

STATE OF TEXAS §  
 COUNTIES OF POTTER §  
 AND RANDALL §  
 CITY OF AMARILLO §

On the 10<sup>th</sup> day of March, 2011, the Tax Increment Reinvestment Zone Board met in a regularly scheduled meeting at 12:00 PM, in Room 306 of City Hall, at 509 E. 7<sup>th</sup> Street, Amarillo, Texas with the following members present:

Voting Members	Present	Meetings Held	Meetings Attended
Richard Brown, Chairman, City of Amarillo	Yes	38	34
Vacant, Amarillo College			
Dr. Paul Proffer, Amarillo Hospital District	Yes	23	21
John Ben Blanchard, Amarillo Independent School District	Yes	13	12
Paula Bliss, City of Amarillo	Yes	38	35
Scott Bently, City of Amarillo	Yes	1	1
James Wester, Panhandle Groundwater Conservation District	No	6	4
Carol Autry, Potter County	Yes	35	33
H.R. Kelley, Potter County	Yes	21	19
Sonya Letson, Potter County	Yes	38	31

**Others Present:**

Vicki Covey, Assistant City Manager for Public Services      Marcus Norris, City Attorney  
 Dean Frigo, Assistant City Manager for Finance                Kelley Shaw, Planning Director  
 Jan Williams, Recording Secretary

Chairman Brown opened the meeting at 12:00 PM, established a quorum and conducted the consideration of the following items in the order shown here.

**ITEM 1    Approve the minutes of the regular meeting of January 13, 2011.**

Chairman Brown asked for corrections, deletions or changes to minutes. Minor corrections included changing Marcus Norris’ statement to reflect he announced the Board would be going into an Executive Session since it was the Board that called the session. Also Ms. Autry’s suggestion to add “Streetscape Design and Schematics Planned Use, Parking Study Housing, and Market Use Study” to Item 7. Noting the changes, the February 10, 2011 minutes were approved.

**ITEM 2    Presentation and discussion of the 2010 Audit for the Tax Increment Reinvestment Zone #1 by Connor, McMillon, Mitchell & Shennum, PLLC.**

Jerry McMillon and Janie Arnold with Connor, McMillon, Mitchell & Shennum presented the 2010 TIRZ Audit. The Government Committee Auditing Standards issued an Audit committee letter stating all items were in order. Actual financial statements reflect one asset, which is the cash

and cash equivalents, of \$900,199, liabilities of \$425, leaving a fund balance of \$899,774. Revenues for the year, total \$430,024, with \$34,414 in expenses, for an increase of \$395,610. Budget to actual reflects a good year, showing TIRZ #1 is considerably under budget.

Chairman Brown asked how the tax rebate will be reported on the financial statement. Dean Frigo, Assistant City Manager for Finance Division, stated it would reflect the incoming amount and the 90% outgoing as a developer incentive, but will defer to the auditors and Mr. McMillon agreed. Motion was made by Scott Bently, and seconded by Paula Bliss to accept the auditor's report. The motion carried unanimously.

**ITEM 3 Presentation and discussion of a request by Polk Street United Methodist Church for TIRZ funding of streetscape/walkway improvements.**

Kelley Shaw, Planning Director, briefed the board on a proposed project by Polk Street United Methodist Church (PSUMC). PSUMC is undertaking an \$11,000,000 project with an addition to their existing church buildings, and reconstructing a parking lot. Discussions began with the church agreeing to conform to the Downtown Urban Design Standards to include the streetscape, but knowing they would have to make improvements along the parking. PSUMC submitted an application Friday, March 4, 2011.

Sheila Sims, project architect of Lavin Architects, presented the project. PSUMC was built in the 1920's and is the oldest church in Amarillo. The existing church building will remain the same, but the activities building will undergo a complete renovation. Construction of a new 60,000 sq. ft. Christian Life Center will be used for their congregation on large events. Ms. Sims stated that the project would be considered an addition and not new construction because the new building would be connected to the existing building and therefore not required to do streetscape improvements other than along Polk Street. However, PSUMC would like to incorporate more of the urban design streetscape requirements but are limited financially. The church feels incorporating the streetscape improvements would positively impact the two blocks involved.

Mr. Shaw reiterated that the streetscape improvements are not required by the Downtown Design District Standard. Redoing the parking lot would bring some landscaping type requirements, but only for the parking area and would not require lights or trees around the rest of the project. Mr. Shaw mentioned the Downtown Urban Design Review Board, reviewed the project and approved PSUMC's certificate of appropriateness. Ms. Sims, stated that construction began on the project on March 3, 2011 and will be completed by June 1, 2012.

Chairman Brown asked Marcus Norris, City Attorney, if there is any separation of church and state implications going forward on this project? Mr. Norris answered no. The 1<sup>st</sup> amendment and ideas of separation of church and state run along two lines, the government should not itself establish a church. There is also the free exercise clause that the government should not take actions that impede the free exercise of any particular religion or to favor the exercise of one religion over another. Mr. Norris did not see any impediment at this point.

Mr. Shaw mentioned that in addition to PSUMC's plans, Amarillo College also plans to modify their campus. He stated that both projects had the possibility of creating a visual gateway along Polk Street into downtown from 15<sup>th</sup> Ave.

Dean Frigo, asked for the cost of the project. Mr. Shaw estimated \$238 to \$240 thousand for the streetscape improvement with the church responsible for 20% and the TIRZ request for 80%.

Pastor Lane Boyd, Don Huffaker-chairman of the building committee, Wiley Hicks and James Hicks of Wiley Hicks Construction, and Tom Lavin of Lavin Architects were all available for comments.

Vicki Covey, Assistant City Manager for Public Services Division, stated the City of Amarillo has available an inventory of lights for purchase at a cost of \$3,900 per light. Mr. Blanchard asked if the lights would be metered through the church and Ms. Sims said yes, but are metered separately. Mr. Shaw stated until a grid is in place these projects have to be metered separately so they can be turned over to the City at some point.

Chairman Brown suggested deferring action to the next meeting for PSUMC to consider amending the application to include the additional 50' and come up with a cost estimate.

**ITEM 4 Consider development of a TIRZ incentive project for the installation of pedestrian lighting and associated power grid.**

Mr. Shaw advised the Board that this item had been retained on the agenda if the Board wanted to discuss any other streetscape projects as possible projects.

**ITEM 5 Report on Status of Projects:**

**a. Double R Lofts**

Mr. Shaw reported no change in the project.

**b. Downtown Amarillo Inc Consultant Planning Studies**

Mr. Shaw reported no change in the project.

**c. Potter County Courthouse Streetscape**

Mr. Shaw reported this project is moving very quickly to construction stage, and they are planning to incorporate the full Downtown Design District Standards to include the streetscape elements, trees, lights, and planters. In order to accommodate additional trees and walkways, Potter County would like to push the curb out on 5<sup>th</sup> and 6<sup>th</sup> street. The City Engineering Department has given approval to do both of these changes but would have to change 5<sup>th</sup> street side into parallel parking.

Sonya Letson asked how much was the investment in this project and how does this compare in linear distance to the PSUMC project? Mr. Shaw, stated \$745,000 was the funding agreement for the courthouse with 4 blocks of streetscape improvements, whereas PSUMC would be around 5 blocks in linear feet.

**ITEM 6 Committee Reports:**

a. **Marketing**

Paula Bliss reported the Marketing Committee met on March 3, 2011 with Beth Duke, Vicki Covey, Carol Autry and Sonya Letson. The committee has reviewed several examples of annual reports and are continuing to work on this project.

b. **Hotel Development**

Carol Autry reported that she and Sonya Letson have a rough draft of the four studies mentioned earlier, but the streetscape is not addressed. Ms. Autry received a handout and will be ready to present at the next meeting.

c. **Subcommittee on Extensions**

Chairman Brown reported no meeting was held on this Committee.

**ITEM 7 Public Comments:**

Chairman Brown reminded the members and those in audience that the Board can take no action on matters presented or discussed.

Alan Abraham, retired minister of Disciples of Christ, questioned the PSUMC project feeling it would be open to 1<sup>st</sup> amendment implications. Mr. Abraham stated that the church has already been extended tax incentives being a religious institution and felt it unfair that improvements to that property also be tax free. Mr. Abraham feels the public will not be in favor of more tax dollars going to pay for improvements that do not generate more revenue to the public coffers. He feels the board could receive a lot of criticism if they approve the PSUMC project.

Melissa Dailey, DAI Executive Director spoke in favor of the church project feeling that it would make a positive impact on the blocks entering the downtown area. Ms. Dailey also stated that all the improvements requested are in the City right-of-way and not on church property.

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There being no further items before the Board, the meeting adjourned at 12:50 PM. All remarks are recorded and are on file in the Planning Department.