STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 2nd day of November 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
Ron Boyd	Board Member
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

Also in attendance was Joe Esch 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. Commissioner Eades advised that in Item 9 the date for the next meeting was incorrect. Motion was made and seconded to approve the minutes with the noted correction. The motion carried unanimously.

Mr. Pitner advised that Item 7, Public Forum, would be addressed at this time to allow for comments prior to Item 3, Closed Session.

ITEM 7: 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. Jerry McGee, a local business owner and subcontractor, appeared and asked who would hire the Construction Manager position for the downtown projects. Mr. Esch advised him that Wallace Bajjali Development Partners would hire the Construction Manager at Risk. There were no other comments.

ITEM 3: Mr. Pitner advised that the Board would convene in 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.

Mr. Pitner advised that Item 5 would be considered at this time.

ITEM 5: Mr. Pitner presented the consideration of Addendum #2 to the Master Developer Agreement approved on February 15, 2011 by the Amarillo City Commission and subsequently assigned to the Amarillo Local Government Corporation per the terms of the Agreement.

It was stated that Addendum #2 is to account for favorable changes in the proposed project financial structure. Through the course of the project development, the Wallace Bajjali team and the associated downtown partners successfully created a financial package that resulted in a substantial savings to the public portion of the project financing and significantly increased the private funding to the project beyond that which was originally contemplated. This favorable change saves the public significant cost but also would have the unintended effect of significantly delaying or eliminating the triggering events for the payment of the pursuit costs incurred by Wallace Bajjali. Addendum #2 will account for these favorable changes to the project financial structure while preserving the intent and remainder of the Master Developer Agreement.

Commissioner Eades stated that the Addendum should include that the Local Government Corporation and Wallace Bajjali will have joint ownership of the documents that have been produced at this time for the three Downtown Redevelopment Projects. He stated that Wallace Bajjali has been successful in getting us to the point where we are today and they should be paid at this time for the pursuit costs incurred by them. Mr. Pitner stated that these expenses are part of the total project amount and Wallace Bajjali should receive payment for all expenses incurred through August 23, 2011 when it was approved by the City Commission. He stated that he is pleased with the efforts of Wallace Bajjali and is confident of their continued efforts on the downtown projects.

Motion was made by Mr. Brown, seconded by Mr. Boyd, and unanimously carried, to approve Addendum #2 to the Master Developer Agreement of February 15, 2011 subject to the Document Development Committee's review to provide for the payment of the approved pursuit costs to Wallace Bajjali Development Partners and to include proof of joint ownership of the documents produced through August 23, 2011.

ITEM 4: Mr. Pitner asked for an update on the status of the Downtown Redevelopment Projects and pending or contemplated legal agreements and contracts necessary to implement the projects. Mr. Atkinson advised the board that the legal agreements and contracts have been drafted and are being reviewed. Mr. Esch commented that they are moving forward with an agreement with the Wyndham Hotel as well as working to finalize the necessary documents for the other projects.

ITEM 6: Mr. Pitner announced the next meeting will be held on Wednesday, November 16, 2011 at 11:30 a.m. at City Hall, Third Floor, Room 306.

ITEM 7: Mr. Pitner asked for comments from the public and there were none.

ITEM 8: A motion was made by Commissioner Simms, seconded by Commissioner Eades, and unanimously carried, to adjourn the meeting.

Gary Pitner, President

ATTEST:

Donna DeRight, City Secretary