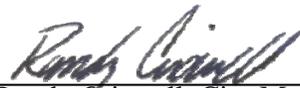


AGENDA

NOTICE OF MEETING

Notice is hereby given that the governing body of the City of Canyon will meet at 5:00 p.m. on the 7th day of November 2016, in the Commission Chambers of City Hall at 301 16th Street in the City of Canyon to discuss the following agenda items:

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Approval of the Minutes of the Meeting of October 17, 2016.
5. Public Comment – Comments from Interested Citizens.
6. Hear Report on WTAMU from New President Dr. Walter Wendler.
7. Consider and Take Appropriate Action on Second and Final of Resolution No. 15-2016 With Regards to the Purchase of Property Located at 202 N. 13th Street, Canyon, Texas by the Canyon Economic Development Corporation.
8. Consider and Take Appropriate Action on Second and Final of Resolution No. 16-2016 With Regards to the Purchase of Property Located at 1312 W. Hwy 60, Canyon, Texas, by the Canyon Economic Development Corporation.
9. Update on Enforcement of Ordinance No. 729, Pertaining to Roll-out Solid Waste Containers.
10. Consider and Take Appropriate Action on Resolution No. 17-2016, Authorizing the Closure of 4th Avenue (SH 217) for the Chamber of Commerce Light Parade on December 3, 2016.
11. Consider and Take Appropriate Action on Resolution No. 18-2016 for Approval of City of Canyon's Investment Policy.
12. Consider and Take Appropriate Action on Bids Received for the Wastewater System Improvements – Replacement of Conner Park Sewer Line.
13. Consider and Take Appropriate Action on Selection of Consultant for Updating the City's Comprehensive Plan.
14. Executive Session Pursuant to Texas Government Code §551.071, Consultation with Attorney §551.072 Real Property and §551.074 Personnel, Appointments to Boards and Committees (Board of City Development, Canyon Housing Authority, Construction Advisory and Appeals Board, Canyon Area Library Board, Planning and Zoning Commission, Parks, Open Space and Recreation Advisory Committee, Zoning Board of Adjustment, and the Canyon Main Street Advisory Board).
15. Consider and Take Appropriate Action on Items Discussed in Executive Session.
16. Adjournment.


Randy Criswell, City Manager

I certify that the above Notice of Meeting was posted on the bulletin board of the Civic Complex of the City of Canyon, Texas on the 4th day of November 2016.


Gretchen Mercer, City Clerk

The City Commission of the City of Canyon met in regular session at 5:30 p.m. in the City Commission Chambers of the Civic Complex. Mayor Alexander presided over the meeting with the following Commissioners in attendance. Mayor Pro-Tem Gary Hinders, Commissioners David Logan and Joseph Shehan. Commissioner Justin Richardson was unable to attend.

Also present were the following City Staff: City Manager Randy Criswell, Assistant City Manager Chris Sharp, City Secretary Gretchen Mercer, Assistant City Manager for Special Projects Jon Behrens, Director of Code Enforcement Danny Cornelius, Public Works Director Dan Reese, Business and Community Development Director Evelyn Ecker, Parks Director Brian Noel and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Alexander called the meeting to order at 5:34 p.m.

Item 2. Invocation.

Mayor Pro-Tem Hinders gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Brayson Potter and Caleb Tunnell, 4th Grade students from Reeves-Hinger Elementary.

Item 4. Approval of Minutes of the Meeting of October 3, 2016.

Commissioner Shehan moved, duly seconded by Commissioner Logan, to approve the minutes of October 3, 2016 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from In Interested Citizens.

Mr. Mike Callahan – 4 Havenwood Lane, Canyon, Texas. Mr. Callahan addressed the Commission and asked if anything had been determined on if the ordinance for trash service in Hunsley Hills contained a penalty for not returning trash containers to the curb the day of trash pickup. City Manager Randy Criswell responded and said the ordinance has been looked at and staff found there is not a penalty for leaving trash roll-offs in the street after pickup. Mr. Criswell said staff was working on adding a standard violation fee to the ordinance to help address the issue of people leaving trash roll-offs in the street. Mayor Alexander thanked Mr. Callahan for coming to the Commission meeting and addressing the issue. Staff stated they hoped to have an updated ordinance for the next commission meeting.

Item 6. First Reading of Resolution No. 15-2016 With Regards to the Purchase of Property Located at 202 N. 13th Street, Canyon, Texas by the Canyon Economic Development Corporation.

Business and Community Development Director Evelyn Ecker presented Resolution No. 15-2016 for the first of two required readings. Ms. Ecker said the property consisted of 66,000 square feet

with a 20X40 metal building with a purchase price of \$165,000. Ms. Ecker stated the property is located in close proximity to the Tex Randall property and is being purchased for economic development purposes. Ms. Ecker said the current property owner will remove the metal building with 180 days. Ms. Ecker stated the Canyon Economic Development Corporation met and held a public hearing on Thursday, October 13, 2016 with no opposition. The closing date is set for December 8, 2016.

RESOLUTION NO. 15-2016
RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON
APPROVING THE PURCHASE OF A TRACT IN SECTION 34, BLOCK B-5,
H.&G.N R.R. CO. ORIGINAL CANYON CITY SURVEY, RANDALL COUNTY,
TEXAS, BY THE CANYON ECONOMIC DEVELOPMENT CORPORATION.

- Item 7. First Reading of Resolution No.16-2016 With Regards to the Purchase of Property Located at 1312 W. Hwy 60, Canyon, Texas, by the Canyon Economic Development Corporation.

Business and Community Development Director Evelyn Ecker presented Resolution No. 16-2016 for consideration. Ms. Ecker said this property is located adjacent to the Tex Randall property, and will be purchased \$57,888.00 to be used for economic development purposes. Ms. Ecker said the property is approximately 19,500 square feet with a 4,397 sf building. Ms. Ecker said the current owner has agreed to have all asbestos legally removed from the building and provide certification of the removal. Once the asbestos is removed, the building will be cleared creating a pad site for development. Ms. Ecker said the Canyon Economic Development Corporation held a public hearing on Thursday, October 13, 2016 with no opposition.

RESOLUTION NO. 16-2016
RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON
APPROVING THE PURCHASE OF PROPERTY LOCATED AT 1312
HIGHWAY 60, RANDALL COUNTY, TEXAS, BY THE CANYON ECONOMIC
DEVELOPMENT CORPORATION.

- Item 8. Consider and Take Appropriate Action on Report from City Engineer on Ongoing Water and Wastewater System Studies.

City Engineer Dwight Brandt gave a progress report of the studies being done for the City of Canyon water and wastewater systems. Mr. Brandt highlighted current water availability, projected water needs and projected water availability. He advised the Commission that the calculations are all based on current supplies with projected population growth numbers from the Texas Water Development Board. He stated these are "worse case" scenario calculations that don't take into account any of the water rights currently undeveloped, or any future water rights that will be purchased or developed.

He stated that he is about a month away from having the Water Distribution Study complete, and about two months away from having the Wastewater Study complete.

Item 9. Hold Public Hearing and Consider and Take Appropriate Action on Plat for Southwind Addition Unit No. 4.

Code Enforcement Director Danny Cornelius presented a Plat received from Larry Wilhite for Southwind Addition Unit No. 4 south of Canyon, west of Hwy 87 between Rice Road and Pondaseta Lane. Mr. Cornelius said this was a replat of lots 1, 2, 3, 4, and 5, combining them into 3 larger lots instead of the original 5 lots. Mr. Cornelius said even though the property is not within the City Limits of Canyon, the city has authority to approve plats within the 1 mile Extraterritorial Jurisdiction (ETJ). Mr. Cornelius stated the Planning and Zoning Commission voted unanimously to recommend approval of the plat to the City Commission.

Mayor Alexander opened the public hearing.
There being no comment, Mayor Alexander closed the public hearing.

After discussion, Mayor Pro-Tem Hinders moved, duly seconded by Commissioner Logan to approve the plat for Southwind Addition Unit No. 4 as recommended by the Canyon Planning and Zoning Commission. Motion carried unanimously.

Item 10. Consider and Take Appropriate Action on Ordinance No. 1052 Concerning the 2015-2016 Budget Amendment.

Assistant City Manager Chris Sharp presented Ordinance No. 1052 for consideration. Mr. Sharp went over each expense that occurred that were not a part of the original 2015-2016 budget.

After discussion, Commissioner Logan moved, duly seconded by Commissioner Shehan to adopt Ordinance No. 1052 as presented. Motion carried unanimously.

ORDINANCE NO. 1052

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS, AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 AS ADOPTED BY ORDINANCE 1025; PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS AND TRANSFER OF CERTAIN FUNDS; PROVIDING THAT PRIOR PARTS OF ORDINANCE 1025 INCONSISTENT WITH OR IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE ARE HEREBY EXPRESSLY REPEALED TO THE EXTENT OF ANY SUCH INCONSISTENCY OR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Item 11. Consider and Take Appropriate Action on Quarterly Finance Report by Finance Director Chris Sharp.

Assistant City Manager Chris Sharp presented the Quarterly Finance Report. After discussion Commissioner Shehan moved, duly seconded by Mayor Alexander to approve the Quarterly Finance Report as presented. Motion carried unanimously.

Item 12. Consider and Take Appropriate Action on Quarterly Investment Report by Finance Director Chris Sharp.

Assistant City Manager Chris Sharp presented the Quarterly Investment Report. After discussion Commissioner Shehan moved, duly seconded by Commissioner Logan to approve the Quarterly Investment Report as presented. Motion carried unanimously.

Item 13. Consider and Take Appropriate Action on Canyon Family Aquatic Center – Change Order #001.

Assistant City Manager for Special Projects Jon Behrens presented Change Order # 1 for the Canyon Family Aquatic Center. Mr. Behrens said the Change Order was for a total deduction of \$481,686 from the original contract sum of \$6,037,777 bringing the new contract sum to \$5,556,901.00. Mr. Behrens said a preconstruction meeting was held Monday October 10, 2016 with JC Commercial and Kimley-Horn and a Notice to Proceed would be issued the week of October 17, 2016. Commissioner Shehan asked if further cuts would be explored and Mayor Pro-Tem Hinders asked if cuts would be considered as the project moves forward. Mr. Behrens said if further costs reductions could be discovered, they would be pursued.

After discussion, Mayor Pro-Tem Hinders moved, duly seconded by Commissioner Logan to approve Change Order #1 from JC Construction Inc., resulting in a deduction of \$481,686.00 for the construction of the Family Aquatic Center; and to authorize the City Manager to execute the Change Order on behalf of the City of Canyon. Motion carried unanimously.

Item 14. Executive Session Pursuant to Texas Government Code §551.071 Consultation with Attorney, §551.072 Deliberation Real Property.

Mayor Alexander indicated the Commission would adjourn into executive session at 6:56 pm.

Item 15. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from executive session at 8:21 pm, the following action was taken.

Commissioner Shehan moved, duly seconded by Mayor Pro-Tem Hinders to direct city staff and the City Attorney to begin eminent domain proceedings for the property located at 1001 WTAMU Drive, Canyon, Texas 79015. Motion carried unanimously.

Commissioner Logan moved, duly seconded by Mayor Pro-Tem Hinders to authorize the City Manager to enter into a lease agreement with Donnie King for property located at 200 HWY 60 West, Canyon, Texas, for \$6,000 per month with an automatic 3% lease escalation from 2018 to 2021; maintenance, taxes and insurance to be paid by the property owner; a purchase option for \$750,000 or appraised value at the end of the lease, whichever is less; damages caused by the city to be repaired by the city; and survey to be provided by Donny King. Motion carried unanimously.

Item 16. Adjournment

There being no further business, Mayor Pro-Tem Hinders moved this meeting be adjourned.

Quinn Alexander, Mayor

ATTEST:

Gretchen Mercer, City Secretary

REGARDING ITEM 7

AGENDA

To: Randy Criswell, City Manager

From: Evelyn Ecker, Executive Director
Canyon Economic Development Corp.

Date: October 31, 2016

Re: Consider and Take Appropriate Action on Second and Final Reading of Resolution No. 15-2016 With Regards to the Purchase of Property Located at 202 N. 13th Street, Canyon, Texas, Randall County.

The Canyon Economic Development Corporation voted to enter into a contract with Wilford Taylor and Judy Kastrop to purchase the property located at 202 N. 13th Street in Canyon. The anticipated closing date is on or before December 8, 2016.

The property is approximately 66,000 square feet with a 20x40 metal building. The purchase price for the property is \$165, 000. There will not be any 3rd party financing. The closing is set for December 8, 2016.

The CEDC's intended purpose with regards to the property purchase is new business development.

Please find attached the Resolution for this project.

This is the second and final reading of Resolution No. 15-2016. It is staff's recommendation that Resolution No. 15-2016 be adopted.

RESOLUTION NO. 15-2016

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON
APPROVING THE PURCHASE OF A TRACT IN SECTION 34, BLOCK B-
5, H.&G.N. R.R. CO. ORIGINAL CANYON CITY SURVEY, RANDALL
COUNTY, TEXAS, BY THE CANYON ECONOMIC DEVELOPMENT
CORPORATION.**

WHEREAS, the Board of Directors of the CEDC having taken action by majority vote on September 8, 2016, to purchase property and having recommended to the City Commission of the City of Canyon, Texas, approval of same;

WHEREAS, on October 13, 2016, the Canyon Economic Development Corporation (“CEDC”) conducted a public hearing regarding the use of sales and use tax revenues collected pursuant to the Development Corporation Act of 1979 (Tex.Rev.Civ.Stat.Art. 5190.6§4B, (“the Act”)) for the purchase of the above property described, Canyon, Randall County, Texas;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS:

That the property purchase by the CEDC be, and it is hereby approved, and the sales tax revenue collected pursuant to “the Act” by CEDC may be used to fund the property purchase. The sales tax revenue referred to in the Resolution shall be the revenue on deposit in Sales Tax Improvement Fund (Fund 40) for direct costs related to the project. The property purchase is to be used for economic development;

INTRODUCED at the First Reading on the 17th Day of October, 2016 and Adopted on the Second Reading on November 7, 2016.

QUINN J ALEXANDER, MAYOR

ATTEST:

Gretchen Mercer, City Clerk

REGARDING ITEM 8

AGENDA

To: Randy Criswell, City Manager

From: Evelyn Ecker, Executive Director
Canyon Economic Development Corp.

Date: October 31, 2016

Re: Consider and Take Appropriate Action on Second and Final Reading of Resolution No. 16-2016 With Regards to the Purchase of Property Located at 1312 W. US Hwy 60. Canyon, Texas, Randall County.

The Canyon Economic Development Corporation voted to enter into a contract with Wilford Taylor to purchase the property located at 1312 W. US Hwy 60 in Canyon. The anticipated closing date is on or before December 8, 2016.

The property is approximately 19,500 square feet. There is a 4,397 square foot building on the property and the intent is to clear the building from the property and create a pad site for development. The purchase price of the property is \$57,888. There will not be any 3rd party financing. The closing is set for December 8, 2016.

The CEDC's intended purpose with regards to the property purchase is new business development.

Please find attached the Resolution for this project.

This is the second and final reading of Resolution No. 16-2016. It is staff's recommendation that Resolution No. 16-2016 be adopted.

RESOLUTION NO. 16-2016

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON
APPROVING THE PURCHASE OF PROPERTY LOCATED AT 1312
HIGHWAY 60, RANDALL COUNTY, TEXAS, BY THE CANYON
ECONOMIC DEVELOPMENT CORPORATION.**

WHEREAS, the Board of Directors of the CEDC having taken action by majority vote on September 8, 2016, to purchase property and having recommended to the City Commission of the City of Canyon, Texas, approval of same;

WHEREAS, on October 13, 2016, the Canyon Economic Development Corporation (“CEDC”) conducted a public hearing regarding the use of sales and use tax revenues collected pursuant to the Development Corporation Act of 1979 (Tex.Rev.Civ.Stat.Art. 5190.6§4B, (“the Act”) for the purchase of the above property described, Canyon, Randall County, Texas;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS:

That the property purchase by the CEDC be, and it is hereby approved, and the sales tax revenue collected pursuant to “the Act” by CEDC may be used to fund the property purchase. The sales tax revenue referred to in the Resolution shall be the revenue on deposit in Sales Tax Improvement Fund (Fund 40) for direct costs related to the project. The property purchase is to be used for economic development;

INTRODUCED at the First Reading on the 17th Day of October, 2016 and Adopted on the Second Reading on November 7, 2016.

QUINN J ALEXANDER, MAYOR

ATTEST:

Gretchen Mercer, City Clerk

To: Mayor and City Commission
From: Randy Criswell, City Manager
Date: November 7, 2016
Re: Update on Enforcement of Ordinance Number 729, Pertaining to Roll-out Solid Waste Containers.

I wanted to update you on the enforcement of Ordinance Number 729, pertaining to the penalty if a container is not replaced to the location described in the ordinance. When this concern was first expressed by one of our residents, I looked up the Ordinance as it was written and noticed there was no penalty provision. The resident came back to express the concern again, and I informed him that there were no penalty provisions within the Ordinance, and we would have to go back and create that language and amend the Ordinance.

After further review, we realized that when it was compiled into our Codification of Ordinances, it automatically adopted the penalty for violation of a typical City Ordinance. What this means is that we don't have to do anything to update the Ordinance; it's enforceable as it is, and it *does* have a penalty of up to \$500 per violation.

The Public Works Department is working on notifying all residents of the Hunsley Hills subdivision that utilize these containers, to remind them of the law and to give them notice that *we will begin writing citations for violations beginning on December 1, 2016.*

I apologize for the confusion, and unless the City Commission instructs me otherwise, we will be getting with the City Attorney to discuss enforcement and citations for violation of the ordinance.

To: Mayor and City Commission
From: Randy Criswell, City Manager
Date: November 7, 2016
Re: Consider and Take Appropriate Action on Resolution No. 17-2016, Authorizing the Closure of 4th Avenue (SH 217) for the Chamber of Commerce Light Parade on December 3, 2016.

The Chamber of Commerce has requested permission to conduct their annual Light Parade and associated activities on December 3, 2016. They intend to have their Light Parade coming from 19th Street to 15th Street, then circling the Square. There will be other events that evening as well, including the annual lighting of the Christmas tree.

They have also requested that the City grant them exclusive rights to the management of the events and the area around the Downtown Square.

Resolution No. 17-2016 has been prepared to that effect, and it is staff's recommendation that the Resolution be adopted.

RESOLUTION NO. 17-2016

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON PRESCRIBING LIMITATIONS ON PARKING OR STANDING MOTOR VEHICLES OR TRAILERS DURING A PARADE; GRANTING EXCLUSIVE MANAGEMENT RIGHTS TO THE CANYON CHAMBER OF COMMERCE OVER PUBLIC AREAS IN AND AROUND THE DOWNTOWN SQUARE FOR THE ANNUAL CHRISTMAS IN CANYON CELEBRATION TO BE HELD DECEMBER 3, 2016, IN THE CITY OF CANYON.

WHEREAS, the City Commission of the City of Canyon has previously adopted Ordinance No. 892 which added §72.12 to the Code of Ordinances of the City of Canyon; and,

WHEREAS, the City Commission finds that the safety of the public during parades requires regulation of parking motor vehicles and trailers on and along the proposed parade routes in the City; and,

WHEREAS, the City Commission finds that regulation of parking as set forth herein is in the best interest of the citizens of the City of Canyon and other members of the general public attending parades in the City, and,

WHEREAS, the City Commission finds there is a need for control and management of all activities during Chamber of Commerce Celebrations to control noise; solicitors; crowding from booths, trailers, bouncers, large trucks and trailers; generators and other non-approved vendors, and

WHEREAS, the Chamber, its sponsors and membership have a substantial investment in these events making each a successful and enjoyable day for the entire community and visitors.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS:

1. That December 3, 2016 is designated as the day upon which a parade may be held in the City to celebrate Christmas in Canyon.
2. That parking or allowing motor vehicles and trailers to stand on or along the roadway of 4th Avenue within the City of Canyon on December 3, 2016 shall be prohibited at the following location:
1400 Block through the 1900 Block - 12:00 p.m. thru 9:00 p.m.
3. That the Canyon Police Department may erect any warning signage or barricades to control parking or traffic movement on 4th Avenue on the parade days as the Chief of Police and City Manager may deem appropriate.
4. That the Canyon Chamber of Commerce is granted exclusive management rights over the Downtown Square, and the streets and alleys immediately adjacent to these areas December 3, 2016 for the Christmas in Canyon Celebration.

Adopted on November 7, 2016.

QUINN ALEXANDER, Mayor

ATTEST:

Gretchen Mercer, City Clerk

To: Randy Criswell, City Manager
From: Chris Sharp, Assistant City Manager
Date: October 31, 2016
Re: Consider and Take Appropriate Action on Resolution No. 18-2016 for City of Canyon's Investment Policy

Pursuant to Chapter 2256 of the Local Government Code, we are presenting you with an Investment Policy for the City. For the most part, this is the same policy that you approved last time. At this time, no major changes have come from the Government Accounting Standards Board (GASB) that would require changing our policy.

It is staff's recommendation that Resolution No. 18-2016 be adopted approving the City of Canyon Investment Policy.

RESOLUTION NO. 18-2016

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CANYON, RANDALL COUNTY, TEXAS, ADOPTING RULES GOVERNING THE INVESTMENT OF FUNDS OF THE CITY, AND DESIGNATING THE DIRECTOR OF FINANCE TO BE RESPONSIBLE FOR THE INVESTMENT OF CITY FUNDS.

WHEREAS, In accordance with the Public Funds Investment Act, Chapter 2256 of the Texas Government Code (the “Public Funds Investment Act”), the City Commission hereby adopts rules governing the investment of City funds as set forth in the “Investment Policies” attached hereto as Exhibit “A” and made a part hereof for all purposes; and,

WHEREAS, In accordance with the Public Funds Investment Act, the City Commission hereby designates the Director of Finance to be responsible for the investment of City funds in accordance with the rules governing investments adopted in Section 1 hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS:

The City of Canyon, Texas has complied with the requirements of the Public Funds Investment Act, and the Investment Policy, as amended, attached hereto is hereby adopted as the Investment Policy of the City of Canyon, Texas effective November 7, 2016.

PASSED, APPROVED, AND ADOPTED this 7th day of November 2016.

QUINN J. ALEXANDER, MAYOR

ATTEST:

GRETCHEN MERCER, CITY CLERK

INVESTMENT POLICY

I. POLICY

It is the policy of the City of Canyon that after allowing for the anticipated cash flow requirements of the Entity and giving due consideration to the safety and risk of investment, all available funds shall be invested in conformance with these legal and administrative guidelines, seeking to optimize interest earnings to the maximum extent possible.

Effective cash management is recognized as essential to good fiscal management. Investment interest is a source of revenue to the City of Canyon's funds. The City's investment portfolio shall be designed and managed in a manner designed to maximize this revenue source, to be responsive to public trust, and to be in compliance with legal requirements and limitations.

Investments shall be made with the primary objectives of:

- * **Safety** and preservation of principal
- * Maintenance of sufficient **liquidity** to meet operating needs
- * **Public trust** from prudent investment activities
- * Optimization of **interest earnings** on the portfolio

II. PURPOSE

The purpose of this investment policy is to comply with Chapter 2256 of the Government Code ("Public Funds Investment Act"), which requires each Entity to adopt a written investment policy regarding the investment of its funds and funds under its control. The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the City of Canyon's funds.

III. SCOPE

This Investment Policy shall govern the investment of all financial assets of the City of Canyon. These funds are accounted for in the Entity's Comprehensive Annual Financial Report (CAFR) and include:

- General Fund
- Water Works & Sewer System Fund
- Golf Course Fund
- C.E.D.C. Funds
- W/S Bond Funds
- Emergency Management Fund
- Library Gift and Memorial Fund

- Board of City Development Fund
- LEOSE Fund
- D-Fi-It Program
- Employee Flower Fund
- Vol. Firemen’s Funds
- All subsidiary funds and Any new fund created unless specifically exempted

The City of Canyon may consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the foregoing funds.

IV. INVESTMENT OBJECTIVES

The Entity shall manage and invest its cash with four primary objectives, listed in order of priority: **safety, liquidity, public trust, and yield, expressed as optimization of interest earnings.** The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

The Entity shall maintain a comprehensive cash management program, which includes collection of account receivables, vendor payments in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to insure maximum cash availability and maximum earnings on short-term investment of idle cash.

Safety [PFIA 2256.005(b)(2)]

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit and interest rate risk.

- Credit Risk – The City of Canyon will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, by:
 - Limiting investments to the safest types of investments
 - Pre-qualifying the financial institutions and broker/dealers with which the City will do business
 - Diversifying the investment portfolio when possible, so that potential losses on individual issuers will be minimized. If, in the opinion of the Investment Officer, it is most advantageous to maintain all funds in a single Financial Institution, then the City Commission shall have the authority to waive this diversification requirement.

- Interest Rate Risk – the City will minimize the risk that the interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates, by:
 - Structuring the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity.
 - Investing operating funds primarily in certificates of deposit, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds.
 - Diversifying maturities and staggering purchase dates to minimize the impact of market movements over time.
 - Utilizing any other method of investment management allowable by the Public Funds Investment Act deemed most advantageous based on current market conditions.

Liquidity [PFIA 2256.005(b)(2)]

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands.

Public Trust

All participants in the City’s investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City’s ability to govern effectively.

Yield (Optimization of Interest Earnings) [PFIA 2256.005(b)(3)]

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

V. RESPONSIBILITY AND CONTROL

Delegation of Authority [PFIA 2256.005(f)]

In accordance with The City of Canyon and the Public Funds Investment Act, the City Commission designates the City Manager as the Chief Financial Officer and he/she and the Director of Finance as the City’s Investment Officers. An Investment Officer is authorized to execute investment transactions on behalf of the City. No person may engage in an investment transaction or the management of City funds except as provided under the terms of this Investment Policy as approved by the City Commission. The investment authority granted to the investing officers is effective until rescinded by the City Commission.

Quality and Capability of Investment Management [PFIA 2256.005(b)(3)]

The City shall provide periodic training in investments for the designated investment officers and other investment personnel through courses and seminars offered by professional organizations, associations, and other independent sources in order to insure the quality and capability of investment management in compliance with the Public Funds Investment Act.

Training Requirement (PFIA 2256.008)

In accordance with the City of Canyon and the Public Funds Investment Act, designated Investment Officers shall attend an investment training session no less often than once every two years commencing September 1, 1997 and shall receive not less than 10 hours of instruction relating to investment responsibilities. A newly appointed Investment Officer must attend a training session of at least 10 hours of instruction within twelve months of the date the officer took office or assumed the officer's duties. The investment training session shall be provided by an independent source approved by the State of Texas and compliant with the requirements of the Public Funds Investment Act. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor other than a business organization with whom the City may engage in an investment transaction.

Internal Controls (Best Practice)

The Chief Financial Officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Chief Financial Officer shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points.

- Control of collusion.
- Separation of transactions authority from accounting and record keeping.
- Custodial safekeeping.
- Clear delegation of authority to subordinate staff members.
- Written confirmation for telephone (voice) transactions for investments and wire transfers, and
- Development of a wire transfer agreement with the depository bank or third party custodian

Prudence (PFIA 2256.006)

The standard of prudence to be applied by the Investment Officer shall be the “prudent investor rule.” This rule states that “Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.” In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- The investment of all funds, or funds under the City’s control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment.
- Whether the investment decision was consistent with the written approved investment policy of the City.

Indemnification (Best Practice)

The Investment Officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific investment’s credit risk or market price changes, provided that these deviations are reported immediately and the appropriate action is taken to control adverse developments.

Ethics and Conflicts of Interest [PFIA 2256.005(i)]

Officers and employees involved in the investment process shall refrain from personal business activity that would conflict with the proper execution and management of the investment program, or that would impair their ability to make impartial decisions. Employees and Investment Officers shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the City.

An Investment Officer of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An Investment Officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Commission.

VI. SUITABLE AND AUTHORIZED INVESTMENTS

Portfolio Management

The Entity currently has a “buy and hold” portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, investments may be liquidated prior to maturity for the following reasons:

- An investment with declining credit may be liquidated early to minimize loss of principal.
- Cash flow needs of the Entity require that the investment be liquidated.

Investments [PFIA 2256.005(b)(4)(A)]

City funds governed by this policy may be invested in the instruments described below, all of which are authorized by Chapter 2256 of the Government Code (Public Funds Investment Act). Investment of City funds in any instrument or security not authorized for investment under the Act is prohibited. The City will not be required to liquidate an investment that becomes unauthorized subsequent to its purchase.

I. Authorized

1. Obligations of the United States of America, its agencies and instrumentalities.
2. Certificates of Deposit issued by a bank or other approved financial institution organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas, organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas and that is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or secured by obligations in a manner and amount provided by law for deposits of the Entity.
3. Money Market Mutual funds that are 1) registered and regulated by the Securities and Exchange Commission, 2) have a dollar weighted average stated maturity of 90 days or less, 3) rated AAA by at least one nationally recognized rating service, and 4) seek to maintain a net asset value of \$1.00 per share.
4. Local government investment pools, which 1) meet the requirements of Chapter 2256.016 of the Public Funds Investment Act, 2) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service, 3) *seek to maintain a \$1.00 net asset value*, and 4) are authorized by resolution or ordinance by the City Commission.

5. Certificates of Deposit through cooperative programs such as CDARS (Certificates of Deposit Account Registry Service) which provides \$250,000 FDIC Insurance Coverage per Financial Institution.
6. Other securities as permitted by Public Funds Investment Act Sec. 2256.009. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized equivalent.
7. Any other investment allowable under the Public Funds Investment Act meeting the goals of this policy that results in a maximization of yield, based on market conditions.

All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating. (*PFIA 2256.021*)

II. **Not Authorized [PFIA 2256.009(b)(1-4)]**

Investments including interest-only or principal-only strips of obligations with underlying mortgage-backed security collateral, collateralized mortgage obligations with an inverse floating interest rate or a maturity date of over 10 years are strictly prohibited.

VII. INVESTMENT PARAMETERS

Maximum Maturities [PFIA 2256.005(b)(4)(B)]

The longer the maturity of investments, the greater their price volatility. Therefore, it is the City's policy to concentrate its investment portfolio in shorter-term securities in order to limit principal risk caused by changes in interest rates.

The City attempts to match its investments with anticipated cash flow requirements. The City will not directly invest in securities maturing more than two (2) years from the date of purchase; however, the above described obligations, certificates, or agreements may be collateralized using longer dated investments.

Diversification [PFIA 2256.005(b)(3)]

The City recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification that shall be achieved by the following general guidelines:

- Limiting investments to avoid overconcentration in investments from a specific issuer or business sector (excluding those deposit that are fully insured and collateralized in accordance with state and federal law),

- Limiting investment in investments that have higher credit risks (example: commercial paper),
- Investing in investments with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as local government investment pools (LGIPs), money market funds, interest bearing depository accounts, or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

The following maximum limits, by instrument, are established for the Entity’s total portfolio:

1. U.S. Treasury Securities	100%
2. Agencies and Instrumentalities	85%
3. Certificates of Deposit	100%
4. Money Market Mutual Funds	50%
5. Authorized Pools	50%
6. Interest-Bearing Depository Accounts.....	100%

VIII. REPORTING (PFIA 2256.023)

Methods

The Investment Officer shall prepare an investment report on a quarterly basis that summarizes investment strategies employed in the most recent quarter and describes the portfolio in terms of investment securities and maturities, and shall explain the total investment return for the quarter.

The quarterly investment report shall include a summary statement of investment activity prepared in compliance with generally accepted accounting principals. This summary will be prepared in a manner that will allow the Entity to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the City Commission. The report will include the following:

- A listing of individual securities held at the end of the reporting period.
- Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period.
- Additions and changes to the market value during the period.
- Average weighted yield to maturity of portfolio as compared to applicable benchmark.
- Listing of investments by maturity date.
- Fully accrued interest for the reporting period
- The percentage of the total portfolio that each type of investment represents.
- Statement of compliance of the Entity’s investment portfolio with state law and the investment strategy and policy approved by the City Commission.

IX. INVESTMENT POLICY ADOPTION [*PFIA 2256.005(e)*]

The Entity's investment policy shall be adopted by resolution of the City Commission. It is the Entity's intent to comply with state laws and regulations. The Entity's investment policy shall be subject to revisions consistent with changing laws, regulations, and needs of the Entity. The City Commission of Canyon shall adopt a resolution stating that it has reviewed the policy and investment strategies annually, approving any changes or modifications.

X. FUND BALANCE

- A. Definitions - In compliance with the Government Accounting Standard Board (GASB) Statement No. 54, the City has adopted the following definitions:
1. **Non-spendable fund balance – (inherently not spendable)**
Includes amounts that will never convert to cash or will not convert to cash in the current period, such as inventory, supplies, long-term portion of loans and non-financial assets held for resale or principal of an endowment.
 2. **Restricted fund balance – (externally enforceable limitations on use)**
Includes amounts that can be spent only for the specific purposes stipulated by external resource providers either constitutionally or through enabling legislation. Examples include grants, court receipt restrictions (municipal technology fund) or charter restrictions.
 3. **Committed fund balance – (self-imposed limitations)**
Includes amounts that can be used for the specific purposes determined by a formal action of the City Commission in form of a resolution. Commitments may be changed or lifted only by taking the same formal action that imposed the constraints originally.
 4. **Assigned fund balance – (limitation resulting from management's intended use)**
Comprises amounts intended to be used for a specific purpose, as expressed by City Commission, by a designated official or committee. By adopting this policy the City Commission has hereby authorized the City Manager as the official to assign fund balance to a specific purpose. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed, as it is intended to be used for the purpose of that fund.
 5. **Unassigned fund balance – (residual net resources)**
This is the excess of total fund balance over non-spendable, restricted, committed, and assigned fund balance. Unassigned amounts are technically available for any purpose.
- B. Order of Expenditure of Funds – When multiple categories of fund balances are available for expenditure (for example, a construction project is funded partly by grant money, funds set aside by the City Commission, and unassigned fund balance) the City will start with the most restricted category first until depleted before moving to the next category with available funds. Spendable fund categories in

order of most restricted to least restricted are: Restricted, Committed, Assigned, and Unassigned.

- C. Minimum Unassigned Fund Balance – It is the goal of the City of Canyon to achieve and maintain a minimum unassigned fund balance in the general fund to ensure that there will be adequate liquid resources in the event of unanticipated circumstances and events. The desired unassigned fund balance of 50% is optimal. The minimum unassigned fund balance is set at 25% of budgeted expenditures for the fiscal year, providing for approximately 90 days of estimated expenditures.
- D. Designated Circumstances – the minimum unassigned fund balance may be spent under these circumstances:
 - 1. Natural disasters, including but not limited to tornados, fire or flood.
 - 2. Opportunities for a grant in which the matching portion may require a portion of the minimum unassigned fund balance.
 - 3. Shortfall in the budgeted revenue in excess of 20%.
 - 4. Unforeseeable expenditures in excess of 20% over budget.
 - 5. When unforeseen circumstances or emergencies in another fund require a fund transfer from the general fund.
 - 6. If the previous year’s audit reflects a fund balance of more than 50%, then that excess may be used for projects or capital purchases first approved by the city commission. The expenditures made shall not cause the fund balance to drop below 50%.
- E. Replenishment of Minimum Unassigned Fund Balance
 - 1. When designated circumstances have reduced the unassigned fund balance below the targeted minimum level, the replenishment is to occur within 12 months.
 - 2. Depending on the severity of the reduction of the minimum unassigned fund balance the following measures will be taken to replenish the minimum unassigned fund balance:
 - a) Should calculations reveal that the minimum unassigned fund balance will be replenished through normal activity within the next 12 months no action is necessary
 - b) Reduction of expenditures
 - c) Delay of capital purchases
 - d) Increase in fees and/or taxes
 - e) Salary freeze
 - f) Hiring freeze

To: Randy Criswell, City Manager
From: Dan Reese, Public Works Director
Date: October 31, 2016
Re: Consider and Take Appropriate Action on Bids Received for Wastewater System Improvements – Replacement of Conner Park Sewer Line.

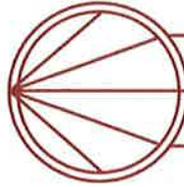
This project was needed to re-route the sewer line in Conner Park that services the Lois Rice Pavilion. Due to the layout of the Canyon Family Aquatic Center, the existing line from the pavilion was immediately under the new facility's construction. It was also a good opportunity to replace some of the existing sewer main downstream of the old swimming pool that has given us problems in the past

Bids were received and opened on Thursday, October 27, 2016. We received five (5) bids that ranged in amounts from approximately \$ 64,000.00 to \$ 95,000.00. Funding for this project will come from the wastewater collection, sewer main budget.

The low bid was submitted by Scott Wampler Construction, Canyon, TX, in the amount of \$ 63,567.50. The completion time bid for both projects was 65 days. Wampler Construction is performing the demolition of the old pool, including the existing sewer line, so this will help with coordination of the two projects.

The Engineer has submitted a recommendation letter and bid tabulation sheet, which is attached.

The public works department concurs with the Engineer in recommending that the bid of Scott Wampler Construction and Services be awarded this project in the amount of \$ 63,567.50.



**BRANDT
ENGINEERS®**

TBPE REGISTRATION No. 4174

4537 CANYON DRIVE, AMARILLO, TEXAS 79110

OFC: 806/353-7233

FAX: 806/353-7261

October 28, 2016

The Honorable Quinn Alexander, Mayor
and City Commission
City of Canyon
301 16th Street
Canyon, Texas 79015

Re: Bid Award
Wastewater Collection System Improvements
Replacement of Conner Park Sewer Line

Mayor and Commission:

Bids were opened on October 27, 2016, for the above referenced project. The bid tabulation sheet is attached.

The lowest bid for the Base Bid was submitted by Scott Wampler Construction of Canyon, Texas. The amount of the Base Bid is \$63,567.50 with 90 calendar days to complete the construction.

It is recommended that the contract be awarded to Scott Wampler Construction in the amount of \$63,567.50

If you have any questions, please do not hesitate to call.

Sincerely,

BRANDT ENGINEERS



Brandan Knapp, P.E.

enclosure

Bid Tabulation Sheet
Wastewater Collection System Improvements
Replacement of Conner Park Sewer Line
Canyon, Texas
October 27, 2016

Item Number	Base Bid Items Items Description	Est. Quantity	Unit	Wampler Construction		WTU		MH		L.A. Fuller		AUC	
				Unit Price	Ext. Amount	Unit Price	Ext. Amount	Unit Price	Ext. Amount	Unit Price	Ext. Amount	Unit Price	Ext. Amount
1	Mobilization/Demobilization	1	LS	3,500.00	\$ 3,500.00	4,370.00	\$ 4,370.00	4,757.00	\$ 4,757	3,779.20	\$ 3,779.20	3,980.00	\$ 3,980.00
2	Furnish and install 6" PVC, sewer line, 0'-6' depth	580	LF	20.00	\$ 11,600.00	27.00	\$ 15,660.00	34.00	\$ 19,720	31.90	\$ 18,502.00	30.00	\$ 17,400.00
3	Furnish and install 6" PVC, sewer line, 6'-8' depth	455	LF	23.00	\$ 10,465.00	30.00	\$ 13,650.00	35.00	\$ 15,925	40.30	\$ 18,336.50	31.00	\$ 14,105.00
4	Furnish and install 6" PVC, sewer line, 8'-10' depth	270	LF	26.00	\$ 7,020.00	37.50	\$ 10,125.00	36.00	\$ 9,720	44.00	\$ 11,880.00	33.00	\$ 8,910.00
5	Furnish and install 6" PVC, sewer line, 10'-12' depth	35	LF	35.00	\$ 1,225.00	90.00	\$ 3,150.00	38.00	\$ 1,330	43.00	\$ 1,505.00	34.00	\$ 1,190.00
6	Furnish and install cleanout on 6" PVC	3	EA	400.00	\$ 1,200.00	635.00	\$ 1,905.00	994.00	\$ 2,982	864.00	\$ 2,592.00	690.00	\$ 2,070.00
7	Furnish and install 48", 0'-4' depth	7	EA	2,400.00	\$ 16,800.00	2,729.00	\$ 19,103.00	2,920.00	\$ 20,440	2,732.00	\$ 19,124.00	3,775.00	\$ 26,425.00
8	Furnish and install extra depth in 48" manholes over 4' in depth	23.3	LF	175.00	\$ 4,077.50	130.00	\$ 3,029.00	137.00	\$ 3,192	141.00	\$ 3,285.30	545.15	\$ 12,702.00
9	Trench safety	1340	LF	2.00	\$ 2,680.00	1.85	\$ 2,479.00	0.85	\$ 1,139	1.10	\$ 1,474.00	2.00	\$ 2,680.00
10	HMAC pavement repair	20	SY	50.00	\$ 1,000.00	32.75	\$ 655.00	94.00	\$ 1,880	174.20	\$ 3,484.00	145.00	\$ 2,900.00
11	Traffic controls	1	LS	2,500.00	\$ 2,500.00	2,425.00	\$ 2,425.00	849.00	\$ 849	1,500.00	\$ 1,500.00	1,700.00	\$ 1,700.00
12	Erosion control	1	LS	1,500.00	\$ 1,500.00	2,107.00	\$ 2,107.00	1,540.00	\$ 1,540	8,785.00	\$ 8,785.00	570.00	\$ 570.00
Base Bid Total					\$ 63,567.50		\$ 78,658.00		\$ 83,474.10		\$ 94,247.00		\$ 94,632.00
Days to Complete					90		70		120		45		60

To: Randy Criswell, City Manager
From: Jon Behrens, Assistant to the City Manager
Date: November 7, 2016
Re: Consider and Take Appropriate Action on Selection of Consultant for Updating the City's Comprehensive Plan.

One of the goals for the City of Canyon this year is the development of a Request for Proposal for the updating of the Canyon Comprehensive Plan. An updated Comprehensive Plan will establish guidelines for the future growth of Canyon. The Plan will serve as a policy guide to decisions about community development.

After the review of multiple communities Comprehensive Plan RFQ's and RFP's the attached RFP has been developed. The RFP outlines the areas that are to be studied and also the submittal process. One of the required elements of all submittals is a cost proposal. Proposals are to include an itemized not-to-exceed fee schedule for each phase of the project. Once the selection process is completed the City will have the opportunity to negotiate cost and plan elements with the highest ranked firm.

Marble Falls has recently adopted an updated Comprehensive Plan and I have contacted them to determine the cost range of plans. It appears that Marble Falls selected a firm to develop the plan in April of 2015 and the plan was adopted in June 2016. Marble Falls has a population of 6,600 residents, is 13.5 square miles, has a median house cost of \$151,200, and a property tax rate of .64. The attached link will provide you with an opportunity to review the Marble Falls Plan and the Executive Summary. This plan includes the elements that I have seen in the other plans and was completed for \$129,000.

Example Comprehensive Plans

Marble Falls Comprehensive Plan and Plan Executive Summary by Halff Engineering:
<http://tx-marblefalls.civicplus.com/342/Comprehensive-Plan>

Cedar Park Comprehensive Plan by Freese and Nichols:
<http://www.cedarparktexas.gov/modules/showdocument.aspx?documentid=4467>

Cedar Hill Comprehensive Plan by HDR Engineering:
<http://cedarhilltx.com/DocumentCenter/Home/View/2320>

Denton Comprehensive Plan by Hellmuth, Obata & Kassabaum:
<http://www.cityofdenton.com/home/showdocument?id=4787>

AGENDA

The information gathering portions of this process will include multiple meetings with citizens, elected officials, committee members, and City staff. City staff will assist with the process by providing information and access to City resources. The updated water and sewer studies will be significant pieces in the plan.

A second option for the city is to work with the Houston-Galveston Area Council of Governments (HGAC). Through Plan Source, a cooperative purchasing program which they are associated with, we are eligible to select one of 17 pre-screened firms to perform this work. Through a simple process we would select a firm, develop a scope of work and cost of service with them, and then get started on the project. The Plan Source program would charge us a 2% project fee for the use of their services. The Plan Source list includes several of the firms whose planning work I am familiar with and all of which would be excellent firms to perform the work. Using the Plan Source, could possibly save six to eight weeks.

The following firms have all been pre-approved/selected to prepare Community Comprehensive Plans by the Houston-Galveston Area Council:

- ARUP Texas, Inc.
- Asakura Robinson, LLC
- Design Workshop, Inc.
- Edminster, Hinshaw, Russ & Associates Inc.
- Freese and Nichols, Inc.
- Half Associates, Inc.
- HDR Engineering, Inc.
- Hellmuth, Obata & Kassabaum, L.P.
- Jacobs Engineering Group Inc.
- Kendig Keast Collaborative
- Kimley-Horn and Associates, Inc.
- Knudson, LP
- Parsons Brinckerhoff, Inc.
- Reynolds, Smith and Hills, Inc.
- SWA Group, Inc.
- Traffic Engineers, Inc.
- Walter P. Moore and Associates, Inc.

At this point, staff is prepared to initiate this process. We are asking for two things:

- 1. The first is for your authorization to proceed with the selection process for a consultant to work with us on the Comprehensive Plan.**
- 2. The second pertains to your preferred method, whether you would prefer that we issue RFP's to anyone who might be interested, or whether you would feel comfortable selecting a firm (or authorizing staff to select a firm) that is approved on the HGAC list.**



Request for Proposals
City of Canyon Comprehensive Plan

The City of Canyon (City), Texas is requesting submission of submittals for consulting services related to the development of a new Comprehensive Plan (Plan). The City is seeking qualified consultants with experience in community design, land use and environmental planning, and city services analysis. The Plan should serve as a guide to meet the challenges and opportunities of today and the future in Canyon.

City of Canyon
Comprehensive Plan Submittal
Attn: Jon Behrens
301 16th Street
Canyon, TX 79015
Ph: 806-655-5000
Fx: 806-655-5025

Issued: **TBD**
Due:

Request for Proposals

City of Canyon Comprehensive Plan

Introduction

Community Description

Canyon, estimated population of 14,432, is a residential community located in Randall County, Texas. Canyon is 17 miles south of the City of Amarillo, which has a population of over 190,000. Canyon derives its name from Palo Duro Canyon, which is located approximately 12 miles due east. The City has experienced steady population growth since the 1996 Comprehensive Plan was completed. The City of Canyon covers 7 square miles within the corporate limits. With the current ETJ of 1.0 miles, the area for future potential development encompasses approximately 30 miles. Since the 1996 Plan was adopted the City has annexed over 1500 acres. The Canyon Independent School District, which has an enrollment of over 9,000, serves the City of Canyon, all of the ETJ, and parts of Amarillo. West Texas A&M University is also located in Canyon and had an enrollment of 9,966 for the Fall 2016 semester. West Texas A&M has seen steady growth over the past 10 years.

Canyon residents enjoy the numerous parks, quality school system, affordable living, and the “small town feel” of Canyon, as well as the shopping and other amenities available in Amarillo. Residents want to continue the current quality of life which includes low unemployment, a good economy, low crime rate, while maintaining the small-town character of the community. The City hopes to develop a Comprehensive Plan that looks to the future in a holistic and sustainable manner.

Previous Comprehensive Plans

The City of Canyon had a Comprehensive Plan completed in 1970, a Land Use and Housing update was completed in 1981, and a new full Comprehensive Plan was completed in 1996. The 1996 plan has not been updated. The community has grown and many of the goals identified in this plan have been accomplished or they are no longer considered relevant. City staff completed a review of all 1996 Plan goals in the spring of 2016. A new Comprehensive Plan should include a review and assessment of the 1996 goals.

Community Engagement

The Canyon City Commission and City staff desire for this planning process to have a major emphasis on community engagement. The City desires to prove a high quality of life for the community and this process should engage the public and involve them in formulating and implementing a plan that truly belongs to the community. Consulting teams should seek methods to engage the public through various media, including presentations, public hearings, social media, the internet, and workshops throughout the project.

Comprehensive Plan Advisory Committee

The City of Canyon anticipates the formation of a CPAC to work closely with the selected team during the planning process. The City will seek suggestions from the selected team during the negotiations phase of the project regarding the membership in this Committee.

Respondent Requirements

Respondents shall be firms, corporations, individuals or partnerships that normally engage in the preparation of municipal comprehensive plans and should have experience doing such with municipalities in the State of Texas. Consultant submittals may provide full in-house professional services or may propose using a team approach. Submittals should reflect the consultants’ ability to provide a full range of expertise in all areas described in this document.

Scope of Work

Objective

The primary objective of the Plan is to provide a plan for the community that examines the challenges and opportunities and provides strategies to address both in the future. This Plan is envisioned as both a physical plan and a policy guide for development in Canyon. The Plan will not only serve as a framework for future associated planning documents, it will serve as a policy guide for staff and decision makers regarding future development. The Plan should guide and direct the growth of the community while being sensitive to existing residents and development.

Plan Elements

The following outline is intended to provide information related to expected content for the Comprehensive Plan. Consultants are encouraged to present additional information and as they see fit. The Comprehensive Plan shall, at a minimum, contain:

- 1) **Executive Summary:** This summary will outline the vision, detailed goals and objectives, and policy statements that are laid out in the Comprehensive Plan. This summary will be used as a guide for decision making and to educate the citizenry of the community. The summary should be included in the Plan, but should also be suitable to be used as a stand-alone document.
- 2) **Community Profile:** A complete inventory, review and analysis of existing conditions. The profile will include at least the following: community history, existing land uses, natural environment elements, thoroughfares and transportation, community facilities, and other relevant topics.
- 3) **Demographic and Population Analysis and Projections:** A demographic and economic profile of the city based on collection and analysis of census data, including population projections and socio-economic trends.
- 4) **Existing Land Use and Future Land Use Plan:** A review and analyses of local conditions and existing plans. The Plan should include a land use map as well as policies and recommendations pertaining to land use. A land use capacity analysis should be included to help direct growth and redevelopment within the City. The Plan should review the City's corporate boundaries for potential annexation, future development, and potential amendments that should be made within the corporate limits and extraterritorial jurisdiction. Realistic population projections and build-out scenarios are expected to be developed regarding preferred land-use patterns. Build out scenarios shall be presented to the City Commission, City Staff, and the public to allow them to evaluate the cost benefit analysis and return on investment of various development scenarios.
- 5) **Community Facilities and Services:** An inventory and assessment of City assets that will support the City's growth and development. The City envisions this assessment as including, but not being limited to a review for public safety needs, solid waste disposal, public buildings, libraries, parks and open space, and recreational facilities.
- 6) **Infrastructure:** Review existing plans related to water supply and sanitary sewer systems and recommend any future modifications to those plans that will be required to achieve the overall community vision or to support the approved build-out scenarios for future land use mixes.
- 7) **Housing:** Strategies for housing that are broad and inclusive to ensure sufficient quantity and quality of local housing for all incomes. An assessment of the current housing market and long-term recommendations for neighborhood preservation, infill development, redevelopment and new development.

- 8) Community Character and Urban Design: The Plan, through community input and review of existing plans, shall have a set of policies that address community image and preservation of community attributes and character. Recommendations related to the identification of areas appropriate for the application of urban design elements, possibly including the gateways, major corridors, and downtown.
- 9) Natural Resources and the Environment: Identification of goals and policies that seek a balance between the built environment and the protection/preservation of natural resources. Aspects to be addressed include open spaces, park spaces, storm water management, watersheds, drainage, floodplain management, and natural resources. City will consider the development of a complete Parks, Recreation, and Open Space Plan.
- 10) Transportation: Review of current conditions and development of goals and policies that address thoroughfare development, traffic management, other transportation related issues.
- 11) Intergovernmental Cooperation: Recommendations related to possible opportunities for the City to partner with other governmental bodies/agencies including: Randall County, Canyon Independent School District, and West Texas A&M University.
- 12) Development of Goals, Objectives and Policies: The goals, objectives and policies of the Plan should be developed with significant public participation in order to develop an acceptable and viable vision and guide for the community regarding future development and re-development. The development of goals must also identify current gaps or conflicts between current codes and ordinances and the new Comprehensive Plan developed.
- 13) Implementation Plan: Recommendations for implementation strategies and benchmarks should be identified in the Plan.

City staff will finalize the scope of work with the selected consultant prior to contract authorization. The City is open to suggestions other than those items listed in this document which the consultant believes will be of value in producing a viable Comprehensive Plan and will have practical applications for day-to-day planning activities.

End Product

The plan shall be presented in a format and language that is user-friendly and easily comprehensible and accessible to the general public. Use of maps, graphics, and similar dynamic devices that will enhance the effectiveness, readability, and ease-of-use of the Plan is encouraged.

Deliverables

Required services will include but are not limited to:

- Five (5) bound, color copies of final plan, in 8 ½ by 11 vertical format.
- Maps and illustrations will be reproducible in 8 ½" by 11" or 11" by 17" format.
- Copy of all maps provided in AutoCad – Selected firm will coordinate this process with Director of Public Works
- Three (3) colored copies in binders that allow for amendments.
- One (1) digital copy of final plan in Microsoft Word and in Adobe Acrobat formats.

The formats must allow for amendments, reproductions and direct web posting. The Plan shall be designed to be integrated into the City's website.

Staff from the selected firm will visit the City of Canyon to familiarize themselves with the area and the challenges presented. The firm will attend meetings with City of Canyon Staff, Commission Members, and possibly various Boards and Committees to discuss the Comprehensive Plan.

Products produced as part of the plan process, including but not limited to GIS layers, studies, documents, drawing, etc., shall be the property of the City of Canyon.

Submission Requirements

To achieve a uniform review process and obtain the maximum degree of comparability, the responses shall be organized in the manner specified below. Responses shall **not exceed forty (40) pages** in length (excluding title page, index/table of contents, work sample attachments (on CD) and dividers). Information in excess of those pages allowed will not be evaluated. One page shall be interpreted as one side of printed, 8 ½" x 11" sheet of paper.

The Respondent shall submit **one (1) original** signed paper copy and **three (3) copies** of its response. In addition, the Respondent shall submit one (1) CD or USB drive, containing a complete copy of Respondent's submission in a PDF format.

Submittal Format

Title Page (1 page)

Document title, the name of firm, address, telephone number(s), name of contact person and date.

Tab 1 Letter of Interest

This letter shall provide a statement of interest and understanding of the work, cite the individual who will be the primary point-of-contact for matters relating to the submittal (include contact information) and shall be signed by an individual with the authority to commit the firm to the project. The letter shall include a narrative description of the strengths associated with the lead firm and consultants.

Tab 2 Table of Contents (1 page)

Clearly identify the materials by Tab and Page Number

Tab 3 Respondent History and Resources

Provide a brief description of the firm including the number of years the firm has been in existence, range of professional services, office locations, and staff size. Provide evidence of licensure in the State of Texas. Describe any unique qualifications the firm has related to this project. Provide an organizational chart for the team that will perform the work, provide qualifications and experience of the principals and consultants on the team. Provide information on professional awards or recognition received for previously completed comprehensive plans by the proposed Project Manager. Identify any sub-contractors and provide their qualifications and identify the services they will provide. Provide any additional information that may be of benefit to the City.

Tab 4 Project Team Experience

Provide the name, address, telephone number and e-mail address of a primary contact for at least three (3) municipalities that have utilized similar services from your organization, including the proposed Project Manager, within the last five (5) years, include a brief overview of the work performed and methodologies used.

Tab 5 Methodology and Approach

Provide description of the method and approach to be used in this project. Specifically describe:

- Community engagement strategies, tools and techniques
- Role of citizens, officials, and staff in the project
- Meeting facilitation tools and techniques
- Any unique techniques that your team has successfully utilized on similar projects

Tab 6 Issue or Opportunity Facing Canyon

Respondent shall demonstrate their understanding of one unique issue or opportunity facing the City of Canyon and how these may impact the Comprehensive plan through a brief narrative.

Tab 7 Project Schedule

Provide a detailed proposed schedule for the complete project that meets or exceeds the scope of services as described herein.

Tab 8 Cost Proposal

Respondents shall include a cost proposal to provide services as described herein. Cost shall include an itemized not-to-exceed fee schedule to include travel and material expenses for each phase of the project as follows:

- Phase 1 – Project initiation and data gathering
- Phase 2 – Community engagement
- Phase 3 – Document production
- Phase 4 – Plan adoption

Tab 9 Work Samples

Include a CD with a minimum of two (2) completed and adopted Comprehensive Plans completed for other similar municipalities by the proposed Project Manager.

Solicitation Schedule

- Request For Proposals released TBD
- Deadline for all questions
- Final addendums and question responses posted by 5 pm
- RFPs due at or before 3:00 PM, CST
- Committee Review of Proposals Process begins
- Respondents notified of status No later than
- Consultant Interviews and Presentations (if required) Week of
- Contract Negotiations and Contract award by City Commission

The City reserves the right to modify all dates in Solicitation Schedule.

Clarification Contact

All questions regarding the solicitation shall be submitted in writing at or before 5:00 PM, CST, on the due date noted above. All questions should be directed to:

Jon Behrens
 Assistant City Manager for Special Projects
 City of Canyon
jbehrens@canyontx.com

Telephone: 806-655-5000

The individual listed above may be contacted for clarification of the specifications only. No authority is intended or implied that specifications may be amended or alterations accepted prior to solicitation opening without written approval of the City of Canyon.

Solicitation Updates

Various updates including addendums, answers to questions, cancelations, notifications, and any other pertinent information necessary for the submission of a correct and accurate response will be provided by email to the identified team lead on each consultant team and will also be available on the City website at: <http://www.canyontx.com/>.

Deadline for Submission

Signed and sealed responses are due at or before 3:00 PM, CST, **on TBD**. **Sealed responses** should be hand delivered or delivered via USPS, UPS, or FedEx to:

City of Canyon
Comprehensive Plan Submittal – Do Not Open
Attn: Jon Behrens
301 16th Street
Canyon, TX 79015

Responses received after this time and date shall not be considered. Facsimile or electronically transmitted response are not acceptable. Responses cannot be altered or amended after submission. The City will not be bound by any oral statement or offer made contrary to the written specifications.

Selection Process

An evaluation committee will review each response for solicitation compliance and technical scoring in each category using the following weighted criteria. A consensus score will be assigned to each response. Scoring criteria:

- 25% - Consultant's specialized experience, expertise, and performance in providing similar or related services.
- 15% - The proposed approach and methods to be used in project.
- 10% - Demonstrated understanding of the project and the Canyon community.
- 20% - Quality of sample materials and proposal package submitted.
- 10% - Consultants overall suitability to provide the required services within the time and budget constraints.
- 20% - Qualifications and experience of the project team.

The evaluation process may reveal additional information for consideration. The City reserves the right to modify, without notice, the evaluation structure and weighted criteria to accommodate these additional considerations to serve the best interest of the City. The results of the review and evaluation of the responses to the RFQ will be used to select one or more consultants to meet with the Consultant Selection Committee for an interview.

Expenses incurred by the respondents in replying to the RFQ or in making an appearance before the Consultant Selection Committee are at the respondents' own expense and risk.

In determining best value, the City may consider:

- Reputation of Respondent and of Respondent's services

- Quality of the Respondent's services
- The extent to which the services meet the City's needs
- Respondent's past relationship with the City
- Any relevant criteria specifically listed in the solicitation

Upon completion of the interview process, the Consultant Selection Committee will rank the firms, and will subsequently recommend one or more consultants to the City Commission. Contract negotiations will take place once the City Commission has selected the finalist. If the City is unsuccessful in negotiations with the selected respondent, the city may then select the next most qualified respondent and attempt to negotiate an agreement with that respondent. The City shall continue this process until an agreement is reached or all negotiations are terminated. When such an agreement is reached, a recommendation will be made to the City Commission requesting authorization to execute a contract pursuant to the agreement and subject to the availability of funding.

Confidentiality of Content

All documents submitted in response to a solicitation shall be subject to the Texas Public Information Act. Following an award, responses are subject to release as public information unless the response or specific parts of the response can be shown to be exempt from the Texas Public Information Act. Pricing is not considered to be confidential under any circumstances.

Information in a submittal that is legally protected as a trade secret or otherwise confidential must be clearly indicated with stamped, bold red letters stating "CONFIDENTIAL" on that section of the document. The City will not be responsible for any public disclosure of confidential information if it's not clearly marked as such.

If a request is made under the Texas Public Information Act to inspect information designated as confidential, the Respondent shall, upon request from the City, furnish sufficient written reasons and information as to why the information should be protected from disclosure. The matter will then be presented to the attorney General of Texas for final determination.

Conflict of Interest

If a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a), then the vendor must complete and file a Conflict of Interest Questionnaire. By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor. The questionnaire can be found at: https://www.ethics.state.tx.us/filinginfo/conflict_forms.htm.

General Conditions

The City of Canyon expects to select a consulting firm from the qualifications submitted, but reserves the right to request substitutions of firms. The City also reserves the right to reject any or all responses to the RFQ, to advertise for new responses, or to accept any response deemed to be in the best interest of the City. A response to this RFQ should not be construed as a contract or an indication of a commitment of any kind on the part of the City, nor does it commit either to pay for costs incurred in the submission of a response to this request or for any cost incurred prior to the execution of a final contract. Upon selection, a Professional Service Contract shall be prepared negotiated, and fully executed before work is initiated.

Waiver

By submitting a proposal, each submitter agrees to and does hereby waive any claim the submitter has or may have against the City and/or the City's employees, agents and officers, arising out of or in any way connected with the following:

1. The administration, evaluation or recommendation of any statement of qualifications.
2. Waiver or deletion of any of the requirements under the statement of qualifications or the contract documents.
3. Acceptance or rejection of any statement of qualification.
4. Award of contract.

By submitting a Statement of Qualifications, the submitter acknowledges that he or she understands all terms of the proposal documents and consents to the competitive selection process and the possibility of a negative assessment. By submitting a Statement of Qualifications, the submitter acknowledges and agrees that there was and is no disparity of bargaining power between the submitter and the City. The submitter agrees that this is the intentional relinquishment of the above listed presently existing known rights.

By submitting a Statement of Qualifications, each submitter agrees to waive and does hereby waive any claim the submitter has or may have against the City and/or its respective employees and representatives, for the award of attorney fees, arising out of or in connection with the administration, evaluation, or recommendation of any Statement of Qualifications, waiver of any requirements under this RFQ, acceptance or rejection of any Statement of Qualifications, and award of the contract. By submitting a Statement of Qualifications, the submitter specifically waives any right to recover or be paid attorney's fees from the City or any of the City's employees and representatives.

Sovereign Immunity

The City is not waiving its right of sovereign immunity. The City is retaining its immunity from suit and liability. The City does not consent to be sued by legislative resolution or action.