

## AGENDA

### NOTICE OF MEETING

Notice is hereby given that the governing body of the City of Canyon will meet at 4:30 p.m. on the 4<sup>th</sup> day of April 2022 in the Commission Chambers of City Hall at 301 16th Street in the City of Canyon to discuss the following agenda items. Social Distancing and masks are encouraged.

The meeting is broadcast on [YouTube](#). YouTube does provide closed captioning on the recorded video, it is not provided real-time.

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Approval of the Minutes of the Meeting of March 21, 2022.
5. Public Comment – Comments from Interested Citizens.
6. Proclamation Proclaiming April 2022 as Canyon Child Abuse Prevention and Awareness Month.
7. Presentation on Zoning and Subdivision Ordinance Updates.
8. Consider and Take Appropriate Action on Resolution No. 04-2022, A Resolution by the City Commission of the City of Canyon, Randall County, Texas, Accepting a House Bill 2604 Grant From the Texas A&M Forest Service for the Purchase of Personal Protective Equipment for the Canyon Fire Department; And Authorizing the Fire Chief to Represent the City in All Matters Pertaining to the Administration of the Grant.
9. Consider and Take Appropriate Action on Ordinance No. 1155 Designating the Brown Road Sports Complex as a Public Park.
10. Consider and Take Appropriate Action on Authorization for the Signing of Grant Documents.
11. Presentation of City of Canyon 2022 Strategic Plan Quarterly Update.
12. Consider and Take Appropriate Action on Third and Final Reading of Ordinance No. 1154 for the Renewal of Xcel Energy Franchise Agreement.
13. Executive Session Pursuant to §551.071 Consultation with Attorney, and §551.072 for Deliberation Regarding Real Property.
14. Consider and Take Appropriate Action on Items Discussed in Executive Session.
15. Consider and Take Appropriate Action on Cost Share Agreement and Annexation Agreement for Gerald Development.
16. Adjourn.

  
\_\_\_\_\_  
Joe Price, 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 1<sup>st</sup> day of April 2022.

  
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City of Canyon

The City Commission of the City of Canyon met at 4:30 pm in the City Commission Chambers of the Civic Complex. Mayor Gary Hinders presided over the meeting with the following Commissioners in attendance, Mayor Pro-Tem Cody Jones, Kelsey Ward, Paul R. Lyons and Randy Ray.

Also present were the following City Staff: City Manager Joe Price, Assistant City Manager Jon Behrens, City Secretary Gretchen Mercer, HR Director Hector Mendoza, IT Director Shaun Holtman, Communications Director Megan Nelson, Chief of Police Steve Brush, Police Captain Matt Coggins, Planning and Development Director Danny Cornelius, Assistant Planning and Development Director Craig Brown, Planning and Development Inspector Stan Barnard, Director of Public Works Dan Reese, Assistant Director of Public Works Chris Enriquez, Street and Solid Waste Superintendent Brendon Banner, Water Foreman Jeff Williams, Business and Community Development Director Evelyn Ecker, Parks Director Brian Noel, Fire Chief Dennis Gwyn, Assistant Fire Chief Vince Whitfill, Finance Director Joel Wright, Budgeting and Purchasing Manager Beau Boyer, City Engineer Adolfo Garcia, and City Attorney Chuck Hester.

Item 1. Call to Order.

Mayor Hinders called the meeting to order at 4:33 p.m.

Item 2. Invocation.

Mayor Pro-Tem Jones gave the invocation.

Item 3. Pledge of Allegiance.

The Pledge of Allegiance was led by Commissioner Ray.

Item 4. Approval of the Minutes of the Meeting of March 7, 2022

Commissioner Ray moved, duly seconded by Mayor Pro-Tem Jones to approve the minutes of March 7, 2022 as presented. Motion carried unanimously.

Item 5. Public Comment – Comments from Interested Citizens.

No Comments were made.

Item 6. Report on Improving the City of Canyon's Insurance Services Office (ISO) Public Protection Classification.

Fire Chief Dennis Gwyn introduced ISO consultant Mike Pietsch, P.E. Mr. Pietsch gave an overview of how the ISO rating points system works. Mr. Pietsch stated the main things that will lower the City of Canyon ISO rating are not having the Fire Department Ladder Truck staffed so it can be reported as a responding vehicle, and the lack of enough paid on-duty staff 24/7. Mr. Pietsch said he fully expected the ISO rating for the Canyon Fire Department to drop to a 3, possibly 4 with the upcoming inspection, but that the Fire Department could reapply for a higher rating once they address the concerns in the inspection. Mr. Pietsch said with the planned increase of paid staff working 12 hour shifts for 24 hour coverage and the ability to staff the ladder

truck for calls, the better ISO rating was obtainable with the re-application. Mr. Pietsch said the main things that insure the higher ratings are increased paid full-time staff, a full-time Fire Marshal on staff, and updated Fire Code.

No action required, informational only.

Item 7. Consider and Take Appropriate Action on the January 31, 2022 Financial Report by Finance Director Joel Wright.

Finance Director Joel Wright presented the Financial Report for consideration. After discussion Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ward to approve the Financial Report as presented. Motion carried unanimously.

Item 8. Consider and Take Appropriate Action on January 31, 2022 Investment Report by Finance Director Joel Wright.

Finance Director Joel Wright presented the Investment Report for consideration. After discussion Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ray to approve the Investment Report as presented. Motion carried unanimously.

Item 9. Consider and Take Appropriate Action on Recommendation of Architect for the Proposed Construction of a Police Station and Renovations of City Hall.

Purchasing Manager Beau Boyer presented submissions from five (5) firms in response to the City's Request for Qualifications related to the proposed construction of a Police Station and renovations to City Hall. Mr. Boyer stated each group was evaluated/scored on Firm Information, Project Team, Experience with Municipal Projects, Police/Public Safety Project Experience, Experience in Panhandle Region, and Project Approach/Philosophy with a maximum possible score of 100. Mr. Boyer said the evaluation team consisted of Mayor Gary Hinders, Mayor Pro-Tem Cody Jones, City Manager Joe Price, Assistant City Manager Jon Behrens, Police Chief Steve Brush, Fire Chief Dennis Gwyn, Director of Planning and Development Danny Cornelius, and Budget & Purchasing Manager Beau Boyer.

Average Evaluation Score Results:

Sims+ Architects	87.5
Parkhill	85.7
Dekker, Perich, Sabatini	82.0
Randall Scott Architects	76.2
Charles R. Lynch, AIA Inc. & Chapman Harvey Architects	72.2

After discussion, Commission Ray moved, duly seconded by Commissioner Ward to authorize the City Manager to negotiate a contract with Sims+ Architects, or the next qualified firm if needed, for architectural services related to the potential police station construction and city hall renovation. Motion carried unanimously.

Item 10. Consider and Take Appropriate Action on Bids Received for Micro-Surfacing Project – 2022.

Director of Public Works Dan Reese presented bids for the 2022 Micro-Surfacing of Streets and Avenues between 19<sup>th</sup> and 23<sup>rd</sup> Streets, less the brick streets. Mr. Reese said he had received many comments on the slurry seal done last year in the business district and felt it was holding up well. Mr. Reese stated only 2 bids were received as the type of work is limited in the area:

<u>Bidder</u>	<u>Base Bid Total</u>	<u>Days to Complete</u>
Intermountain Slurry Seal, Inc. Lewisville, Texas.	\$317,300.00	5
Viking Construction, Inc.	\$382,600.00	90

Mr. Reese said staff recommended awarding the bid to Intermountain Slurry Seal, Inc. with a low bid of \$317,300.00.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ward to award the bid for the 2022 Micro-surfacing project to Intermountain Slurry Seal, Inc. with the low bid of \$317,300. Motion carried unanimously.

Item 11. Presentation from City Engineer Updating Status of Current Public Works Projects.

City Engineer Adolpho Garcia updated the Commission on the status of current projects within the City of Canyon.

No action, informational only.

Item 12. Consider and Take Appropriate Action on a Plat for Hunter Estates Unit No. 2, a Subdivision Within the Extraterritorial Jurisdiction of the City of Canyon

Planning and Development Director Danny Cornelius presented a Plat for Hunter Estates Unit No. 2 submitted for approval by Robbie Christie. Mr. Cornelius said Hunter Estates is not within the City Limits of Canyon, but the city has the authority to approve plats within the ETJ (Extraterritorial Jurisdiction) of Canyon. Mr. Cornelius said the City Commission approved the Developers Agreement for Hunters Estates July 21, 2021 and the City Engineer will perform inspections of the public improvements and ensure it meets city standards. The Developer will provide a 5% development fee and surety prior to any construction of public infrastructure as noted in the Development Agreement. Mr. Cornelius said there will be approximately 112 lots of 1 acre with well and septic.

After discussion, Commissioner Ward moved, duly seconded by Commissioner Ray to approve the plat for Hunter Estates Unit No. 2. Motion carried unanimously with Mayor Hinders abstaining.

Item 13. Consider and Take Appropriate Action on Recommendations from Board of City Development (BCD).

Assistant City Manager Jon Behrens presented proposed adjustments to the BCD Budget as approved for 2021-2022. Mr. Behrens said requests had been received from:

- The Panhandle Firemen's and Fire Marshall Association (PFFMA) requested \$5,000 to support their two-day annual convention in Canyon. Mr. Behrens said the last convention hosted 223 guest and filled their block of 55 hotel rooms for 2 plus nights. Mr. Behrens said this group is among the first to provide actual data of number of attendees and hotel beds filled specific to their event.
- City of Canyon requested \$3,228 for membership in the Texas Hotel & Lodging Association that provides lodging listings on their website for members.
- Business and Community Development Director Evelyn Ecker requested \$1,500 - \$2,000 for repairs and upgrades to the City of Canyon billboard on I-27.

Mr. Behrens said the BCD Board voted unanimously on the funding requests as follows:

- Approve funding of \$5,000 in support of the PFFMA Annual convention.
- The request from the City of Canyon was tabled after the BCD Board reviewed the Texas Hotel & Lodging Association website and felt a membership would not benefit the City of Canyon. Mr. Behrens said he would be participating in a presentation related to the association in the near future and would report back.
- Approve funding of \$1,500 to \$2,000 to fund repairs and upgrades to the City of Canyon billboard.

After discussion, Mayor Pro-Tem Jones moved, duly seconded by Commissioner Ray to approve the adjustment to the Board of City Developments 2021-2022 budget as recommended by the BCD Board. Motion carried unanimously with Commissioner Ward abstaining.

Item 14. Second Reading of Ordinance No. 1154 for the Renewal of Xcel Energy Franchise Agreement.

City Manager Joe Price presented Ordinance No. 1154 for the second of 3 required readings of the full Ordinance as written in the City of Canyon Home Rule Charter (Section 3.17). Mr. Price stated in May of 2020 the City Commission approved an increase to the Franchise Fee from 3% to 4.51% with 5% being to max allowed by law. Mr. Price said the current Franchise Ordinance doesn't expire until January 2026, but the submission of a Rate Case from Xcel Energy provides an opportunity to amend the Franchise Ordinance and increase the percentage for gross receipts the final .49% bringing the total franchise fee to 5% and renewing the Franchise Agreement with Xcel Energy for 20 years.

Ordinance No. 1154 was read out loud in its entirety as recorded by City Secretary Gretchen Mercer.

No action, second reading only.

ORDINANCE NO. 1154

FRANCHISE AGREEMENT

AN ORDINANCE GRANTING TO SOUTHWESTERN PUBLIC SERVICE COMPANY ("SPS") D/B/A XCEL ENERGY THE RIGHT, PRIVILEGE AND FRANCHISE TO CONDUCT WITHIN THE CITY OF CANYON, TEXAS ("CITY"), AN ELECTRICAL LIGHTING AND POWER BUSINESS AND TO ENTER UPON, ERECT, CONSTRUCT, MAINTAIN, EXTEND, REPAIR, REPLACE AND REMOVE IN, UNDER UPON, WITHIN, OVER, ABOVE, ACROSS AND ALONG ANY AND ALL OF THE PRESENT AND FUTURE PUBLIC ROADS, HIGHWAYS, STREETS, LANES, BRIDGES AND ALLEYS OF THE CITY, A SYSTEM OF POLES, POLE LINES, TOWERS, DISTRIBUTION LINES, TRANSMISSION LINES, WIRES, GUYS, CABLES, CONDUITS, TRANSFORMERS, AND OTHER DISTRIBUTION AND TRANSMISSION EQUIPMENT, FACILITIES AND APPURTENANCES NECESSARY OR PROPER FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY INTO, IN, WITHIN, FROM, ACROSS, AND THROUGH THE CITY AS NOW EXISTING, OR AS SAID CITY LIMITS MAY HEREAFTER BE EXTENDED; AND GRANTING SPS, ITS SUCCESSORS AND ASSIGNS, THE AUTHORITY TO USE SUCH FOR THE PURPOSE OF TRANSMISSION, DISTRIBUTION, DELIVERY AND SALE OF ELECTRICITY TO THE CITY, AND TO THE INHABITANTS OF THE CITY, OR ANY OTHER PERSON OR PERSONS, FIRMS OR CORPORATIONS, WHEREVER LOCATED WITHIN OR WITHOUT THE BOUNDARIES OF THE CITY, FOR USE BY SUCH PURCHASER OR PURCHASERS FOR ANY PURPOSE AUTHORIZED BY LAW FOR WHICH ELECTRICITY MAY BE USED OR FOR ANY OTHER PURPOSE OR USE WHICH IS OR MAY BECOME NORMAL OR CUSTOMARY IN THE RETAIL ELECTRIC INDUSTRY IN TEXAS; PROVIDING THAT THIS FRANCHISE SHALL BE EFFECTIVE FOR A PERIOD OF TWENTY (20) YEARS COMMENCING MAY 15, 2022; PROVIDING FOR THE TEMPORARY REMOVAL, RAISING OR LOWERING BY SPS OF ITS WIRES AND OTHER APPURTENANCES; PROVIDING FOR THE RIGHT TO, AND CONDITION OF, THE OPENING OF PAVEMENTS AND SIDEWALKS BY SPS; RETAINING ALL RIGHTS OF CITY TO REGULATE THE LOCATION OF SPS'S FACILITIES IN, UPON, ALONG, UNDER AND OVER THE STREETS, ALLEYS AND OTHER PUBLIC PLACES OF CITY, AS WELL AS TO REQUIRE THE RELOCATION OF SAME; PROVIDING FOR EFFICIENT ELECTRICAL SERVICE AND THE MAINTAINING OF SPS'S FACILITIES; PROVIDING COMPENSATION, AND METHOD OF PAYMENT OF SUCH, TO THE CITY FOR THE USE BY SPS OF THE STREETS, ALLEYS AND PUBLIC WAYS OF THE CITY; PROVIDING FOR THE MAINTAINING OF RECORDS BY SPS WITH RIGHT OF

INSPECTION BY CITY RESERVING TO CITY ALL POWERS OF REGULATION; PROHIBITING ASSIGNMENT EXCEPT BY CONSENT BY CITY EXCEPT IN CERTAIN CASES; GIVING CITY'S CONSENT TO THE CUTTING AND TRIMMING BY SPS OF CONFLICTING TREES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT THIS FRANCHISE SHALL NOT BE EXCLUSIVE; MAKING MISCELLANEOUS PROVISIONS RELATIVE TO THIS GRANT OF FRANCHISE; REPEALING ALL PREVIOUS ELECTRICAL LIGHTING AND POWER FRANCHISE ORDINANCES; PROVIDING FOR THE ACCEPTANCE OF THIS FRANCHISE ORDINANCE BY SPS

- Item 15. Executive Session Pursuant to §551.071 Consultation with Attorney, §551.072 for Deliberation Regarding Real Property, and §551.087 Economic Development Negotiations.

Mayor Hinders indicated the City Commission would adjourn into Executive Session at 6:12 pm.

- Item 16. Consider and Take Appropriate Action on Items Discussed in Executive Session.

Upon returning from Executive Session at 6:46 pm, no action was taken.

- Item 17. Adjourn.

There being no further business, Mayor Pro-Tem Jones moved this meeting be adjourned at 6:46 pm.

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Gary Hinders, Mayor

ATTEST:

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Gretchen Mercer, City Secretary

*Whereas, The citizens of Canyon recognize the crucial need for efforts by both individuals and groups to promote awareness of the plight of abused children, to work toward prevention of violence against children, and to provide services and treatment to these small victims of their families; and*

*Whereas, Amarillo Area Court Appointed Special Advocates (AACASA), The Bridge Children's Advocacy Center, and DFPS advocate for children of abuse and neglect; and*

*Whereas, Randall County confirmed 256 children suffered from some form of abuse or neglect in 2021; and*

*Whereas, Our society has a responsibility to protect our children and help them thrive in a safe environment, as every child is entitled to be loved, cared for, feel secure and be free from all types of abuse and neglect; and*

*Whereas, Effective child abuse prevention and intervention programs succeed because of partnerships among a variety of entities including but not limited to, schools, religious organizations, law enforcement agencies, Child Protective Services, The Bridge Children's Advocacy Center, and CASA (Court Appointed Special Advocates), Family Support Services, prosecution agencies, medical professionals, mental health professionals, victim advocates and other community-based non-profit organizations.*

*Now, therefore, We, the Mayor and Commissioners, of the City of Canyon, Texas, do hereby proclaim the month of April, 2022 as*

***"CANYON CHILD ABUSE PREVENTION AND AWARENESS MONTH"***

*and in doing so, urge all citizens and institutions, both public and private, to support The Bridge Children's Advocacy Center, Amarillo Area CASA, and DFPS, as well as other partner agencies in their efforts to increase awareness of and services for abused and neglected children in our community.*

***GIVEN UNDER*** our hand and seal of office, this 4<sup>th</sup> day of April 2022.

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*Gary Hinders, Mayor*

***ATTEST:***

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*Cody Jones, Mayor Pro-Tem*

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*Gretchen Mercer, City Clerk*

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*Paul R. Lyons, Commissioner Place 3*

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*Kelsey Ward, Commissioner Place 4*

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*Randy Ray, Commissioner Place 5*



To: Joe Price, City Manager  
From: Danny Cornelius, Director of Planning and Development  
Date: April 4, 2022  
Re: Presentation on Zoning and Subdivision Ordinance Updates.

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City staff has been working with Freese and Nichols since 2019 to complete a comprehensive update to the Zoning and Subdivision Ordinances. A final draft of the Zoning Ordinance has been received and we expect a final draft of the Subdivision Ordinance in the next week or 2. Following draft releases of each ordinance on the City website, staff plans to work with Freese and Nichols to present the ordinances at 4 meetings.

- Stakeholder Meeting – Zoning Ordinance
- Stakeholder Meeting – Subdivision Ordinance
- Joint P&Z and City Commission Workshop – Zoning Ordinance
- Joint P&Z and City Commission Workshop – Subdivision Ordinance

**RECOMMENDED MOTION**

*No action needed.*

To: Joe Price, City Manager  
From: Dennis Gwyn, Fire Chief  
Date: April 4, 2022  
Re: Consider and Take Appropriate Action on Resolution No. 04-2022. A Resolution Approving the Acceptance and Administration of a House Bill 2604 Personal Protective Equipment Grant Awarded to the Fire Department by the Texas A&M Forest Service.

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The Canyon Fire Department has been awarded a HB 2604 Grant for the purchase of Personal Protective Equipment (Structural or Wildland). If accepted, the Grant will reimburse 90% of the actual costs of the equipment up to a maximum of \$20,000. The remaining 10% of the actual costs will be the City's matching portion of the Grant. The City's portion of the actual costs is currently available in the 2021-2022 Budget.

Staff recommends the adoption of Resolution No. 04-2022.

**RECOMMENDED MOTION**

*I move to “**adopt/deny**” Resolution No. 04-2022, a resolution authorizing the acceptance of the House Bill 2604, Texas A&M Forest Service Grant, for the purchase of Personal Protective Equipment for the Fire Department.*

**RESOLUTION NO. 04-2022**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF CANYON, RANDALL COUNTY, TEXAS, ACCEPTING A HOUSE BILL 2604 GRANT FROM THE TEXAS A&M FOREST SERVICE FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR THE CANYON FIRE DEPARTMENT; AND AUTHORIZING THE FIRE CHIEF TO REPRESENT THE CITY IN ALL MATTERS PERTAINING TO THE ADMINISTRATION OF THE GRANT.**

WHEREAS, The City of Canyon Commission finds it in the best interest of the citizens of Canyon, Randall County, Texas, the House Bill 2604 Grant from the Texas A&M Forest Service for the purchase of Structural and/or Wildland Firefighting Personal Protective Equipment; and

WHEREAS, The City of Canyon Commission acknowledges the Grant will reimburse the City 90% of the actual costs, up to a maximum \$20,000 for the purchase of Personal Protective Equipment; and

WHEREAS, The City of Canyon Commission agrees to provide the applicable 10 % matching funds of the purchase of Personal Protective Equipment.

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

**SECTION 1.**

- a) The City of Canyon Commission has duly approved the acceptance to the Texas A&M Forest Service, of the House Bill 2604 Grant for the Purchase of Personal Protective Equipment for the Canyon Fire Department.
- b) The City of Canyon Commission designates the City of Canyon Fire Chief to act as its duly authorized representative the acceptance and administration of the Grant.

**SECTION 2.**

The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**SECTION 3.**

To the extent any Resolution previously adopted by the City Commission is inconsistent with this Resolution, it is hereby superseded.

**SECTION 4.**

This Resolution shall become effective from and after the date of adoption.

**PASSED AND APPROVED this 4th day of April, 2022.**

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**GARY HINDERS, MAYOR**

**ATTEST:**

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**GRETCHEN MERCER, CITY SECRETARY**

To: Joe Price, City Manager  
From: Jon Behrens, Assistant City Manager  
Brian Noel, Parks and Recreation Director  
Date: April 4, 2022  
Re: Consider and Take Appropriate Action on Ordinance No. 1155 Designating the Brown Road Sports Complex as a Public Park.

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The Brown Road Sports Complex has come a long way since it saw its' first soccer games in 1999. This former cow pasture has been turned into an award-winning sports complex by the Canyon Parks Department. This 37-acre pasture was once the home to weeds, cactus, and cattle. In 1998 the City of Canyon provided this location to the Palo Duro Soccer Association as playing fields. The early seasons on this field were a little rough and both PDSA and the Parks Department put a great deal of sweat and some money into this location. As the years went by the facility steadily improved and Parks Director Brian Noel committed the City to creating a great complex. In 2011 a pavilion with restrooms and storage space for PDSA was built. In 2018 a playground was added at the site. The Parks Department installed irrigation and now the grass fields are as good as any you will find anywhere. The soccer fields were identified as the Soccer Field of the Year by the Texas Turfgrass Association in 2019

As flag football grew in the community, the Parks Department began the development of grass fields for the West Texas Flag Football league to play on. Twelve great flag football fields have been developed.

Currently the Parks Department is in the process of improving six baseball practice fields in the complex. I have little doubt that in three or four years these practice fields will develop into outstanding practice fields.

The Parks Department has spent a significant amount of time improving all aspects of this complex including, creating a road and parking lots, landscaping the complex, installing and expanding the irrigation system, building a walking trail, and installing a pipe fence around the facility over the past 12 years. Anyone that has witnessed the development of this complex has to be amazed at its' development. Brian Noel and his staff have worked diligently to create a terrific complex out of a rough cow pasture.

At this time City staff would like to have the Brown Road Sports Complex dedicated as a park.

**RECOMMENDED MOTION**

*I move to **adopt/deny** Ordinance No. 1155, and ordinance designating the area known as the Brown Road Sports Complex as a public park.*

**ORDINANCE NO. 1155**

**AN ORDINANCE OF THE CITY OF CANYON, TEXAS,  
DESIGNATING CERTAIN REAL PROPERTY  
OWNED BY THE CITY AS A PUBLIC PARK TO BE  
USED FOR RECREATIONAL PURPOSES IN  
ACCORDANCE WITH THE MUNICIPAL CHARTER  
OF THE CITY OF CANYON AND PROVIDING FOR  
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Canyon acquired a 37.700 acre tract of land by Warranty Deed dated February 21, 1986 recorded in Volume 994, Page 394 of the Deed Records of Randall County, Texas, pursuant to § 3.04 of the Canyon Home Rule Charter; and,

WHEREAS, the City has expended funds over a period of years to make permanent and valuable improvements to the property which enhances the suitability of the property for recreational use; and,

WHEREAS, the City Commission finds that it is in the public interest to designate the above described land as a public park in accordance with §3.19 of the Canyon Home Rule Charter;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CANYON:**

**SECTION 1:**

The above described land is hereby designated as a public park within the City of Canyon and shall be subject to all ordinances, rules and fees applicable to all other public parks in the City.

**SECTION 2:**

The park designated in Section 1 above shall be known as the “Brown Road Sports Complex”.

**SECTION 3:**

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was properly noticed and open to the public as required by law.

**SECTION 4:**

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

**SECTION 5:**

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

**SECTION 6:**

This ordinance shall become effective upon adoption as required by law.

Introduced and adopted in accordance with the Canyon Home Rule Charter Section 5.13 by the City Commission of the City of Canyon, Texas with a quorum of such Commission duly and lawfully assembled, in accordance with the Texas Open Meetings Act, on the 4th day of April 2022.

CITY OF CANYON, TEXAS

\_\_\_\_\_  
GARY HINDERS, Mayor

APPROVED:

\_\_\_\_\_  
CHUCK HESTER, City Attorney

ATTEST:

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Gretchen Mercer, City Secretary

To: Joe Price, City Manager  
From: Jon Behrens, Assistant City Manager  
Date: April 4, 2022  
Re: Consider and Take Appropriate Action on Authorization for the Signing of Grant Documents.

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The City of Canyon has been awarded a grant from a Texas based foundation for the development of the Kylie Hiner playground at Conner Park. This foundation prefers to keep a low profile until we move into the second phase of this process and we are prepared to begin construction. This grant award will be awarded when the City notifies the foundation that the balance of funds needed to complete the project are raised and a construction contract has been executed. The deadline for the complete submittal of documentation is October 15, 2022.

At this time City staff would recommend accepting this grant for the Kylie Hiner playground.

**RECOMMENDED MOTION**

*I move to **authorize/not authorize** the Mayor and the City Manager to sign a grant contract associated with the awarding of funds for the Kylie Hiner playground.*



To: Joe Price, City Manager  
From: Jon Behrens, Assistant City Manager  
Date: April 4, 2022  
Re: Presentation of City of Canyon 2022 Strategic Plan Quarterly Update.

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City staff and the City Commission were let by Consultant Lyle Sumek through an extensive planning process in late 2021 which resulted in the development of the Canyon 2022 Strategic Plan. The City Commission formally adopted this plan in February.

City staff will be providing the Commission with quarterly updates related to the staff's progress on the Action Items identified as projects to be completed in 2022. The 40 projects identified by the Commission and staff are all directly related to the four goals identified in the plan by the City Commission. The entire plan is centered around the following four goals:

- High-Performing City Team Providing Valued Services
- A Sustainable Community
- Alive Downtown Square
- Your Hometown – A Special Place to Live

I will provide a brief review of the Quarterly Report. For additional information related to each specific project please refer to your Action Agenda. All Commissioners were provided with a blue spiral bound copy of the Action Agenda in February when the plan was adopted. An electronic version of the Action Agenda is also provided with this memo.

This item does not require any action.

**RECOMMENDED MOTION**

*No action needed.*



# STRATEGIC PLAN QUARTERLY REPORT

## Q1 2022

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The 2021 – 2022 City of Canyon Strategic Plan outlines the projects that the Canyon City Commission and City of Canyon staff have identified as the projects that will be completed prior to December 31, 2022. The purpose of the plan is to provide city staff with a guiding document, setting priorities for staff to bring the City Commission’s vision of the city to life. Strategic planning enables the City Commission to plan and prioritize. The development of this plan is a collaborative effort across city departments and between management and the City Commission. The Commission will adopt the plan annually and the plan will serve as a living document that staff interacts with and considers in day-to-day decisions. The city uses the plan during the budget process to align resources with prioritized initiatives.



During the development of the 2021 – 2022 Strategic Plan the Canyon City Commission identified four encompassing strategic goals, 40 projects were identified and actions steps required to complete each project were developed. The four goals identified by the Commission are:

- **High-Performing City Team Providing Valued Services**
- **A Sustainable Community**
- **Alive Downtown Square**
- **Your Hometown – A Special Place to Live**

This document serves as a project update to the Strategic Plan. Staff has provided an update related to their progress toward the completion of each project which falls into their area of responsibility. The status of each project is outlined in subsequent pages. Projects are organized by the strategic goal the projects support with the top priority projects listed first.

The project listing which follows provides the following information for each project:

- Activities/Milestones refers to specific actions outlined by the strategic plan to support the broad goals of the city;
- Responsibility refers to the department with the primary responsibility for the associated activities/milestones;
- Priority refers to the priority given to an item by the Commission or city management;
- Target refers to the expected date of completion for the action item when the Strategic Plan was originally approved;
- Progress refers to the amount of progress made on the action item **as of 3/24/22**.
- Steps refers to the total number of steps associated with the project and the step number the project is currently on.



<i>Activities/Milestones</i>	<i>Responsibility</i>	<i>Priority</i>	<i>Target</i>	<i>Progress/Steps</i>
<b>1. Police Station/City Hall/Fire Station Plan: Concept and Land Acquisition.</b>	Assistant City Manager	Policy - Top	January 2023	Significant Progress 2 of 7 & 2 of 3
<b>2. Bond Package and Election Preparation: Projects, Package and Election Date.</b>	Finance Director Admin. Services Director	Policy - Top	January 2023	Initial Stages 2 of 7
<b>3. Capital Improvement Plan/Program: Revision and Funding</b>	Assistant City Manager Budget and Purchasing Mgr.	Policy - High	July 2022	Significant Progress 4 of 6
<b>4. Randall County Strategy: Key Issues, Direction and City Actions.</b>	City Manager	Policy - High	March 2022	<b>Completed/On Going</b> 3 of 3
<b>5. Management and Employee Succession Plan/Program: Development</b>	City Manager	Policy – Priority	June 2023	Initial Progress 1 of 3
<b>6. Asset Management System: Direction and Funding</b>	Public Works Director	Policy - Priority	October 2022	Initial Progress 1 of 5
<b>7. Fire Department Staffing: Direction and Funding</b>	Fire Chief	Management - Top	October 2022	Significant Progress 4 of 8
<b>8. Strategic Plan Development, Adoption and Institutionalization</b>	Assistant City Manager Planning & Development Director	Management - Top	February 2022	Adopted February 2022 <b>Completed</b> 5 of 5
<b>9. Water Barn Facility Purchase: Direction and Funding</b>	Finance Director	Management - High	July 2022	Near Completion 4 of 4

<b>10. Comprehensive Rates for Water, Wastewater, Solid Waste: Direction</b>	Finance Director	Management – High	October 2022	Initial Progress 3 of 7
<b>11. Proactive Communications Strategy/Plan: Development</b>	Administrative Services Director Director of Comm & Comm Engagement	Management – High	January 2023	Initial Progress 1 of 3
<b>12. American Rescue Action Projects: Direction</b>	City Manager	Management – High	September 2023	Significant Progress 2 of 5
<b>13. Development Funding Mechanisms: Report and Direction</b>	City Manager	Management - Priority	2023	Significant Progress 4 of 10
<b>14. Financial Policies: Review and Update</b>	Finance Director	Management – Priority	September 2022	Significant Progress 1 of 7
<b>15. Human Resources Policy: Development</b>	Human Resources Director	Management – Priority	August 2022	Initial Progress 0 of 2



<i>Activities/Milestones</i>	<i>Responsibility</i>	<i>Priority</i>	<i>Target</i>	<i>Progress</i>
<b>1. Economic Development Framework: Development</b>	City Manager CEDC Director	Policy - Top	July 2022	Significant Progress 1 of 10
<b>2. Water Conservation Policy/Program: Direction</b>	Public Works Director	Policy - High	February 2023	Initial Progress 0 of 6
<b>3. Wastewater Master Plan: Funding and Development</b>	Public Works Director	Policy - High	July 2022	Not Started 0 of 5
<b>4. Water Rights/Supply: Report</b>	Public Works Director	Policy – Priority	November 2022 - Ongoing	Initial Progress 1 of 8
<b>5. Business Attraction Action Plan and City Actions: Report and Direction</b>	CEDC Director	Policy – Priority	January 2023	Initial Progress 1 of 4
<b>6. Subdivision Ordinance, Regulations and Standards:</b>	Planning & Development Director	Management - Top	August 2022	Significant Progress 2 of 4
<b>7. TIRZ: Direction</b>	Assistant City Manager	Management – Top	May 2022	Significant Progress 4 of 8
<b>8. Housing and Growth Assessment Report: Presentation and Direction</b>	Planning and Development Director	Management – High	Completed	<b>Completed/On Going</b> 3 of 3
<b>9. Stormwater/Drainage Master Plan and Utility System: Funding and Development</b>	Public Works Director	Management – High	September 2023	Initial Progress 1 of 5

<b>10. Development Guide: Completion</b>	Planning and Development Director	Management – High	August 2022	Significant Progress 0 of 2
<b>11. Zoning Ordinance Re-Write and Adoption</b>	Planning and Development Director	Management – Priority	August 2022	Significant Progress 2 of 4



<i>Activities/Milestones</i>	<i>Responsibility</i>	<i>Priority</i>	<i>Target</i>	<i>Progress</i>
<b>1. Courthouse Use and Interior Improvements: Direction and City Role/County Role</b>	City Manager CEDC Director	Policy - Top	TBD	Ongoing 1 of 2 Ongoing
<b>2. Brick Streets: Problem Analysis Practices, Report with Options, Direction and Funding Mechanism</b>	Public Works Director	Policy – Priority	June 2022	Initial Progress 1 of 3
<b>3. Downtown Theater Revitalization: Work with Property Owner and Direction</b>	City Manager Mayor Comm. Ray	Policy – Priority	April 2022	No Progress 0 of 2
<b>4. Downtown Master Plan: Development and Adoption</b>	Assistant City Manager	Management – Top	November 2022	Significant Progress 4 of 8



<i>Activities/Milestones</i>	<i>Responsibility</i>	<i>Priority</i>	<i>Target</i>	<i>Progress</i>
<b>1. WTAMU Strategy: Key Issues, Direction and City Actions</b>	City Manager	Policy - Top	September 2022	<b>Completed</b>
<b>2. Bike Trails Development: Projects (2) Direction and Funding Mechanism</b>	Assistant City Manager Parks Director	Policy - Top	June 2022	Initial Progress 0 of 3
<b>3. 4<sup>th</sup>/23<sup>rd</sup> Intersection Clean-Up Plan: Project and TxDot Participation</b>	City Manager	Policy - High	September 2022	Initial Stages 3 of 8
<b>4. Palo Duro Canyon Expansion Advocacy: Direction and City Actions</b>	City Manager Mayor	Policy - High	April 2022	Not Started 0 of 4
<b>5. Major Event/Festival Site: Outcomes, Locations, Direction and Funding Mechanism</b>	City Manager Commission Committee	Policy - Priority	April 2022	Not Started 0 of 4
<b>6. Project Santa Fe: Direction and Next Steps</b>	CEDC Director	Management – Top	February 2022	Significant Progress 2 of 3
<b>7. Golf Course Project: Direction and Funding</b>	Assistant City Manager	Management – High	July 2022	Significant Progress 4 of 6

<b>8. Decorative Lighting and Traffic Signals: Direction and Funding Mechanism</b>	City Manager	Management – High	July 2022	Initial Progress 1 of 5
<b>9. Buffalo Hills and Brown Road Soccer Complex Dedication as Parks</b>	Assistant City Manager	Management – High	May 2022	Significant Progress 4 of 5
<b>10. WTAMU Interlocal Agreement Related to Russell Long Boulevard</b>	City Manager	Management – High	April 2022	Initial Progress 0 of 1

**City of Canyon  
Goals 2027**

**HIGH-PERFORMING CITY TEAM  
PROVIDING VALUED SERVICES**



**A SUSTAINABLE COMMUNITY**



**ALIVE DOWNTOWN SQUARE**



**YOUR HOMETOWN – A SPECIAL PLACE TO LIVE**



# Definitions of Terms

## **POLICY –**

is an issue that needs direction or a policy decision by the Commission; or needs a major funding decision by the Commission; or an issue that needs Commission leadership by the governing body in the community; or with other governmental bodies (City government, other City governments, state government, federal government) – questions of “WHAT: IS THE DIRECTION; IS THE GOAL; IS THE BUDGET OR RESOURCES; IS THE CITY'S POLICY OF REGULATION?”

## **MANAGEMENT –**

a management action which the Commission has set the overall direction and provided initial funding (e.g., phased project), may require further Commission action on funding; or a major management project particularly multiple years (e.g., upgrade to the information system) – questions of “HOW: DO WE ADDRESS THE ISSUE, MANAGE THE CITY; IMPLEMENT A DECISION OR PROGRAM; CAN WE IMPROVE THE MANAGEMENT OR ORGANIZATIONAL PROCESS?”

## **MANAGEMENT IN PROGRESS –**

a management or organization action which Commission has set the direction, needs staff work before going to Commission for direction next year or beyond, no choice mandated by an outside governmental agency or institution, management process improvement budgeted or funded by the Commission.

## **MAJOR PROJECT –**

a capital project funded in the CIP or by Commission action, which needs design, or to be constructed (e.g., Road project, City facility project, park project, etc.).

## **ON THE HORIZON –**

an issue or project that will not be addressed during the year by management or the Commission but should be addressed in the next five years; it could become an action item for this year if another party moves the issue or project forward – it depends on them.

# Canyon Policy Agenda 2021 – 2022 Targets for Action

## TOP PRIORITY

Police Station/City Hall/Fire Station Plan: Concept Plan and Land Acquisition

Economic Development Framework: Development

Bond Package and Election Preparation: Projects, Package and Election Date

Courthouse Use and Interior Improvements: Direction, City Role/County Role

West Texas A & M University Strategy: Key Issues, Direction and City Actions

Bike Trails Development: Projects (2) Direction and Funding

## HIGH PRIORITY

4<sup>th</sup>/23<sup>rd</sup> Intersection Clean-Up Plan: Project and TxDOT Participation

Palo Duro Canyon Expansion Advocacy: Direction and City Actions

Capital Improvement Plan/Program: Revision and Funding

Water Conservation Policy/Program: Direction

Randall County Strategy: Key Issues, Direction and City Actions

Wastewater Master Plan: Funding and Development

# Canyon Management Agenda 2021 – 2022 Targets for Action

## TOP PRIORITY

Fire Department Staffing: Direction and Funding  
Downtown Master Plan: Direction and Adoption  
Strategic Plan Development, Adoption and Institutionalization  
Subdivision Ordinance, Regulations and Standards: Rewrite and Adoption  
TIRZ: Direction  
Project Santa Fe: Direction and Funding

## HIGH PRIORITY

Water Barn Facility Purchase: Direction and Funding  
Housing and Growth Assessment Report: Presentation and Direction  
Comprehensive Rates for Water, Wastewater, Solid Waste: Direction  
Proactive Communications Strategy/Plan: Development  
Golf Course Project: Direction and Funding  
American Rescue Action Projects: Direction  
Stormwater Master Drainage Plan and Utility System: Funding and Development  
Decorative Lighting and Traffic Signals: Direction and Funding Mechanism  
Development Guide: Completion

**Canyon  
Action Outlines 2021 – 2022**

<b>GOAL 1</b>	<b>HIGH-PERFORMING CITY TEAM PROVIDING VALUED SERVICES</b>
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<p><b>ACTION: Police Station/City Hall/Fire Station Plan: Concept Plan and Land Acquisition</b></p> <p><u>Key Issues</u></p> <ul style="list-style-type: none"> <li>• Concept Plan</li> <li>• Land Acquisition</li> <li>• Initial Design</li> <li>• Final Design</li> <li>• Project Costs</li> <li>• Funding Mechanism</li> </ul>	<p><u>Activities/Milestones</u></p> <p>A. Concept Plan</p> <ol style="list-style-type: none"> <li>1. Prepare and finalize RFP</li> <li>2. <b>DECISION:</b> Award Contract for Concept Plan</li> <li>3. Complete Concept Plan</li> <li>4. Complete Final Review by Management</li> <li>5. <b>WORK SESSION:</b> Concept Plan Presentation, Discussion and Feedback</li> <li>6. Finalize Concept Plan</li> <li>7. <b>DECISION:</b> Bond Package – Funding Mechanism</li> </ol> <p>B. Land Acquisition (5)</p> <ol style="list-style-type: none"> <li>1. Negotiate with property owners</li> <li>2. <b>REPORT:</b> Update and Direction</li> <li>3. <b>CLOSED SESSION:</b> Acquisition</li> </ol>	<table border="1"> <tr> <td><b>PRIORITY</b></td> </tr> <tr> <td><i>Policy Top</i></td> </tr> </table> <p><u>Time</u></p> <p>2/22</p> <p>4/22</p> <p>10/22</p> <p>11/22</p> <p>11/22</p> <p>1/23</p> <p>1/23</p> <p>Ongoing</p> <p>4/22</p> <p>TBD</p>	<b>PRIORITY</b>	<i>Policy Top</i>
<b>PRIORITY</b>				
<i>Policy Top</i>				
<p>Responsibility: Assistant City Manager</p>				

**ACTION: Bond Package and Election Preparation: Projects, Package and Election Date**

<b>PRIORITY</b>
<i>Policy Top</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Community Needs	1. Conversation with Bond Counsel	Completed
• Outcomes	2. Develop initial strategy with activities and time line/dates; communication plan	1/22
• Financial Capacity	3. Prepare Report with “Ball Park” potential dollars	5/22
• Financial Analysis	4. <b>REPORT:</b> Update, Feedback and Direction	5/22
• Projects	5. Finalize Financial Analysis	11/22
• Project Priority	6. <b>DECISION:</b> Bond Package and Set Election	1/23
• Communication Plan	7. <b>ELECTION</b>	5/23
• Ballot Language		

Responsibility: Finance Director/Administrative Services Director
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**ACTION: Capital Improvement Plan/Program: Revision and Funding**

<b>PRIORITY</b>
<i>Policy High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Projects	1. Develop project list	2/22
• Project Costs	2. Determine project priority/ranking and submit to City Manager	2/22
• Project Priority/Ranking	3. Complete City Manager Review	3/22
• Project Timing	4. Finalize proposed CIP FY 23	6/22
• CIP Funding	5. <b>CIP WORKSHOP:</b> CIP FY 23 Presentation and Discussion	6/22
	6. <b>DECISION:</b> CIP FY 23 Adoption and Project Funding	7/22

Responsibility: Assistant City Manager

**ACTION: Randall County Strategy: Key Issues, Direction and City Actions**

<b>PRIORITY</b>
<i>Policy High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• County Courthouse</li> <li>• Development Process</li> <li>• ETJ</li> <li>• Economic Development</li> <li>• TIRZ</li> <li>• Fire Protection</li> </ul>	<ol style="list-style-type: none"> <li>1. Initiate Quarterly Meetings with County Judge</li> <li>2. Establish Quarterly Meeting Calendar dates</li> <li>3. <b>BRIEFING:</b> Update and Discussion</li> </ol>	<p>Completed</p> <p>2/22</p> <p>3/22</p>

Responsibility: City Manager
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**ACTION: Management and Employee Succession Plan/  
Program: Development**

<b>PRIORITY</b>
<i>Policy</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• 6 Positions in 5 Years – Senior Staff +Additional Employees</li> <li>• Best Practices</li> <li>• Plan/Ongoing Program</li> <li>• Funding</li> </ul>	<ol style="list-style-type: none"> <li>1. Define scope and outcomes</li> <li>2. Complete research on best practices and develop a proposed plan/program</li> <li>3. Finalize plan/program</li> </ol>	<p>7/22</p> <p>1//23</p> <p>6/23</p>

Responsibility: City Manager
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**ACTION: Asset Management System: Direction and Funding**

<b>PRIORITY</b>
<i>Policy</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Scope of System	1. Research best practices, software with estimated costs	4/22
• Best Practices	2. Prepare budget proposal	5/22
• Supporting Software	3. <b>BUDGET WORKSHOPS:</b> Budget FY 23 Presentation, Discussion and Direction	6/22 7/22
• Job Description	4. <b>DECISION:</b> Budget FY 23 Funding	8/22
• Hiring	5. Hire and person on board	10/22

Responsibility: Public Works Director

**ACTION: Fire Department Staffing: Direction and Funding**

<b>PRIORITY</b>
<i>Mgmt Top</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• ISO: 2</li> <li>• Future ISO Rating</li> <li>• Impacts on Insurance Rates</li> <li>• Volunteers vs. Full-Time</li> <li>• Increasing Difficulty in Finding/Retaining Volunteers</li> <li>• Costs</li> <li>• Funding</li> <li>• SAFER Grant</li> <li>• Response Times</li> <li>• Additional Enhancement for Volunteers</li> </ul>	<ol style="list-style-type: none"> <li>1. Investigate Fire Staffing impacts on future ISO rating</li> <li>2. Prepare Report with Options</li> <li>3. <b>DECISION:</b> Fire Staffing Direction</li> <li>4. Apply for SAFER Grant</li> <li>5. Receive notification on SAFER Grant</li> <li>6. <b>DECISION:</b> Direction (if Safer Grant is unsuccessful)</li> <li>7. If awarded SAFER Grant, initiate firefighters (6) hiring process</li> <li>8. Hire firefighters (6)</li> </ol>	<p>Completed</p> <p>Completed</p> <p>1/22</p> <p>1/22</p> <p>5/22</p> <p>6/22</p> <p>8/22</p> <p>10/22</p>

Responsibility: Fire Chief

**ACTION: Strategic Plan Development, Adoption and Institutionalization**

<b>PRIORITY</b>
<i>Mgmt Top</i>

Key Issues

- Long-Term Vision
- City Government Mission
- Goals for 2027
- Action Agenda 2021-2027
- Deliverables
- Time Frame
- Partnerships
- Performance Monitoring
- Reporting: Commission
- Reporting: Our Community
- Annual Update

Activities/Milestones

1. **STRATEGIC PLANNING WORKSHOPS**
2. Prepare draft plan documents for City staff review and finalization
3. Distribute to our community
4. Complete final review of draft Strategic Plan and Action Agenda 2022 with City Manager
5. **DECISION:** Strategic Plan 2021-2027-2037 and Action Agenda 2021-2022 Adoption

Time

- Completed
- Completed
- Completed  
1/22
- 2/22

Responsibility: Assistant City Manager/Planning & Development Director
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**ACTION: Water Barn Facility Purchase: Direction and Funding**

<b>PRIORITY</b>
<i>Mgmt High</i>

Key Issues

- Title Resolution
- Project Completion

Activities/Milestones

1. **CLOSED SESSION:** Update
2. Resolve title issues
3. Complete property acquisition
4. Complete remodel project

Time

Completed  
Completed  
Completed  
7/22

Responsibility: Finance Director

**ACTION: Comprehensive Rates for Water, Wastewater, Solid Waste: Direction**

<b>PRIORITY</b>
<i>Mgmt High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Infrastructure Needs	1. Gather data	Completed
• Market	2. Kick off meeting with consultant	Completed
• Rate Structure	3. Analyze data	2/22
• Phasing	4. Prepare Rate Study Report with Options and Recommendations, including Potential Phasing	3/22
	5. <b>WORK SESSION:</b> Report Presentation, Discussion and Direction	5/22
	6. <b>DECISION:</b> Rate Structures	7/22
	7. Implement new Rates	10/22

Responsibility: Finance Director

**ACTION: Proactive Communications Strategy/Plan:  
Development**

<b>PRIORITY</b>
<i>Mgmt High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Outcomes	1. Research best practices	6/22
• Social Media	2. Develop comprehensive proactive Communications Strategy/Plan	12/22
• Best Practices	3. <b>PRESENTATION:</b> Plan	1/23
• Misinformation/Disinformation		
• Communications Methods		
• Communications Guidelines		

Responsibility: Administrative Services Director
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**ACTION: American Rescue Action Projects: Direction**

<b>PRIORITY</b>
<i>Mgmt High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• 4<sup>th</sup> Street Ground Storage Tank [first project]</li> <li>• Force Main to Wastewater Lagoon [second project]</li> </ul>	<ol style="list-style-type: none"> <li>1. <b>PRESENTATION:</b> Discussion and Feedback on Projects</li> <li>2. <b>DECISION:</b> Projects Funding, Authorization for Construction</li> <li>3. Receive second funding allocation</li> <li>4. <b>DECISION:</b> Award Contract for 4<sup>th</sup> Street Ground Storage Tank Construction</li> <li>5. Complete construction</li> </ol>	<p>Completed</p> <p>Completed</p> <p>8/22</p> <p>8/22</p> <p>9/23</p>

Responsibility: City Manager



**ACTION: Development Funding Mechanisms: Report and Direction**

<b>PRIORITY</b>
<i>Mgmt</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• Best Practices</li> <li>• Future Growth</li> <li>• Infrastructure Needs</li> <li>• Infrastructure Costs</li> <li>• Funding Mechanism</li> <li>• Developer Participation</li> <li>• City Participation</li> <li>• Impacts on Current Neighbors</li> <li>• Rate of Growth</li> </ul>	<p>A. Phase 1</p> <ol style="list-style-type: none"> <li>1. Sign Agreement</li> <li>2. Finalize scope of work</li> <li>3. Obtain input from City staff</li> <li>4. Obtain Stakeholder input</li> <li>5. Complete analysis of future development and infrastructure needs to support future development</li> <li>6. Prepare Report</li> <li>7. <b>WORK SESSION:</b> Report Presentation, Feedback and Direction</li> </ol> <p>B. Phase 2</p> <ol style="list-style-type: none"> <li>1. Prepare draft final Report with Recommendations</li> <li>2. <b>DECISION:</b> Direction Adoption</li> <li>3. Complete Design Standards Update</li> </ol>	<p>Completed</p> <p>1/22</p> <p>2/22</p> <p>4/22</p> <p>5/22</p> <p>6/22</p> <p>7/22</p> <p>8/22</p> <p>2023</p>

Responsibility: City Manager
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**ACTION: Financial Policies: Review and Update**

<b>PRIORITY</b>
<i>Mgmt</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• Debt</li> <li>• Bond Practices</li> <li>• Financial Model</li> <li>• Best Practices</li> <li>• Underlying Assumptions</li> <li>• Financial Projections</li> <li>• Public Financial Infrastructure Act Requirement</li> <li>• Cash Reserves/Fund Balance</li> <li>• Bond Rating Guidelines</li> <li>• Impacts on Bond Rating</li> </ul>	<ul style="list-style-type: none"> <li>A. Debt Policy/Bond Practices                             <ul style="list-style-type: none"> <li>1. Review current policy</li> <li>2. Prepare draft policy</li> <li>3. <b>DECISION:</b> Policy Adoption</li> </ul> </li> <li>B. Financial Policies Update                             <ul style="list-style-type: none"> <li>1. Review and update Public Financial Infrastructure Act Policies and Cash Reserves/Fund Balance Policies</li> <li>2. <b>DECISION:</b> Presentation and Policies Adoption</li> </ul> </li> <li>C. Long-Term Financial Model/Projections                             <ul style="list-style-type: none"> <li>1. Complete preparation of Financial Model – Long Term with Projections</li> <li>2. <b>DECISION:</b> Presentation and Adoption</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li></li> <li>2/22</li> <li>3/22</li> <li>4/22</li> <li>2/22</li> <li></li> <li>3/22</li> <li></li> <li></li> <li></li> <li>8/22</li> <li>9/22</li> </ul>

Responsibility: Finance Director
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**ACTION: Human Resources Policy: Development**

<b>PRIORITY</b>
<i>Mgmt</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"><li>• Hiring Guideline</li><li>• Onboarding Process</li><li>• Pay Increases</li><li>• Overall Rules</li><li>• Discipline Guidelines</li></ul>	<ol style="list-style-type: none"><li>1. Finalize draft Human Resources Policy</li><li>2. City Manager: Review and Approval</li></ol>	<p>7/22</p> <p>8/22</p>

Responsibility: Human Resources Director

<b>► Management in Progress 2022 – 2023</b>			<b>TIME</b>
1	1. Financial Statement for Mayor and City Commission: Refinement	Fin	Ongoing
1	2. Employee Onboard: Refinement	HR	Ongoing
1	3. Regulatory Compliance Water/Wastewater Reporting	PW	Ongoing
1	4. Public Works Community Outreach/Engagement	PW	Ongoing
1	5. Debt Issuance for Water Rights: Completion	Fin	12/21
1	6. Staff Inspection and Plan Review: Training	P&D	12/21
1	7. P & D Records to Laserfiche: Completion	P&D	12/21
1	8. Media Monitoring Tool: Implementation	AS	2/22
1	9. Extra Hop Cybersecurity Toolset: Implementation	IT	5/22
1	10. Internet and MAN Deployment	IT	5/22
1	11. Municipal Court Rental Space	AS	5/22
1	12. Internal Newsletter: Development	AS	5/22
1	13. Branding Guide	AS	5/22
1	14. Performance Appraisal Program: Revision	HR	6/22
1	15. AMR/AMI: Implementation (Consistency)	PW	7/22
1	16. HR Departmental Operational Procedures	HR	7/22
1	17. Employee Badges Program: Initiated	HR	7/22
1	18. Heavy Equipment Operator Training	PW	7/22
1	19. Server Room Cooling and Capacity (BUDGET FY 23)	IT	8/22
1	20. Gatemaster Online Booking (BUDGET FY 23)	IT	8/22
	a. Cole Community Center		
	b. Parks		
1	21. New Router: Deployment (BUDGET FY 23)	IT	8/22
1	22. City Website: Update	AS	8/22
1	23. IT Inventory Tracking	IT	9/22
1	24. Municipal Court Part-Time Security Staff	AS	9/22
1	25. Procurement Policy: Update (Commission Decision)	Fin	9/22
1	26. Employee Policy Manual: Completion	AS	9/22
1	27. Certificate Pay for Employees: Implementation	HR	10/22
1	28. Employee Safety Program: Development	HR	10/22
1	29. Employee Training Program: Implementation	HR	10/22
1	30. Employee Recognition Program: Upgrade	HR	10/22
1	31. P & D Digital Plan Submittal, Plan Review, Plat Submittal, Plat Review, Plan Review and Permit issuance	P&D	10/22
1	32. Inspector Training and Certification	P&D	10/22
1	33. MyGov Software: Implementation	P&D	10/22

► **Management in Progress 2021 – 2022**

			TIME
1	34. Side-Loader Truck	PW	10/22
1	35. Education Assistance Program for City Employees: Development (BUDGET FY 24)	HR	8/23
1	36. GFOA Financial Reporting Award	Fin	11/22
1	37. Employee Recruitment/Marketing: Development	HR	11/22
1	38. HR Paper Records to Digital	HR	1/23

► **Major Projects 2021 – 2022**

			TIME
1	1. City Hall Upgrade Project		
	a. Atrium Skylights Repairs		11/21
	b. Restroom Partitions Replacement		5/22
1	2. Security Cameras Installations		6/22

<b>GOAL 2</b>	<b>A SUSTAINABLE COMMUNITY</b>
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<b>ACTION: Economic Development Framework: Development</b>		<b>PRIORITY</b>
		<i>Policy Top</i>
<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• CEDC Role</li> <li>• CEDC Goals</li> <li>• CEDC Strategic Plan</li> <li>• CEDC Work Program</li> <li>• Performance Metrics: Success Indicators</li> <li>• Monitoring/Reporting</li> <li>• City Involvement</li> <li>• Funding Mechanism</li> </ul>	<p>A. CEDC Strategic Plan and Annual Work Program</p> <ol style="list-style-type: none"> <li>1. Request CEDC develop a Strategic Plan and Annual Work Program with City Involvement</li> <li>2. <b>JOINT MEETING</b></li> <li>3. CEDC develops Strategic Plan</li> <li>4. CEDC Board: Review and Recommendations</li> <li>5. <b>PRESENTATION:</b> CEDC Strategic Plan/Annual Work Program Presentation to City Commission</li> </ol>	<p></p> <p style="text-align: right;">1/22</p> <p style="text-align: right;">4/22</p> <p style="text-align: right;">8/22</p> <p style="text-align: right;">10/22</p> <p style="text-align: right;">11/22</p>
<ul style="list-style-type: none"> <li>• City Role</li> <li>• Best Practices</li> <li>• Potential Tools</li> <li>• City Incentives</li> <li>• Policy Framework</li> <li>• City Funding Mechanisms</li> </ul>	<p>B. City Economic Development Policy and Toolkit</p> <ol style="list-style-type: none"> <li>1. Research best practices – policies and toolkits for cities</li> <li>2. Develop a Report with Findings and Options for City of Canyon</li> <li>3. <b>PRESENTATION:</b> Report, Discussion and Feedback</li> <li>4. Finalize a City Economic Development Framework – Policy and Toolkit</li> <li>5. <b>DECISION:</b> Policy and Toolkit Adoption</li> </ol>	<p></p> <p style="text-align: right;">2/22</p> <p style="text-align: right;">3/22</p> <p style="text-align: right;">5/22</p> <p style="text-align: right;">6/22</p> <p style="text-align: right;">7/22</p>
Responsibility: City Manager/ CEDC Director		

**ACTION: Water Conservation Policy/Program: Direction**

<b>PRIORITY</b>
<i>Policy High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Outcomes	1. Define outcomes and issues	2/22
• Water Use	2. Complete research on best practices	5/22
• Best Practice – West Texas and Panhandle	3. Prepare a Report with Findings and Options	7/22
• Water Use Ordinance	4. <b>REPORT:</b> Presentation, Discussion and Direction	10/22
• Plants/Trees List	5. Finalize Report with Recommendations	12/22
• Xeriscape	6. <b>DECISION:</b> Policy Adoption	2/23
• Landscape Ordinance		
• City Role		
• City Regulations		
• City Enforcement Mechanisms		
• Penalties/Fines		
• Link to Vision: “Beautiful Canyon Community”		
• Tiered Water Rates Linked to Consumption		

Responsibility: Public Works Director

**ACTION: Wastewater Master Plan: Funding and Development**

<b>PRIORITY</b>
<i>Policy High</i>

Key Issues

- Urgent Need
- Scope
- Costs
- Funding

Activities/Milestones

1. Define scope and determine costs
2. Develop CIP budget proposal
3. Finalize proposed CIP FY 23
4. **CIP WORKSHOP:** CIP FY 23 Presentation and Discussion
5. **DECISION:** CIP FY 23 Adoption and Project Funding

Time

- 1/22  
5/22  
6/22  
6/22  
7/22

Responsibility: Public Works Director
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**ACTION: Water Rights/Supply: Report and Direction**

<b>PRIORITY</b>
<i>Policy</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• Water Supply – Short Term</li> <li>• Water Supply – Long Term</li> <li>• Water Rights</li> <li>• Community Growth</li> <li>• Federal/State of Texas Requirements/Regulations</li> <li>• Water Consumption</li> </ul>	<p>A. Short Term</p> <ol style="list-style-type: none"> <li>1. Complete purchase of 310 acres</li> <li>2. Complete purchase of 310 acres</li> <li>3. <b>REPORT:</b> Update</li> <li>4. Develop CIP proposal</li> <li>5. <b>DECISION:</b> CIP Budget FY 23 Adoption and Funding</li> <li>6. Develop wells – phasing and transmission lines</li> <li>7. Identify opportunities for purchase of Water Rights</li> </ol> <p>B. Long Term [On the Horizon: Budget FY 24 or Long Term Water Supply Study]</p>	<p>Completed</p> <p>3/22</p> <p>5/22</p> <p>6/22</p> <p>7/22</p> <p>11/22</p> <p>Ongoing</p>

Responsibility: Public Works Director
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**ACTION: Business Attraction Action Plan and City Actions:  
Report and Direction**

<b>PRIORITY</b>
<i>Policy</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• Outcomes</li> <li>• Definition: “Right Businesses” for our Canyon Community</li> <li>• Best Practices</li> <li>• CEDC Role</li> <li>• City Role</li> <li>• CEDC Actions</li> <li>• City Actions</li> <li>• Location</li> </ul>	<ol style="list-style-type: none"> <li>1. Request CEDC develop a Business Attraction Plan</li> <li>2. CEDC develops Business Attraction Plan</li> <li>3. CEDC Board: Review and Recommendations</li> <li>4. <b>PRESENTATION:</b> CEDC Presentation</li> </ol>	<p>3/22</p> <p>10/22</p> <p>12/22</p> <p>1/23</p>

Responsibility: CEDC Director
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**ACTION: Subdivision Ordinance, Regulations and Standards: Rewrite and Adoption**

<b>PRIORITY</b>
<i>Mgmt Top</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Partnership with Developers	1. Complete stakeholder input	4/22
• Developer Responsibilities	2. Complete comprehensive re-write	5/22
• City Responsibilities	3. P&Z: Review	6/22
• Development Standards	4. <b>DECISION:</b> Subdivision Ordinance	8/22
• Defined Process	Adoption	
• Design Standards		

Responsibility: Planning and Development Director

**ACTION: TIRZ: Direction**

<b>PRIORITY</b>
<i>Mgmt Top</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Outcomes	1. Meet with CISD	Completed
• Partnerships with Randall County and CISD	2. Meet with Randall County	Completed
• Policy Framework	3. Appoint TIRZ Board	Completed
• Property Values	4. Prepare draft Participation Agreement	Completed
• Timing of TIRZ	5. <b>TIRZ Board:</b> TIRZ Policy Adoption; Financial Plan; Preliminary Projects	2/22
	6. <b>DECISION:</b> TIRZ Policy	3/22
	7. Final Decision: CISD	5/22
	8. Final Decision: Randall County	5/22

Responsibility: Assistant City Manager
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**ACTION: Housing and Growth Assessment Report:  
Presentation and Direction**

<b>PRIORITY</b>
<i>Mgmt High</i>

Key Issues

- New Home Permits
- Years of Housing Supply
- Growth Projections
- Link to Master Plans – Water, Wastewater, Stormwater, Drainage
- Home Prices
- Housing for Workforce
- Current Appraised Value: \$193,000

Activities/Milestones

1. **PRESENTATION:** Initial Discussion and Feedback
2. Complete Report
3. **REPORT:** Presentation and Direction

Time

- Completed
- Completed
- Completed

Responsibility: Planning and Development Director
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**ACTION: Stormwater/Drainage Master Plan and Utility System: Funding and Development**

<b>PRIORITY</b>
<i>Mgmt High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• City Match: \$62,500</li> <li>• Outcomes</li> <li>• Projects</li> <li>• Funding Mechanism</li> <li>• City-Wide</li> <li>• Downtown</li> <li>• Brick Streets</li> </ul>	<ol style="list-style-type: none"> <li>1. Submit Grant – Hazard Mitigation (\$250,000)</li> <li>2. Receive notification on Grant</li> <li>3. Issue RFP</li> <li>4. <b>DECISION:</b> Award Contract for Stormwater/Drainage Maser Plan</li> <li>5. Complete draft Master Plan</li> </ol>	<p>1/22</p> <p>5/22</p> <p>7/22</p> <p>9/22</p> <p>9/23</p>

Responsibility: Public Works Director

**ACTION: Development Guide: Completion**

<b>PRIORITY</b>
<i>Mgmt High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"><li>• Step-by-Step Outline</li><li>• Process Guide</li><li>• Flow Chart</li></ul>	<ol style="list-style-type: none"><li>1. Finalize Guide</li><li>2. Rollout Guide</li></ol>	<p>7/22 8/22</p>

Responsibility: Planning and Development Director

**ACTION: Zoning Ordinance Re-Write and Adoption**

<b>PRIORITY</b>
<i>Mgmt</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Land Use Categories	1. Complete stakeholder input	4/22
• Single-Family Home Lot Size	2. Complete comprehensive re-write	5/22
• Parking Regulations	3. P&Z: Review	6/22
• Buffer Zones	4. <b>DECISION:</b> Zoning Ordinance	8/22
• Schedule of Uses	Adoption	

Responsibility: Planning and Development Director



► **Management in Progress 2021 – 2022**

			TIME
2	1. Lofts Annexation: Decision (COMMISSION)	CM	12/21
2	2. Public Education Campaign on Grease and Hygiene Products	AS	2/22
2	3. Visit Canyon (WORKSHOP on TOURISM)	CM	4/22
2	4. Lift Stations #3 and #4 to SCADA	PW	5/22
2	5. Wastewater Facilities Assessment and Planning (BUDGET FY 23)	PW	8/22
2	6. Restaurant Grease Traps and Car Wash Sand Trap Pretreatment Program: Development	PW	11/22
2	7. Wastewater Farm Land Acquisition: Location	PW	9/23

► **Major Projects 2021 – 2022**

			TIME
2	1. Street Striping Annual Projects	PW	11/21
2	2. Hunsley Road North Side Drainage Ditch Repair/Rehab Project	PW	2/22
2	3. East Water Tower Overflow Project	PW	6/22
2	4. Wastewater Lift Stations Generators: Installation (BUDGET FY 23)	PW	8/22
2	5. 18 <sup>th</sup> Street Extension Project: Funding (BUDGET FY 23)	PW	8/22
2	6. 10 <sup>th</sup> Avenue Sewer Main Replacement/Rehab Project	PW	10/22
2	7. Xeriscape Water Facility Location Project	PW	10/22
2	8. Water Department Building Repairs/Update Project	PW	1/23
2	9. 8 <sup>th</sup> Avenue and 9 <sup>th</sup> Avenue from 16 Street to 19 <sup>th</sup> Street Sewer Line Replacement Project	PW	7/23
2	10. Wastewater Lagoons Force Mains Replacement Project	PW	7/23
2	11. CDBG Water Main Replacement Project	PW	7/23

<b>GOAL 3</b>	<b>ALIVE DOWNTOWN SQUARE</b>
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<p><b>ACTION: Courthouse Use and Interior Improvements: Direction and City Role/County Role</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"><u>Key Issues</u></th> <th style="text-align: left; border-bottom: 1px solid black;"><u>Activities/Milestones</u></th> <th style="text-align: left; border-bottom: 1px solid black;"><u>Time</u></th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> <li>• Future Use: Overall</li> <li>• 1<sup>st</sup> Floor Uses: Chamber of Commerce, Restrooms, Visit Canyon, County Offices</li> <li>• 2<sup>nd</sup> Floor Uses: Options</li> <li>• 3<sup>rd</sup> Floor Uses and Reconstruction</li> <li>• Roof Leaks</li> <li>• Building Condition Assessment</li> <li>• Randall County Plan</li> <li>• City Role and Participation</li> </ul> </td> <td style="vertical-align: top;"> <ol style="list-style-type: none"> <li>1. Meet with County Judge</li> <li>2. Receive Plan THC – 1<sup>st</sup> Floor Only</li> </ol> </td> <td style="vertical-align: top;"> <p>11/21 TBD</p> </td> </tr> </tbody> </table>	<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>	<ul style="list-style-type: none"> <li>• Future Use: Overall</li> <li>• 1<sup>st</sup> Floor Uses: Chamber of Commerce, Restrooms, Visit Canyon, County Offices</li> <li>• 2<sup>nd</sup> Floor Uses: Options</li> <li>• 3<sup>rd</sup> Floor Uses and Reconstruction</li> <li>• Roof Leaks</li> <li>• Building Condition Assessment</li> <li>• Randall County Plan</li> <li>• City Role and Participation</li> </ul>	<ol style="list-style-type: none"> <li>1. Meet with County Judge</li> <li>2. Receive Plan THC – 1<sup>st</sup> Floor Only</li> </ol>	<p>11/21 TBD</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><b>PRIORITY</b></td> </tr> <tr> <td style="text-align: center;"><i>Policy Top</i></td> </tr> </table>	<b>PRIORITY</b>	<i>Policy Top</i>
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**ACTION: Brick Streets: Problem Analysis Practices, Report with Options, Direction and Funding Mechanism**

<b>PRIORITY</b>
<i>Policy</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• 42 Blocks</li> <li>• Drainage Issues</li> <li>• Curb and Gutter Issues</li> <li>• Ride</li> <li>• Ongoing Maintenance Costs</li> <li>• Engineering Design</li> <li>• Options</li> <li>• Costs</li> <li>• Funding Mechanism</li> <li>• Base Condition</li> </ul>	<ol style="list-style-type: none"> <li>1. Meet with City of Amarillo on repair options and costs</li> <li>2. Prepare a Report on options and costs: repair, remove/replace, stamped, or asphalt for one block/one intersection</li> <li>3. <b>REPORT:</b> Presentation, Discussion and Direction</li> </ol>	<p>3/22</p> <p>5/22</p> <p>6/22</p>

Responsibility: Public Works Director

**ACTION: Downtown Theater Revitalization: Work with Property Owner and Direction**

<b>PRIORITY</b>
<i>Policy</i>

Key Issues

- Working with Property Owner
- Link to Vision: “Family Entertainment Venues”
- City Role
- CEDC Role

Activities/Milestones

1. Mayor/Commissioner/City Manager contacts property owner
2. **UPDATE:** Status and Direction

Time

- 1/22  
4/22

Responsibility: City Manager/Mayor/Commissioner Ray

**ACTION: Downtown Master Plan: Development and Adoption**

<b>PRIORITY</b>
<i>Mgmt Top</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• Concept</li> <li>• Projects</li> <li>• Funding Mechanisms</li> </ul>	<ol style="list-style-type: none"> <li>1. Meet with consultant</li> <li>2. Prepare initial Downtown Master Plan</li> <li>3. Finalize initial draft Master Plan</li> <li>4. Complete stakeholder input</li> <li>5. <b>BRIEFING:</b> Master Plan Overview</li> <li>6. Prepare final Master Plan</li> <li>7. P&amp;Z: Master Plan Review</li> <li>8. <b>DECISION:</b> Downtown Master Plan Adoption</li> </ol>	<p>12/21</p> <p>5/22</p> <p>5/22</p> <p>5/22</p> <p>6/22</p> <p>8/22</p> <p>9/22</p> <p>11/22</p>

Responsibility: Assistant City Manager

<b>GOAL 4</b>	<b>YOUR HOMETOWN – A SPECIAL PLACE TO LIVE</b>
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<b>ACTION: West Texas A &amp; M University Strategy: Key Issues</b>	<b>PRIORITY</b>																											
<b>Direction and City Actions</b>	<i>Policy Top</i>																											
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Responsibility: City Manager/Mayor																												

**ACTION: Bike Trails Development: Projects (2) Direction and Funding Mechanism**

<b>PRIORITY</b>
<i>Policy Top</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• Bike Trail Projects (2)</li> <li>• Bike Lanes</li> <li>• Work with West Texas A &amp; M University</li> <li>• City Role</li> <li>• Funding</li> </ul>	<ol style="list-style-type: none"> <li>1. Meet with Trial Advocates</li> <li>2. Develop proposed Action Plan based upon meeting</li> <li>3. REPORT: Bike and Trials Update</li> </ol>	<p>2/22</p> <p>5/22</p> <p>6/22</p>

Responsibility: Assistant City Manager
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**ACTION: 4<sup>th</sup>/23<sup>rd</sup> Intersection Clean-Up Plan: Project and TxDOT Participation**

<b>PRIORITY</b>
<i>Policy High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• Signature Location</li> <li>• Land Acquisition</li> <li>• TxDOT Interlocal Agreement and Funding</li> <li>• Decorative Lighting</li> <li>• State ROW</li> </ul>	<p>A. Public</p> <ol style="list-style-type: none"> <li>1. Identify and define project – public infrastructure, traffic engineering, lighting, visual appeal</li> <li>2. Contact TxDOT as a partner</li> <li>3. Determine cost estimates for construction</li> <li>4. Negotiate with TxDOT on cost sharing</li> <li>5. <b>REPORT:</b> 4<sup>th</sup>/23<sup>rd</sup> Intersection Update</li> </ol>	<p>Complete</p> <p>Completed 7/22</p> <p>Ongoing</p> <p>10/22</p>
<ul style="list-style-type: none"> <li>• Appearance of Private Property</li> <li>• Restaurant Expansion</li> <li>• Southside Revitalization</li> <li>• CEDC Role</li> <li>• City Role</li> <li>• Façade Improvement</li> <li>• Business Revitalization</li> </ul>	<p>B. Private Business Revitalization</p> <ol style="list-style-type: none"> <li>1. Identify a list of businesses and property owners</li> <li>2. Initiate discussions with businesses and property owners</li> <li>3. <b>BRIEFING:</b> Update</li> </ol>	<p>2/22</p> <p>5/22</p> <p>9/22</p>

Responsibility: City Manager
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**ACTION: Palo Duro Canyon Expansion Advocacy: Direction and City Actions**

<b>PRIORITY</b>
<i>Policy High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Park Plans	1. Meet with Mayor to define outcomes and opportunities	1/22
• Park Land Expansion	2. Complete Park Tour with Superintendent	2/22
• Expanded Access and Use	3. Develop a strategy and advocacy plan	2/22
• Expanded Tourism	4. Meet with legislators	4/22
• Expanded Local Economy		

Responsibility: City Manager/Mayor
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**ACTION: Major Event/Festival Site: Outcomes, Location, Direction and Funding Mechanism**

<b>PRIORITY</b>
<i>Policy</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
<ul style="list-style-type: none"> <li>• Definition</li> <li>• Scope</li> <li>• Location – Options</li> <li>• Partnerships</li> <li>• “Major: Event</li> <li>• Multi-Use Site</li> <li>• Parking</li> <li>• Community Festivals</li> <li>• Alcohol Sales</li> <li>• Partnering with School District</li> <li>• Partnering with West Texas A &amp; M University</li> </ul>	<ol style="list-style-type: none"> <li>1. Form a Commission Committee – Commissioners Ward and Ray</li> <li>2. Discuss outcomes, locations and issues with Commission Committee</li> <li>3. Develop a “White Paper” defining concepts, locations, City role, potential partnerships and options</li> <li>4. <b>WORKSHOP:</b> Presentation, Discussion, Feedback and Next steps</li> </ol>	<p>12/21</p> <p>2/22</p> <p>3/22</p> <p>4/22</p>

Responsibility: City Manager/Commission Committee

**ACTION: Project Santa Fe: Direction and Next Steps**

<b>PRIORITY</b>
<i>Mgmt Top</i>

Key Issues

Activities/Milestones

Time

1. Notify direction from party
2. Prepare draft agreement
3. **DECISION:** Agreement

1/22

1/22

2/22

Responsibility: CEDC Director

**ACTION: Golf Course Project: Direction and Funding**

<b>PRIORITY</b>
<i>Mgmt High</i>

<u>Key Issues</u>	<u>Activities/Milestones</u>	<u>Time</u>
• Irrigation System	1. Determine project scope, project priority and costs	1/22
• Greens –Rebuild	2. Determine funding options	1/22
• Restrooms	3. <b>REPORT:</b> Presentation, Discussion and Direction	1/22
• Cart Barn	4. Finalize proposed CIP FY 23	6/22
• Bridges	5. <b>CIP WORKSHOP:</b> CIP FY 23 Presentation and Discussion	6/22
• Funding Mechanism	6. <b>DECISION:</b> CIP FY 23 Adoption and Project Funding	7/22
• Financing Options		
• Project Costs		
• Golf Rates		

Responsibility: Assistant City Manager

**ACTION: Decorative Lighting and Traffic Signals: Direction and Funding Mechanism**

<b>PRIORITY</b>
<i>Mgmt High</i>

Key Issues

- Linked to 4<sup>th</sup>/23<sup>rd</sup> Project
- Linked to Vision: “Beautiful Community” and “ Alive Downtown Square”

Activities/Milestones

1. Discuss with TxDOT cost sharing – linked to 4<sup>th</sup>/23<sup>rd</sup> Project
2. Develop CIP budget proposal for City participation
3. Finalize proposed CIP FY 23
4. **CIP WORKSHOP:** CIP FY 23 Presentation and Discussion
5. **DECISION:** CIP FY 23 Adoption and Project Funding

Time

- Ongoing
- 5/22
- 6/22
- 6/22
- 7/22

Responsibility: City Manager

**ACTION: Buffalo Hills and Brown Road Soccer Complex  
Dedication as Parks**

<b>PRIORITY</b>
<i>Mgmt</i>

Key Issues

Activities/Milestones

Time

- |   |         |
|---|---------|
| 1. Complete Survey  | 2/22    |
| 2. <b>DECISION:</b> Direction   | 3/22    |
| 3. Negotiate with West Texas A & M<br>University property acquisition | Ongoing |
| 4. Brown Road Park dedication   | 5/22    |
| 5. Buffalo Hills dedication   | TBD     |

Responsibility: Assistant City Manager

**ACTION: WTAMU Interlocal Agreement Related to  
Russell Long Boulevard**

<b>PRIORITY</b>
<i>Mgmt</i>

Key Issues

Activities/Milestones

Time

1. **DECISION:** Agreement

4/22

Responsibility: City Manager

			TIME
<b>► Management in Progress 2021 – 2022</b>			
4	1. Police Public Information Officer Training	Police	Ongoing
4	2. Emergency Management and Safety Training	Police	Ongoing
4	3. Grass Fire Apparatus Upgrade (BUDGET FY 23)	Fire	8/22
4	4. Self-Contained Breathing Apparatus Replacement (BUDGET FY 23)	Fire	8/22
4	5. Patrol Cars Camera Recording System Replacement (BUDGET FY 23)	Police	8/22
4	6. Kylie Hiner All-Inclusive Playground: Fund Raising	Parks	10/23

			TIME
<b>► Major Projects 2021 – 2022</b>			
4	1. Walkway Concrete Caps	Lib	12/21
4	2. Canyon East Bench and Tree Replacement	PW	12/21
4	3. Pro Rata Agreement with CISD Sewer Line for New Elementary School	PW	3/22
4	4. Aquatic Park Pool Crack Repair and Stain Removal	Parks	5/22
4	5. City Outdoor Warning System: Completion	Fire	5/22
4	6. Fire Training Building Demolition and Rebuild	Fire	5/22
4	7. Brown Road Soccer Complex Tree Replacement	Parks	5/22
4	8. WTAMU Water Tower Lighting Project	PW	5/22
4	9. Golf Course Upgrade	Golf	
	a. Bridge Re-Deck		6/22
	b. Tree Trimming		6/22
	c. Cart Barn Wash Bay Concrete Work		6/22
	d. Cart Fleet New		6/22
4	10. Community Center Upgrade Projects: Snow Guards (BUDGET FY 23)	Parks	8/22
	a. Snow Guards		
4	11. Library Upgrade Projects	Lib	8/22
	a. Roof Repairs/Replacement (BUDGET FY 23)		
	b. Snow Guards (BUDGET FY 23)		



# **Policy Calendar 2021 – 2022**

## MONTH

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January 2022

1. **REPORT:** Golf Course Presentation, Discussion and Direction
2. **DECISION:** Fire Staffing Direction

## MONTH

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February 2022

1. **DECISION:** Project Santa Fe Agreement
  
2. **DECISION:** Strategic Plan 2021-2027-2037 and Action Agenda 2022 Adoption

## MONTH

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March 2022

1. **DECISION:** Public Financial Infrastructure Act Policies and Cash Reserves/Fund Balance Policies Presentation and Policies Adoption
  
2. **BRIEFING:** Randall County Issues/Strategy Update and Discussion
  
3. **DECISION:** Buffalo Hills and Brown Road Soccer Complex Dedication as Parks Direction
  
4. **DECISION:** TIRZ Policy

## MONTH

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April 2022

1. **DECISION:** Award Contract for Police Station, City Hall and Fire Station Concept Plan
2. **REPORT:** Land Acquisition (5) Update and Direction
3. **DECISION:** Debt Policy/Bond Practices Policy Adoption
4. **WORKSHOP:** Visit Canyon
5. **UPDATE:** Downtown Theater Revitalization Status and Direction
6. **DECISION:** WTAMU Interlocal Agreement Related to Russell Long Boulevard Agreement
7. **JOINT MEETING:** CEDC
8. **WORKSHOP:** Major Event/Festival Site

## MONTH

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May 2022

1. **REPORT:** Bond Package Update, Feedback and Direction
  
2. **REPORT:** Water Right/Supply Update
  
3. **WORK SESSION:** Water, Wastewater and Solid Waste Rates Report Presentation, Discussion and Direction
  
4. **PRESENTATION:** City Economic Development Policy/Toolkit Guidelines

## MONTH

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June 2022

1. **BUDGET WORKSHOPS:** Budget FY 23 Presentation, Discussion and Direction
  - a. Asset Management System
  - b. Education Assistance Program for City Employees: Development
  - c. Server Room Cooling and Capacity
  - d. Gatemaster Online Booking
  - e. New Router: Deployment
  - f. Wastewater Facilities Assessment and Planning
  - g. Wastewater Lift Stations Generators: Installation
  - h. 18<sup>th</sup> Street Extension Project: Funding
  - i. Grass Fire Apparatus Upgrade
  - j. Self-Contained Breathing Apparatus Replacement
  - k. Patrol Cars Camera Recording System Replacement
  - l. Library Upgrade Projects
  - m. Community Center Snow Guards
  
2. **BRIEFING:** Downtown Master Plan Overview
  
3. **REPORT:** Bike and Trials Update
  
4. **DECISION:** Fire Department Staff Direction (if unsuccessful with SAFER Grant)
  
5. **REPORT:** Brick Streets Presentation, Discussion and Direction
  
6. **CIP WORKSHOP:** Discussion and Direction
  - a. Wastewater Master Plan: Development
  - b. Golf Course
  - c. Decorative Lighting

## MONTH

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July 2022

1. **CIP DECISION:** Adoption
  
2. **DECISION:** Water, Wastewater and Solid Waste Rate Structures
  
3. **DECISION:** City Economic Development Policy and Toolkit Adoption
  
4. **WORK SESSION:** Development Funding Mechanisms Report Presentation, Feedback and Direction



## MONTH

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August 2022

1. **DECISION:** Development Funding Mechanisms Direction Adoption
  
2. **DECISION:** Budget FY 23 Funding
  
3. **DECISION:** Award Contract for 4<sup>th</sup> Street Ground Storage Tank Construction
  
4. **DECISION:** Zoning Ordinance Adoption
  
5. **DECISION:** Subdivision Ordinance Adoption

## MONTH

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September 2022

1. **DECISION:** Long Term Financial Model/Projections Presentation and Adoption
2. **DECISION:** Award Contract for Stormwater/Drainage Maser Plan
3. **BRIEFING:** 4<sup>th</sup> and 23<sup>rd</sup> Private Sector Revitalization Update

## MONTH

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October 2022

1. **REPORT:** 4<sup>th</sup>/23<sup>rd</sup> Intersection Update
2. **REPORT:** Water Conservation Policy/Program Presentation, Discussion and Direction

## MONTH

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November 2022

1. **WORK SESSION:** Police Station, City Hall and Fire Station Concept Plan Presentation, Discussion and Feedback
2. **PRESENTATION:** CEDC Strategic Plan and Annual Work Program; and Business Attraction Plan
3. **DECISION:** Downtown Master Plan Adoption

To: Mayor and City Commission  
From: Joe Price, City Manager  
Date: April 4, 2022  
Re: Consider and Take Appropriate Action on Third and Final Reading of Ordinance No. 1154 for the Renewal of Xcel Energy Franchise Agreement.

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On January 31<sup>st</sup>, 2011, the City Commission approved Ordinance No. 934, granting a Franchise to SPS for a term of fifteen (15) years. In Section 3 of this Ordinance, the franchise fee has remained at three (3) percent; however, language was added to surcharge franchise fees in excess of 1.51 percent to all customers receiving electric service within the city limits. The adoption of the previous Ordinance did not include an increase in the franchise fee above three (3) percent (5% being the max allowable by law).

Our current Franchise Ordinance doesn't expire until January 2026 even though it was amended in May of 2020 to increase the franchise fee to 4.51%. However, we have an opportunity to provide an amendment to the Franchise Agreement Renewal, by increasing the percentage for gross receipts the final .49% with the submission of a Rate Case from Xcel Energy. The original Ordinance (934) is set to expire in 2026. Xcel Energy is proposing to go ahead and renew the Franchise Agreement for 20 years with the full 5% fees embedded and granting SPS to operate and maintain an electric system within the corporate limits of Canyon.

The proposed Ordinance Renewal will grant a new 5 percent (2% embedded in base rates and 3% as a surcharge) franchise fee and continue to maintain the franchise fee on miscellaneous service charges.

With the 3<sup>rd</sup> reading of Ordinance No. 1154 requirements of the Canyon Home Rule Charter Section 3.17, the City Commission must have three (3) **full** readings of the Franchise Agreement Amendment before they can take official action on the agreement, have been met. Today's reading is the 3<sup>rd</sup> and final required reading and action on the Ordinance is requested.

Reading Dates:

Monday, March 7, 2022 – First Reading  
Monday, March 21, 2022 – Second Reading  
Monday, April 4, 2022 – Final Reading and Official Vote

**RECOMMENDED MOTION**

***"I move to **adopt/deny** Ordinance No. 1154, renewing a Franchise Agreement with Xcel Energy for 20 years and increasing the franchise fee to the max of 5%.**"*

**ORDINANCE NO. 1154**

**FRANCHISE AGREEMENT**

**AN ORDINANCE GRANTING TO SOUTHWESTERN PUBLIC SERVICE COMPANY (“SPS”) D/B/A XCEL ENERGY THE RIGHT, PRIVILEGE AND FRANCHISE TO CONDUCT WITHIN THE CITY OF CANYON, TEXAS (“CITY”), AN ELECTRICAL LIGHTING AND POWER BUSINESS AND TO ENTER UPON, ERECT, CONSTRUCT, MAINTAIN, EXTEND, REPAIR, REPLACE AND REMOVE IN, UNDER UPON, WITHIN, OVER, ABOVE, ACROSS AND ALONG ANY AND ALL OF THE PRESENT AND FUTURE PUBLIC ROADS, HIGHWAYS, STREETS, LANES, BRIDGES AND ALLEYS OF THE CITY, A SYSTEM OF POLES, POLE LINES, TOWERS, DISTRIBUTION LINES, TRANSMISSION LINES, WIRES, GUYS, CABLES, CONDUITS, TRANSFORMERS, AND OTHER DISTRIBUTION AND TRANSMISSION EQUIPMENT, FACILITIES AND APPURTENANCES NECESSARY OR PROPER FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY INTO, IN, WITHIN, FROM, ACROSS, AND THROUGH THE CITY AS NOW EXISTING, OR AS SAID CITY LIMITS MAY HEREAFTER BE EXTENDED; AND GRANTING SPS, ITS SUCCESSORS AND ASSIGNS, THE AUTHORITY TO USE SUCH FOR THE PURPOSE OF TRANSMISSION, DISTRIBUTION, DELIVERY AND SALE OF ELECTRICITY TO THE CITY, AND TO THE INHABITANTS OF THE CITY, OR ANY OTHER PERSON OR PERSONS, FIRMS OR CORPORATIONS, WHEREVER LOCATED WITHIN OR WITHOUT THE BOUNDARIES OF THE CITY, FOR USE BY SUCH PURCHASER OR PURCHASERS FOR ANY PURPOSE AUTHORIZED BY LAW FOR WHICH ELECTRICITY MAY BE USED OR FOR ANY OTHER PURPOSE OR USE WHICH IS OR MAY BECOME NORMAL OR CUSTOMARY IN THE RETAIL ELECTRIC INDUSTRY IN TEXAS; PROVIDING THAT THIS FRANCHISE SHALL BE EFFECTIVE FOR A PERIOD OF TWENTY (20) YEARS COMMENCING MAY 15, 2022; PROVIDING FOR THE TEMPORARY REMOVAL, RAISING OR LOWERING BY SPS OF ITS WIRES AND OTHER APPURTENANCES; PROVIDING FOR THE RIGHT TO, AND CONDITION OF, THE OPENING OF PAVEMENTS AND SIDEWALKS BY SPS; RETAINING ALL RIGHTS OF CITY TO REGULATE THE LOCATION OF SPS'S**

**FACILITIES IN, UPON, ALONG, UNDER AND OVER THE STREETS, ALLEYS AND OTHER PUBLIC PLACES OF CITY, AS WELL AS TO REQUIRE THE RELOCATION OF SAME; PROVIDING FOR EFFICIENT ELECTRICAL SERVICE AND THE MAINTAINING OF SPS'S FACILITIES; PROVIDING COMPENSATION, AND METHOD OF PAYMENT OF SUCH, TO THE CITY FOR THE USE BY SPS OF THE STREETS, ALLEYS AND PUBLIC WAYS OF THE CITY; PROVIDING FOR THE MAINTAINING OF RECORDS BY SPS WITH RIGHT OF INSPECTION BY CITY RESERVING TO CITY ALL POWERS OF REGULATION; PROHIBITING ASSIGNMENT EXCEPT BY CONSENT BY CITY EXCEPT IN CERTAIN CASES; GIVING CITY'S CONSENT TO THE CUTTING AND TRIMMING BY SPS OF CONFLICTING TREES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT THIS FRANCHISE SHALL NOT BE EXCLUSIVE; MAKING MISCELLANEOUS PROVISIONS RELATIVE TO THIS GRANT OF FRANCHISE; REPEALING ALL PREVIOUS ELECTRICAL LIGHTING AND POWER FRANCHISE ORDINANCES; PROVIDING FOR THE ACCEPTANCE OF THIS FRANCHISE ORDINANCE BY SPS**

WHEREAS, the City has previously granted to Southwestern Public Service Company ("SPS") a franchise to operate and maintain an electric system in the City of Canyon ("City").

WHEREAS, SPS has requested that the City Commission of the City of Canyon, Texas, ("City Commission") grant an electrical lighting and power franchise at this time, and it appearing to this City Commission that the renewal of the franchise will be of benefit to both SPS and the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CANYON:**

**SECTION 1:**

Franchise Authorization: That subject to the terms, conditions, and provisions of this Ordinance, the City of Canyon, Texas, hereinafter referred to as "City", does hereby grant unto Southwestern

Public Service Company, a corporation incorporated under the laws of the State of New Mexico, having a permit to do business in the State of Texas, hereinafter referred to as "SPS", its successors and assigns, the right, privilege and franchise to conduct an electrical lighting and power business within the boundaries of the City, as such boundaries now exist or may hereafter be extended.

SPS shall have the right to enter upon, erect, construct, maintain, extend, repair, replace, and remove in, under, upon, within, over, above, across, and along any and all of the present and future public roads, highways, streets, lanes, bridges, alleys and other public rights-of-way of the City now or hereafter owned or controlled by the City a system of poles, pole lines, towers, distribution lines, transmission lines, underground and above ground lines, wires, guys, cables, conduits, transformers, and other distribution and transmission equipment, facilities and appurtenances necessary, proper or reasonably needed for the transmission and distribution of electricity into, in, within, from, across and through the City as now existing or as the boundaries of the City may hereafter be extended to the extent the City is authorized to grant such right.

SPS, its successors and assigns, are authorized to use said poles, lines, towers, wires, guys, conduits, transformers, and other distribution and transmission equipment, facilities and appurtenances for the transmission, distribution, delivery and sale of electricity to the City and to the inhabitants of the City or any other person or persons, firms or corporations wherever located for use by such purchaser or purchasers for any purpose authorized by law for which electricity may be used or for any other purpose or use which is or may become normal or customary in the retail electric industry in Texas.

## **SECTION 2:**

Term: The Franchise granted to SPS shall be for a term of Twenty (20) years from May 15, 2022. The Franchise rights and privileges shall be in full force and effect thirty (30) days from the last publication of this Ordinance provided SPS has formally accepted this franchise as provided in Section 20.

## **SECTION 3:**

Franchise Fee/Payment: As compensation and rental for the use of the streets, alleys and public ways of City in the conduct of its business under this Franchise, SPS shall pay the City for the life of this Franchise a sum of money equal to five percent (5%) of its Gross Receipts. The term 'Gross Receipts' shall mean the total monies received by SPS from the sale of electric energy to its retail customers within the corporate limits of the City. A two percent (2%) franchise expense, which does not include franchise expense associated with net miscellaneous revenue, is currently embedded in SPS system-wide rates, but all franchise expense in excess of two percent (2%) of gross receipts shall be surcharged by SPS to the customers taking service within the corporate limits of the City. The franchise payments shall be due and payable within thirty (30) days following the end of each calendar quarter in which the gross receipts were collected. All money due and payable to City by SPS computed under the terms of the existing Franchise shall be payable at the time that computation begins under this Franchise. In other words, there shall be no gap in payments to the City between the termination of the existing Franchise and the commencement of this Franchise. Said quarterly payments above provided shall be exclusive of and in addition to ad valorem taxes. Any and all such payments made by SPS pursuant to this Section shall be credited on any amount imposed, levied, or assessed against SPS by the City, pursuant to ordinance or otherwise, at any time as a charge (whether designated as rental, tax, or otherwise) for the use by SPS of the City's streets, alleys, and public rights-of-way.



#### **SECTION 4:**

**Pole Location:** Within the streets or other public rights-of-way of the City, the location and route of all poles, stubs, guys, anchors, lines, conduits, underground duct lines, manholes, and cables placed and constructed and to be placed and constructed by SPS in the construction and maintenance of its electrical lighting and power system in, within, through, or under the streets, alleys, or other public rights-of-way of the City shall be subject to reasonable and proper regulation, control, and direction of the City, or of the City official to whom such duties have been or may be delegated.

All poles, guys, or anchors erected by SPS shall be so set that they will not cause diversion of surface waters in any gutter or drain so as to cause damage to adjoining property, and so that the same will interfere as little as practicable with the ordinary travel on the streets, sidewalks and other public rights-of-way of the City; the regulation and control herein reserved shall include, without limitation, the right of the City to require SPS, at SPS's expense, to relocate its poles, lines, or conduits so as to permit the following activities undertaken by the City on its behalf:

- a. The widening or straightening of any street, alley or public right-of-way located within the City.
- b. The closing, opening or relocation of any street, alley or public right-of-way within the City.
- c. The location or relocation of any water or sewer lines within the City.
- d. The changing of grade of any street, alley, curb, or sidewalk within the City.
- e. The construction and maintenance of parks and other public improvements owned by the City located within the City.

In all cases where SPS is required to relocate, change the route of, or the position of the poles, lines, or the conduits, as a result of a request by the City, the City shall furnish an alternate route on which poles and lines of like construction design may be built, and provide ninety (90) days advance written notice to SPS specifying the new location, route, or position of the poles, lines, or conduits involved. SPS shall be entitled to be paid for its cost and expenses of any relocation, raising, or lowering of its wires, required by the City, pursuant to this Section or Section V, only if such expenses or costs are reimbursable or payable to SPS or the City from any source including the State of Texas, the United States, or any governmental agency or subdivision of either, whether directly or indirectly. However, nothing herein shall impose any obligation on the City to pay such costs and expenses except to the extent it actually receives funds from another source including the United States, the State of Texas, or any governmental agency or subdivision of either, for the reimbursement or payment of same. The provisions of this Section shall not apply to improvements made by SPS on private easements purchased by SPS and recorded prior to any dedication of any street, alley or public way. In this latter event, the City shall reimburse SPS its costs and expenses of relocating facilities.

## **SECTION 5:**

Temporary Relocation: SPS, on written reasonable request of any responsible person, firm, corporation, or governmental authority, shall relocate, raise or lower its wires, where located on, in, or over the streets, alleys and other public ways of the City, temporarily to permit construction work in the vicinity thereof, or to permit the moving of houses, or other bulky structures.

The expense of such temporary relocation, raising or lowering of such wires shall be paid by the benefited party or parties, and SPS may require the payment in advance, being without obligation to remove, raise, or lower its wires until such payment shall be made; provided, however, that no such payment shall be required of the City except as provided in Section 4. SPS shall be given prior written notice to arrange for such temporary wire relocations. The time period and manner for providing prior written notice shall be as specified in SPS's tariff(s) governing temporary raising or lowering of lines, as may be amended from time to time, currently Rules Tariff Sheet No. V-32. Currently, Rules Tariff Sheet No. V-32 requires at least seven (7) days prior written notice.

## **SECTION 6:**

Excavation of Sidewalks: If it becomes necessary in furnishing electricity as contemplated under this Franchise, the City grants to SPS the right and privilege to take up pavements and sidewalks, if any, in and upon said streets, alleys, and highways in the City for the purpose of making such excavation and installation as may be necessary; provided, however, that SPS shall not take up or excavate any pavement at any time without first securing the written permission of the City Manager or designated representative, which permission will not be unreasonably withheld; and provided further, that all excavations and installations so made shall be performed in a reasonable manner as will cause the least inconvenience to the public, and SPS shall promptly restore, or cause to be restored to as good condition as before working thereon all such pavements, sidewalks, streets, alleys, or highways excavated by it to the reasonable satisfaction of the City Manager or designated representative.

## **SECTION 7:**

Facilities Damage: If any facilities of the City shall be in any respect damaged or injured by SPS or any of its officers, agents, or employees in connection with the performance of work done under this Franchise Agreement, then SPS shall pay for such damage. Conversely, if any of the facilities installed by SPS hereunder shall be in any respect damaged or injured by the City or any of its officers, agents, representatives, or employees, in connection with the performance of any work or repairs that may be done upon the streets, avenues, alleys, and other public places of the City, then the City shall pay for such damage.

**SECTION 8:**

City's Sovereignty: The City, by the granting of this Franchise, does not surrender or to any extent lose, waive, imperil, or lessen the lawful powers and rights now or hereinafter vested in the City under the Constitution and Statutes of the State of Texas to regulate the rates for services of SPS; and SPS, by its acceptance of this Franchise, agrees that all such lawful regulatory power and rights as the same may be from time to time vested in the City shall be in full force and effect and subject to the exercise thereof by the City at the City's discretion.

Notwithstanding anything contained in this Ordinance to the contrary, all work done in connection with the construction, repair, maintenance, and operation of all facilities of SPS is subject to the continuing police power of the City; and SPS shall comply with all present and future laws, ordinances, and regulations, except when such compliance is in conflict with that authority specifically surrendered by the City herein.

**SECTION 9:**

Electric Service Provided: It shall be SPS's obligation hereunder to furnish efficient electrical service to meet standards of the industry for the area. SPS shall serve every eligible consumer in the franchise area that requests service, subject to lawful policies and rules of SPS regarding cost, customer deposits, return on investment, access, and other reasonable factors. SPS shall not discriminate against any person, corporation, firm, or association in the charge for such electrical current or in the service rendered under like circumstances. SPS shall not directly or indirectly grant any discount or rebate, or give things of value to circumvent the rate schedule as approved by the appropriate regulatory authority.

**SECTION 10:**

Nonexclusive: Nothing contained in this Ordinance shall be construed as conferring upon SPS any exclusive rights or privileges of any nature whatsoever.

**SECTION 11:**

Annual Receipts Report/Right to Audit: On request by the City's City Manager or designated representative, SPS shall provide a statement, certified by a duly qualified officer of SPS, showing the Gross Receipts of SPS (as defined above). For the purpose of determining the amount of the Gross Receipts of SPS at all times during the continuance of the rights herein granted, SPS shall keep at the disposal of and open to inspection by any auditor authorized and appointed by the City at all reasonable times, books of accounts and other records showing a full, true, complete, and accurate account of the Gross Receipts of SPS from its electric lighting and power sales for consumption within the corporate limits of the City for the prior three calendar years.

**SECTION 12:**

Indemnification: SPS shall indemnify and save the City harmless from all claims, demands, or causes of action brought against the City occasioned by or arising out of the construction, reconstruction, maintenance, or repair of SPS's electrical lighting and power system, or in any way growing out of the granting of this franchise either directly or indirectly; provided, however, that the provisions of this Section shall not be applicable to any claims, damages, actions, or causes of actions proximately resulting from the City, its officers, agents, representatives, or employees, for which the City is otherwise liable as provided herein.

**SECTION 13:**

Authority: In granting this Franchise it is understood that the lawful power vested by law in the City to require all persons or corporations to discharge the duties and undertaking for the performance of which this Franchise was made, is reserved; this grant is made subject to all the rights, powers, and authorities either of regulation or otherwise reserved to the City by its Charter or by the general laws of the State.

**SECTION 14:**

Assignment/Transfer of Franchise: The rights, franchises and privileges hereby granted shall not be transferred or assigned by SPS except with the consent of the City Commission expressed by Ordinance passed by said City Commission; provided, however, SPS may mortgage or pledge its rights hereunder for security or obligations owing by SPS; and provided further, that a transfer could be made in a merger, consolidation, or re-organization proceeding to which SPS is a party or to a subsidiary corporation or affiliate corporation of SPS or wherein SPS sells its entire physical assets.

In the event of contemplated transfer of this Franchise, under the terms of this section permitting transfer without consent of the City Commission, SPS shall notify the City of the contemplated transfer by written notice delivered to the City's City Secretary not less than sixty (60) days prior to accomplishment of any merger, consolidation, or re-organization proceeding or transfer of its entire physical assets; and will provide the City Commission an opportunity to confer with the proposed transferee concerning proper acceptance of the terms of this franchise. Prior to exercising any rights hereunder, any purchaser or transferee of SPS shall file with the City's City Manager or designated representative a written acceptance of this Franchise setting forth an agreement to be bound by all terms and provisions hereof.

**SECTION 15:**

Tree Trimming: To the extent that the City has authority to do so, it gives to SPS, during the life of this Franchise, the right, license, privilege, and permission to trim trees upon and overhanging the streets, alleys, sidewalks, and public places of the City, so as to prevent the branches of such trees from coming in contact with the wires or other equipment of SPS. SPS agrees that it will fully protect and indemnify the City from any and all claims,

demands, actions, causes of actions, damages, and expenses arising because of such trimming by SPS under the provisions of this Section.

**SECTION 16:**

Notice of Default: The franchise rights and privileges hereinabove granted to SPS, its successors and assigns are and shall be at all times, during the term and life of this Franchise, contingent upon the faithful and punctual performance of and compliance with all acts, requirements and provisions of this Ordinance, and any amendment hereof, by SPS, its officers, agents and employees on its part to be performed, complied with and abided by, and if at any time SPS shall refuse, fail to keep, perform, or comply with and abide by all and singular the acts, requirements, and provisions of this Ordinance, or any amendment, within sixty (60) days from receipt of written notice from the City's City Manager or designated representative acting by Order of the City Commission setting forth in detail the facts constituting default of SPS and what is required to cure such default; and upon continued failure of SPS to keep, perform, comply with, and abide by such acts, requirements, and provisions of this Ordinance, or any amendment or failure to cure the default set forth in such written notice, the City Commission may terminate, at its option, this Franchise and all privileges and rights herein granted to said SPS. The notice herein mentioned shall be sufficient, if given to the Director, Customer and Community Relations for SPS located in Amarillo, Texas.

**SECTION 17:**

Removal of Dangerous Objects: The City shall have power at any time to require SPS to remove and abate at its own expense any installation or structure that is dangerous to life or property, and in case SPS, after reasonable notice, fails or refuses to act, the City shall have the power using reasonable means and methods to remove or abate the same at expense of SPS, all without compensation or liability for damages to SPS.

**SECTION 18:**

Severability: If any provision, section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional, void, or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance shall not be affected thereby.

**SECTION 19:**

Prior Franchise Repealed: This Franchise replaces all former Franchise ordinances granted to SPS or its predecessors, which are hereby repealed, which repeal is effective as of the time the franchise herein granted takes effect. There is specifically and particularly repealed, effective as of that time, that certain Ordinance No. 1154 passed by the City of Canyon, granting to SPS, its successors and assigns, a Franchise for a period of Twenty (20) years.

**SECTION 20:**

Final Passage/Acceptance: SPS shall, within thirty (30) days from the date of the final passage of this Ordinance by the City Commission, file with the City Secretary a written statement signed in its name and behalf by an officer of SPS duly authorized by its Board of Directors in the following form:

"The Honorable Mayor and the City Commission of the City of Canyon:

Southwestern Public Service Company, for itself, its successors and assigns, hereby accepts the attached Ordinance finally passed by the City Commission of Canyon, the 4<sup>th</sup> day of April, 2022, and agrees to be bound by all of its terms and provisions.

**Southwestern Public Service Company**

By: \_\_\_\_\_  
President, TX & NM

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 2022."

**AND IT IS SO ORDERED.**

READ in accordance with the Canyon Home Rule Charter Section 3.17 by the City Commission of the City of Canyon, Texas with a quorum of such Commission duly and lawfully assembled on the first (1<sup>st</sup>) reading, on the 7<sup>th</sup> of March, 2022.

CITY OF CANYON, TEXAS

\_\_\_\_\_  
GARY HINDERS, Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Gretchen Mercer, City Secretary

\_\_\_\_\_  
CHUCK HESTER, City Attorney

READ in accordance with the Canyon Home Rule Charter Section 3.17 by the City Commission of the City of Canyon, Texas with a quorum of such Commission duly and lawfully assembled on the second (2<sup>nd</sup>) reading, on the 21<sup>st</sup> of March, 2022.

CITY OF CANYON, TEXAS

\_\_\_\_\_  
GARY HINDERS, Mayor

ATTEST:

APPROVED:

\_\_\_\_\_  
Gretchen Mercer, City Secretary

\_\_\_\_\_  
CHUCK HESTER, City Attorney

ORDINANCE PASSED AND ADOPTED in accordance with the Canyon Home Rule Charter Section 3.17 by the City Commission of the City of Canyon, Texas, with a quorum of such Commission duly and lawfully assembled and voting, on the third (3<sup>rd</sup>) and final reading, on the 4<sup>th</sup> of April, 2022.

CITY OF CANYON, TEXAS

\_\_\_\_\_  
GARY HINDERS, Mayor

ATTEST:

APPROVED:

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Gretchen Mercer, City Secretary

\_\_\_\_\_  
CHUCK HESTER, City Attorney