

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 19<sup>th</sup> day of October 2011, the Amarillo Local Government Corporation Board of Directors met at 11:30 a.m. on the Third Floor, Room 306, City Hall, 509 E. 7th Avenue, with the following members present:

Gary Pitner	President
Richard Brown	Vice President
Brian Eades	City Commissioner and Board Member
Glen Parkey	Board Member
Jim Simms	City Commissioner and Board Member
Les Simpson	Board Member
Melissa Dailey	Ex-Officio Member
Jarrett Atkinson	City Manager and Ex-Officio Member
Vicki Covey	Assistant City Manager
Marcus Norris	City Attorney
Donna DeRight	City Secretary and Secretary of the Board

Absent was Ron Boyd. Also in attendance were Joe Esch and Costa Bajjali with Wallace Bajjali Development Partners.

ITEM 1: The meeting was called to order by Mr. Pitner.

ITEM 2: Mr. Pitner presented for approval the minutes of the regular meeting held on September 21, 2011. Mr. Brown stated in Item 3, where it indicates Phase 11 it looks like the number eleven and noted the minutes should be changed to clarify it as Phase 2. Motion was made and seconded to approve the minutes as amended. The motion carried unanimously.

ITEM 3: Mr. Pitner stated that this item conducts the annual meeting to elect officers as well as review and approve the Investment Policy. Motion was made by Commissioner Simms, seconded by Mr. Simpson, and unanimously carried, to elect the officers as follows, Gary Pitner, President, Richard Brown, Vice President, Dean Frigo, Treasurer and Donna DeRight, Secretary.

Mr. Brown advised that he has some questions and suggested changes to the Investment Policy. He recommended on Page 3, Paragraph 3, the words "any securities that are inherently risky" be deleted. He also recommended on Page 6 in the list of items for the investment report an addition is made as follows, 7) State that the maturity dates of the Corporation's investments will meet the anticipated cash flow needs of the Corporation. Motion was made by Mr. Brown, seconded by Commissioner Simms, and unanimously carried, to approve the Investment Policy with the changes as recommended.

**ITEM 4:** A resolution was presented to consider two amendments to the Bylaws of the Amarillo Local Government Corporation. Mr. Pitner explained that the first one amends Article I, Section 8, to provide for committees that function in an advisory-only role and that may be appointed by the President. The second one amends Article II, Section 10, to provide that a Director may rely on both the work of consultants to the Board and also that of employees, agents, and authorized consultants of the City of Amarillo. Mr. Brown suggested a change in Article I, Section 8, the second sentence to read as follows, “A committee formed under this subsection (a) shall act in the manner provided in the authorizing resolution, and shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in the books and records of the Corporation and shall report same to the Board from time to time.” Motion was made by Mr. Brown, seconded by Commissioner Simms, to approve the changes as presented and the following captioned resolution be passed:

**RESOLUTION NO. 3**

A RESOLUTION OF THE AMARILLO LOCAL GOVERNMENT CORPORATION: AMENDING BYLAWS; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mr. Pitner, Mr. Brown, Commissioner Eades, Mr. Parkey, Commissioner Simms and Mr. Simpson; voting NO were none; the motion carried by a 6:0 vote of the board.

**ITEM 5:** Mr. Pitner presented a resolution clarifying the authority, nature and role of the previously established Document Development and Review committee. This Committee is intended to be advisory in nature and that future committee members may be appointed by the President. Motion was made by Mr. Parkey, seconded by Mr. Simpson, that the following captioned resolution be passed:

**RESOLUTION NO. 4**

A RESOLUTION OF THE AMARILLO LOCAL GOVERNMENT CORPORATION: CLARIFYING AUTHORITY AND NATURE OF A COMMITTEE; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.

Voting AYE were Mr. Pitner, Mr. Brown, Commissioner Eades, Mr. Parkey, Commissioner Simms and Mr. Simpson; voting NO were none; the motion carried by a 6:0 vote of the board.

**ITEM 6:** Mr. Pitner presented an Interlocal Agreement between the City of Amarillo and the Amarillo Local Government Corporation (ALGC) to assign budgeted City funds to the ALGC for its continued operations and work on the implementation of the approved Downtown Redevelopment Projects. Mr. Brown suggested changes on Page 1, No. 5, to delete (c), and on Page 2, No. 12, to add the word “only” in the second sentence and it read as follows, “This Agreement may be amended or modified only in writing by the mutual agreement of the Parties.” Motion was made by Commissioner Simms, seconded by Commissioner Eades, and unanimously carried, to approve the Interlocal Agreement with the changes as presented.

**ITEM 7:** An update on the status of the Downtown Redevelopment projects was given by Mr. Esch and Mr. Bajjali. Mr. Esch stated that since the Amarillo City Commission approved the downtown projects, they have been meeting with City staff to work on a path to move forward.

The work has included preparing the formal agreements, funding commitments, a draft master plan for one of the projects which would be used to create the master plan for the other projects and set out a timeline from the now to the completion of the projects.

It was advised that an RFQ would be going out in the near future for a Construction Manager at Risk (CMAR). The CMAR will oversee the project from the design stage through the construction stage and this will allow local firms an opportunity to have a part in the construction of the projects.

Commissioner Simms suggested moving the item for the Public Forum before the Closed Session.

ITEM 10: Mr. Pitner opened the Public Forum for comments from interested citizens on matters directly pertaining to policies, programs or activities of the Amarillo Local Government Corporation. Trina Fournier asked to have the names of the officers who were elected to be repeated. There were no further comments.

ITEM 8: Mr. Pitner announced a Closed Session to discuss the potential purchase, sell, or lease of downtown property, together with (i) economic incentives that may be available for a prospective or existing business and (ii) attorney-client communication and advice regarding same and, per Texas Government Code Sections 551.071, .072 and .087, as relates to proposed projects for downtown redevelopment.

ITEM 9: Mr. Pitner announced the next meeting will be on November 2, 2011 at 11:30 a.m. at City Hall, Third Floor, Room 306.

ITEM 11: Motion was made by Mr. Brown, seconded by Mr. Simpson, and unanimously carried, that the meeting be adjourned.

  
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Gary Pitner, President

ATTEST:

  
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Donna DeRight, City Secretary