by fax or courier. The Administrator will contact Randall County to receive all applications for early voting ballots submitted in Randall County and qualified to vote in the City election.

3. The Administrator will provide a copy of the Administrator's early voting report on a daily basis and a cumulative final early voting report following the election. The Administrator will post the early voting report on the Potter County website.

G. EARLY VOTING BALLOT BOARD

The Administrator with approval from the City will appoint an Early Voting Ballot Board (EVBB) and Signature Verification Committee (SVC) to process early voting results from the Election. The Administrator will appoint a minimum of three members the EVBB and a minimum of five members to the SVC in accordance with Texas Election Code. The Administrator will determine the number of EVBB members required to efficiently process early voting ballots.

H. CENTRAL COUNTING STATION AND ELECTION RETURNS

1. The Administrator will be responsible for establishing and operating a central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and this contract. The City hereby designates the following central counting station oversight positions pursuant to Sections 127.002,

127.003, and 127.005 of the Texas Election Code: (a) Counting Station Manager, (b) Tabulation Supervisor, (c) Assistant Tabulation Supervisor, (d) Presiding Judge, and (e) Alternate Judge.

2. The Administrator will prepare the unofficial canvass reports after votes from all voting stations have been counted, and will deliver a copy of the unofficial results to the City as soon as possible after all returns have been tabulated. The City will be responsible for the official canvass of the votes.

I. ELECTION EXPENSES

The City will bear all costs of administration of the Election, including but not limited to those specified in Exhibit C. When practicable, the City will pay all product and service vendors directly.

J. CANCELLATION OF ELECTION

In the event the election is cancelled for any reason, the City will be responsible to Potter County and the Administrator for all expenses incurred by them prior to their receipt of notice of cancellation. Any funds deposited by the City in excess of expenses incurred by Potter County or the Administrator before receipt of the notice of cancellation will be refunded to the City.

K. RECORDS OF THE ELECTION

1. The Administrator is hereby appointed general custodian of the voted ballots and all records of the Election as authorized by Section 271.010 of the Texas Election. Access to such records will be available to the City and to the public as provided by and in accordance with the Texas Election Code and the Texas Public Information Act. The election records will be stored at the offices of the Administrator or at such other location as may be designated by the Administrator. The Administrator will ensure that the records are maintained in an orderly manner in a clearly identifiable and retrievable format.

2. Records of the election will be retained and disposed of in accordance with Section 66.058 of the Texas Election Code, provided that records which become the subject of an election contest, investigation, pending or threatened litigation, or open records request prior to their disposal, will be maintained pending final resolution of same. It is the responsibility of the City to promptly notify the Administrator in writing of the receipt of any and all notices of any election contest, investigation, pending or threatened litigation, or open records request, to which records in the custody of the Administrator may be relevant.

L. RECOUNTS

A recount of votes cast in the Election may be obtained as provided by Title 13 of the Texas Election Code. A recount will take place at the offices of the Administrator,

and the Administrator will serve as recount supervisor and the City's designated officer for performing all duties of a recount coordinator in relation thereto, and for providing advisory services to the City as needed for conducting a proper recount.

M. MISCELLANEOUS

1. The Administrator will file copies of this contract with the Potter County Treasurer and the Potter County Auditor in accordance with Section 31.099 of the Texas Election Code.

2. In the event that administrative or judicial legal proceedings are filed against Potter County or the Administrator pursuant to Title 14 of the Texas Election Code for the purpose of contesting or overturning the results of the Election, the City will, at its expense, provide legal representation for Potter County and the Administrator and any of their agents named in such proceedings through final conclusion of same.

3. This Contract will be construed under the laws of the State of Texas, with venue of any legal proceeding between the parties in relation hereto in Potter County, Texas. All obligations of the parties under this contract are performable in Potter County, Texas.

4. In the event that any provision of this Contract is for any reason held to be invalid, illegal, void, voidable, or unenforceable in any respect, such will not affect any other provision, and this contract will be construed and enforceable as if such provision had never been a part of this contract.

5. All parties will comply with all applicable laws, ordinances, and codes of the State of Texas and its political subdivisions.

6. The waiver by any party of any remedy for a breach of any provision of this Contract will not constitute a waiver with respect to any subsequent breach of that provision, or of any other provision.

7. Any amendment of this Contract will be of no effect unless stated in writing and signed by all parties hereto.

POTTER COUNTY, TEXAS

By: _____ _____

Melynn Huntley, Potter County Elections Administrator / Authorized Agent — Date

CITY OF AMARILLO

By: _____ _____

Date

EXHIBIT A

ELECTION DAY POLLING LOCATIONS

Trinity Baptist Church
1600 I-40 West

Grace Community Church
4111 Plains Blvd.

Second Baptist Church
419 N. Buchanan Street

Hillside Christian Church, NW
600 Tascosa Road

Kids, Inc.
2201 SE 27th

Lighthouse Baptist Church
5631 Pavillard

Pride Home Center
3503 NE 24th

Comanche Trail Church of Christ
2700 E. 34th Ave.

Redeemer Christian Church
3701 S. Soncy

Region 16 Education Service Center
5800 Bell St.

Coulter Road Baptist Church
4108 S. Coulter

Central Baptist Church
1601 SW 58th

Oasis Southwest Baptist
8201 Canyon Drive

Randall County Annex
4320 S. Western

EXHIBIT B

EARLY VOTING HOURS AND LOCATIONS

MAIN EARLY VOTING:

Santa Fe Building, First Floor Ticket office
900 S. Polk

BRANCH LOCATIONS:

Randall County Annex
4111 S. Georgia

Comanche Trail Church of Christ
2700 E. 34th

The Craig
5500 SW 9th Avenue

Cornerstone Outreach
1111 N. Buchanan

Region 16 Education Service Center
5800 Bell St.

Early voting hours at Santa Fe Building:

Monday – Friday	April 20 - 24	8:00 a.m. – 5:00 p.m.
Saturday	April 25	9:00 a.m. – 3:00 p.m.
Monday – Tuesday	April 27 - 28	7:00 a.m. – 7:00 p.m.

Early voting hours at Branch Locations:

Monday – Friday	April 20 - 24	8:00 a.m. – 5:00 p.m.
Saturday	April 25	9:00 a.m. – 3:00 p.m.
Monday – Tuesday	April 27 - 28	8:00 a.m. – 5:00 p.m.

EXHIBIT C

FEES FOR ELECTION STAFF

- Election and Alternate Election Judge: $12/hour; $18/hour in excess of 40 hours per week. An additional lump sum payment of $12.50 each for return of election supplies and equipment to the central counting station upon closing of the polls.
- Election Clerk: $12/hour; $18/hour in excess of 40 hours per week.
- Field Techs/Site Support: $20/hour.
- Early Voting Ballot Board: $12/hour.
- Signature Verification Committee: $12/hour.
- Early Voting Temporary Worker: $12/hour.
- Election Day Temporary Worker: $12/hour.
- Central County Station Temporary Worker: $12/hour.
- Potter County Election Admin Staff: $75/hour.
- Temporary Election Preparation Staff: $12/hour.