

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 16<sup>th</sup> day of November 2010, the Amarillo City Commission met at 1:15 p.m. at City Hall on the third floor in Room 303 in the Conference Room for a discussion with Downtown Amarillo, Inc. regarding proposed development partner for public/private downtown development efforts, to review agenda items, and to consider future agenda items.

The City Commission met at 3:00 p.m. in regular session in the Commission Chamber located on the third floor of City Hall at 509 E. 7th Avenue, with the following members present:

DEBRA MCCARTT	MAYOR
MADISON SCOTT	COMMISSIONER NO. 1
BRIAN EADES	COMMISSIONER NO. 2
RONALD BOYD	COMMISSIONER NO. 3
JIM SIMMS	COMMISSIONER NO. 4

Absent was none. Also in attendance were the following administrative officials:

JARRETT ATKINSON	INTERIM CITY MANAGER
DEAN FRIGO	ASSISTANT CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
LARRY OFFERDAHL	DIRECTOR OF PARKS AND RECREATION
KELLEY SHAW	PLANNING DIRECTOR
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Mark Love, Central Church of Christ.

Proclamations were presented for "National Hospice Month" and "National Bible Week".

Mayor McCartt established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

ITEM 1: Mayor McCartt presented the minutes of the regular meeting held November 9, 2010. Motion was made by Commissioner Simms, seconded by Commissioner Eades, and unanimously carried, to approve the minutes.

ITEM 2: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of Plum Creek Drive and Quail Creek Drive from Office District-2 to Office District-2 with a Specific Use Permit for a medical appliance, fitting, sales or rental facility. Motion was made by Commissioner Boyd, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7249

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF PLUM CREEK DRIVE AND QUAIL CREEK DRIVE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 3: Mayor McCartt presented an ordinance changing the zoning of a tract of land in the vicinity of Broadway Drive and Shiraz Boulevard from Agricultural District to Residential District-3. Motion was made by Commissioner Eades, seconded by Commissioner Scott, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7250

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF BROADWAY DRIVE AND SHIRAZ BOULEVARD, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 4: Mayor McCartt presented an ordinance appointing Stacy Hand to the office of Associate Judge for the City of Amarillo Municipal Court. The term of this appointment shall run through Fiscal Year 2010-2011, at which time the appointment shall be considered to coincide with the standard two year terms of office for the present Associate Judges. Motion was made by Commissioner Scott, seconded by Commissioner Simms, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7251

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: APPOINTING MUNICIPAL COURT ASSOCIATE JUDGE FOR PARTIAL TERM (FISCAL YEAR 2010-2011); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 5: Mayor McCartt presented a resolution approving and authorizing the publication of a Notice of Intention to issue certificates of obligation for Tax Increment Reinvestment Zone #1 projects, including incident and related matters. These certificates will be issued in an amount not to exceed \$2,260,000 and will be paid through revenues of Tax Increment Zone #1, with funds being used for stated improvements within the Zone boundaries. Mr. Frigo explained that the funds will be used for the Potter County Courthouse project and possibly other downtown improvements. He also explained how the revenues from the Tax Increment Zone #1 will be used toward the payment of the certificates of obligation.

Alan Finegold, 2601 N. Grand #157, appeared concerning the legal amount that could be issued for certificates of obligation. Johnny Johnson, 708 St. Frances, appeared concerning who is included in paying back the certificates of obligation. Erma Heras, 1604 S. Harrison, appeared and asked Mayor McCartt to abstain from voting on this item due to a conflict of interest. Charlene Taylor, 906 S. Crockett, appeared and asked that the item be tabled until the petition process for the Urban Design Standards is completed. There were no further comments.

Motion was made by Commissioner Simms, seconded by Commissioner Boyd, that the following captioned resolution be passed:

RESOLUTION NO. 11-16-10-1

A RESOLUTION OF THE AMARILLO CITY COMMISSION APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 6: Mayor McCartt presented a resolution approving and authorizing the City of Amarillo to preserve its ability to reimburse project capital expenditures for stated projects within the Tax Increment Reinvestment Zone #1. The City shall issue tax exempt debt to support these project(s). This resolution shall provide for the reimbursement of eligible project expenses incurred prior to this debt issuance. Mr. Frigo explained that these funds will be used for the Potter County Courthouse renovations and possibly other downtown projects. He advised that the Tax Increment

Reinvestment Zone #1 revenues will be used to reimburse the certificates of obligations. Alan Finegold, 2601 N. Grand, #157, appeared concerning whether private parties could use the funds. Motion was made by Commissioner Boyd, seconded by Commissioner Eades, that the following captioned resolution be passed:

RESOLUTION NO. 11-16-10-2

A RESOLUTION OF THE AMARILLO CITY COMMISSION, DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 7: Mayor McCartt presented a resolution approving and authorizing the publication of a Notice of Intention to issue certificates of obligation for the renovation of the Ross Rogers golf course (old course), including incident and related matters. These Certificates of Obligation will be issued in an amount not to exceed \$4,100,000 and will be paid through golf course revenues. Mr. Offerdahl explained the need for the renovation of the 50 year old golf course and the improvements that will be made. It was explained that the people who play golf will be paying for the reimbursement of the certificates of obligation and not the other residents of the city.

Alan Finegold, 2601 N. Grand #157, appeared and stated that there are more urgent needs for improvements around the city than making renovations to this golf course. Danny South, 7003 Windridge, appeared and stated that he did not believe the renovations to the golf course were necessary in these economic times. Potter County Commissioner Manny Perez, 1101 S. Seminole, appeared against the renovations to the golf course. He stated that there are improvements that need to be made in the north and east part of the city. Erma Heras, 1604 S. Harrison, appeared and stated that people are not playing golf in these economic times and therefore this should not be done at this time.

Motion was made by Commissioner Eades, seconded by Commissioner Scott, that the following captioned resolution be passed:

RESOLUTION NO. 11-16-10-3

A RESOLUTION OF THE AMARILLO CITY COMMISSION, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

Voting AYE were Mayor McCartt, Commissioners Scott, Eades, Boyd and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 8: Mayor McCartt presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Commissioner Scott, seconded by Commissioner Simms, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

A. Award - Zoo Education Center Professional Services Contract:  
Award to Dekker/Perich/Sabatini LLC

Design & Construction Phase Services Fixed Fee	\$28,000.00
Reimbursable Expenses – Not to Exceed	\$ 2,000.00
Total – Not to Exceed	\$30,000.00

This is the approval of a professional services contract to provide the necessary architectural, engineering, design and construction phase services for the proposed Zoo Education Center Building. This Education Center will comprise approximately 2,500 square feet and will provide both indoor and outdoor classrooms to further enhance educational opportunities at the Amarillo Zoo.

B. Acceptance – Homeless Management Information System (HMIS):

This authorizes the City's acceptance of a three-year grant from the Department of Housing and Urban Development (HUD) to fund the continued operation of the existing Homeless Management Information System (HMIS). This system is

required to maintain funding eligibility for several Homeless Assistance Programs offered by HUD. Presently, the system has 61 users with a maximum of 100 users. HUD will provide the City with \$255,387, which will be matched by \$63,848 in City funds. In addition, HUD will provide \$12,769 in administrative costs.

C. Approval – Addendum Number 1 to the Potter County Participation Agreement in TIRZ #1:

This is an amendment to the Potter County Participation Agreement in the Tax Increment Reinvestment Zone #1 (TIRZ) by changing the terms of Section 3 (d) to provide for up to \$745,426 in TIRZ funding for improvements to the Potter County Courthouse. This change will allow for the construction and installation of streetscape improvements around the Courthouse and will release the remaining funding obligation contained in the original 2007 Agreement.

D. Approval – License and Hold Harmless Agreements:

1. License and Hold Harmless for encumbrances in S.W. 2<sup>nd</sup> Avenue and within the alley of Block 22, Glidden & Sanborn Addition, in Section 169, Block 2, AB&M Survey, Potter County, for United Way, Inc.
2. License and Hold Harmless to encumber surface, subsurface, and airspace within right-of-way for an outdoor balcony in Lot 4, Block 105, and the south 1 ft. of Lot 2 and all of Lots 3 through 5, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, for Acapulco Nights, Inc.

Mayor McCartt announced that this is the end of the regular agenda, but time is reserved to hear any citizen concerning matters pertaining to City policies, programs or services. Mr. Atkinson explained what people should do with the broken tree limbs from the snow storm last week. Jessica Janner, News Channel 4, appeared concerning some issues with Wallace Bajjali Development Partners, who is being considered by Downtown Amarillo, Inc. as the developer for downtown revitalization. Potter County Commissioner Manny Perez, 1101 S. Seminole, appeared with information about the different baseball leagues. Laura Hankins appeared and stated that she and many others prefer renovations be made to the present baseball stadium instead of building a new one downtown. Glenn Thompson, 4202 King Avenue, appeared and expressed concern about his dumpster being moved to the sidewalk in front of his house because of a water leak in the alley. There were no further comments. Mayor McCartt announced that the meeting was adjourned and the City Commission would return to Executive Session.

ATTEST:

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Donna DeRight, City Secretary

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Debra McCartt, Mayor