Regular Meeting of the:

Pampa City Commission
February 12, 2013
4:00 p.m.

City of Pampa
201 W. Kingsmill St.
P.O. Box 2499
Pampa, Texas 79066-2499
Phone: 806-669-5750
Fax: 806-669-5767
PLEDGE OF ALLEGIANCE
TO TEXAS FLAG

“HONOR THE TEXAS FLAG;
I PLEDGE ALLEGIANCE TO
THEE; TEXAS, ONE STATE
UNDER GOD, ONE AND
INDIVISIBLE.
CITY OF PAMPA
CITY COMMISSION AGENDA
REGULAR MEETING

John Studebaker, Commissioner Ward 1  Brad Pingel, Mayor  Richard Morris, City Manager
Chris Porter, Commissioner Ward 2  Karen Price, City Secretary
Robert Dixon, Commissioner Ward 3  Leland Waters, City Attorney
Karen McLain, Commissioner Ward 4  Shane Stokes, Asst. City Manager

Notice is hereby given of a REGULAR MEETING of the City Commission of the City of Pampa, Texas to be held on TUESDAY, FEBRUARY 12, 2013 at 4:00 p.m. at City Hall – City Commission Chamber, Third Floor, 201 W. Kingsmill, Pampa, Texas, for the purpose of considering the following agenda items.

All agenda items are subject to action. The City Commission reserves the right to adjourn into Executive Session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PLEDGE ALLEGIANCE TO TEXAS FLAG

PUBLIC COMMENTS:
Citizens who have signed a card to speak to the City Commission will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City Staff and City Commission Members are prevented from discussing the subject and may respond only with statements of factual information or existing city policy. Citizens are limited to three (3) minutes for their presentation to the City Commission.

AUTHORIZATIONS BY CITY COMMISSION:

1. Consider approving the minutes of the January 22, 2013 regular City Commission Meeting as presented.

2. Consider awarding a bid in the amount of $72,000 for purchase of a used hydraulic excavator (trackhoe).

3. Consider approving on first reading Ordinance No. 1587, an Ordinance of the City of Pampa validating Petition filed on December 26, 2012 to call local option liquor election; ordering and providing notice of General Election to elect a Mayor and Commissioners for Ward 1 and Ward 3; ordering and providing notice of Special Election to submit the Proposition to legalize within the corporate limits of the City of Pampa the sale of mixed beverages in restaurants by food and beverage certificates holders only.
Considerar la aprobacion en primera lectura Ordenanza No. 1587, una ordenanza de la ciudad de Pampa vaidar la peticion presentada el 26 de diciembre de 2012 para llamar a eleccion la opcion de licor local; ordenar y dar aviso de elecciones generals para elegir un alcalde y Comisionados para distrito electoral 1 y 3; ordenar y dar aviso de la eleccion especial para presenter la propuesta para legalizar la venta de bebidas mezcladas en restaurants de comida y bebida titulares de certificados solo dentro de los limites corporativos de la ciudad de Pampa.

4. Consider approving on first reading Ordinance No. 1588, an Ordinance of the City of Pampa, amending fees for RV Sites and Group Shelter at Recreation Park.

5. Consider adopting Resolution No. R13-003, a Resolution of the City of Pampa supporting the legislative activity and goals of the Alliance of Xcel Municipalities (AXM).

ADJOURNMENT

CERTIFICATION

I certify that the above Agenda was posted on the outside officially designated bulletin board in front of City Hall, facing Kingsmill Street, a place convenient and readily accessible to the general public at all times and said Agenda was posted on FRIDAY, FEBRUARY 8, 2013 BEFORE 5:00 P.M. and remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Karen L. Price, City Secretary

ASSESSIBILITY STATEMENT

In compliance with the Americans with Disabilities Act, the City of Pampa will provide for reasonable accommodations for persons attending City Commission meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Karen Price, City Secretary, at 669-5750. City Hall is wheelchair accessible. Entry is on the West side of the building.

AGENDA REMOVAL NOTICE

This public notice was removed from the official designated bulletin board at 201 W. Kingsmill Street, Pampa, Texas, City Hall on the following date and time:

Date: ________________________________   Time: __________________________

By: ________________________________
<table>
<thead>
<tr>
<th>ITEM/PROJECT:</th>
<th>MINUTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>February 12, 2013</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
<td>Consider approving the minutes of the January 22, 2013 regular City Commission Meeting as presented.</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Karen Price</td>
</tr>
<tr>
<td>FINANCIAL IMPACT:</td>
<td>N/A</td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td>N/A</td>
</tr>
<tr>
<td>START/COMPLETION</td>
<td>N/A</td>
</tr>
<tr>
<td>SCHEDULE:</td>
<td>N/A</td>
</tr>
<tr>
<td>RECOMMENDED ACTION:</td>
<td>Approve minutes as presented</td>
</tr>
<tr>
<td>BACKGROUND/</td>
<td>Minutes attached.</td>
</tr>
<tr>
<td>ADDITIONAL INFORMATION:</td>
<td></td>
</tr>
</tbody>
</table>
CALL TO ORDER: Mayor Brad Pingel at 4:02 p.m.

PRESENT: Brad Pingel Mayor
          John Studebaker Commissioner
          Chris Porter Commissioner
          Robert Dixon Commissioner
          Karen McLain Commissioner

ABSENT: None

STAFF: Richard Morris City Manager
       Leland Waters City Attorney
       Shane Stokes Asst. City Manager
       Karen Price City Secretary
       Robin Bailey Finance Director
       Kelly Rushing Chief of Police
       Kim Powell Fire Chief
       Randy Dunham Deputy Fire Chief
       Jil Arias Engineer in Training
       Kevin Webb IT Manager
       Douglas Stawarski Building Official
       Cary Rushing Code Enforcement Officer
       Gayla Pickens Asst. Finance Director
       Charlene Gardner Deputy City Secretary

VISITORS: Lynn Hancock Briarwood Church
          Clay Rice PEDC

NEWS MEDIA: Sasha Heller Pampa News
            Mike Erhle KGRO Radio

INVOCATION: Lynn Hancock, Pastor Briarwood Church

PLEDGE OF ALLEGIANCE

PLEDGE ALLEGIANCE TO TEXAS FLAG

PUBLIC COMMENTS: NONE

SPOTLIGHT:

► Charlene Gardner was recognized for receiving her Texas Registered Municipal Clerk Certification.

AUTHORIZATIONS BY COMMISSION:

13-015

1. Consider approving the minutes of the January 8, 2013 regular City Commission Meeting as presented.

A motion was made by Commissioner Dixon and Seconded by Commissioner Studebaker to approve the minutes of the January 8, 2013 regular City Commission Meeting as presented, with each Commission Member voting AYE, the motion carried.

A motion was made by Commissioner Studebaker and Seconded by Commissioner Porter to consider amending and renewing a two year Animal Control Agreements with the cities of Clarendon, Groom, Lefors, McLean, Miami, Skellytown and White Deer, with each Commission Member voting AYE, the motion carried.


A motion was made by Commissioner Dixon and Seconded by Commissioner McLain to amend the Operating Guidelines for Recreation Park, with each Commission Member voting AYE, the motion carried.


A motion was made by Commissioner McLain and Seconded by Commissioner Studebaker to amend a two year R.V. Attendant Agreement, with each Commission Member voting AYE, the motion as carried.

5. Consider adopt Resolution No. R13-001, a Resolution authorizing the lease-purchase of new mowing equipment for the Hidden Hills Public Golf Course.

A motion was made by Commissioner Porter and Seconded by Commissioner Studebaker to adopt Resolution No. R13-001 authorizing the lease-purchase of new mowing equipment for the Hidden Hills Public Golf Course for $84,735.51 payable in monthly installment payments of $1,953.92, authorizing the City Manager and Assistant City Manager to execute Master Lease Agreement with Professional Turfs Products, LP and approving Certificate of Incumbency, Appropriation and Essential Use for execution by the City Secretary, with each Commission Member voting AYE, the motion carried.

6. Consider adopting Resolution No. R13-002, a Resolution authorizing the lease-purchase of used mowing equipment for the Hidden Hills Public Golf Course.

A motion was made by Commissioner Porter and Seconded by Commissioner Studebaker to adopt Resolution No. R13-002 authorizing the lease-purchase of used mowing equipment for the Hidden Hills Public Golf Course for $71,687.00 payable in monthly installment payments of $1,646.08, authorizing the City Manager and Assistant City Manager to execute Master Lease Agreement with Professional Turfs Products, LP and approving Certificate of Incumbency, Appropriation and Essential Use for execution by the City Secretary, with each Commission Member voting AYE, the motion carried.

A motion was made by Commissioner McLain and Seconded by Commissioner Porter to approve the List of Disbursements dated December 31, 2012, with total disbursements being $1,411,076.17 with amount after balance sheet and income accounts being $775,095.56 with each Commission Member voting AYE, the motion carried.

ADJOURNMENT

There being no further business on the agenda, the meeting was adjourned at 4:18 p.m. by Mayor Brad Pingel.

__________________________________________  ______________________________________
Karen L. Price, City Secretary                Brad Pingel, Mayor
<table>
<thead>
<tr>
<th>ITEM/PROJECT:</th>
<th>AWARD BID – USED HYDRAULIC EXCAVATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>February 12, 2013</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
<td>Consider awarding a bid in the amount of $72,000 for the purchase of a used hydraulic excavator (trackhoe).</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Donny Hooper Jildardo Arias</td>
</tr>
<tr>
<td>FINANCIAL IMPACT:</td>
<td>$72,000.00</td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td>PEDC Grant</td>
</tr>
<tr>
<td>START/COMPLETION SCHEDULE:</td>
<td>Delivered within 2 weeks</td>
</tr>
<tr>
<td>RECOMMENDED ACTION:</td>
<td>Award the bid to Warren Cat of Amarillo, Texas in the amount of $72,000.</td>
</tr>
<tr>
<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
<td>Bid Tabulation attached.</td>
</tr>
</tbody>
</table>
Memo

To: Donny Hooper

From: Jildardo Arias

CC:

Date: February 6, 2013

Re: Used Hydraulic Excavator (Trackhoe) Bids

Donny,

City Staff recently opened bids for a used hydraulic excavator for use as part of the City’s demolition program. The trackhoe is funded by a Pampa Economic Development Corporation grant that was recently awarded to the City.

There were two bid packets received. Kirby-Smith Machinery, Inc. of Amarillo submitted “No Bid” in their packet. Warren Cat of Amarillo submitted a bid in the amount of $72,000. This is for a 2006 Caterpillar 312CL excavator with 2882 hours. The vendor has also included a 24 month/1000 hour warranty as part of the bid.

It is Staff’s recommendation that the bid be awarded to Warren Cat for the purchase of the used excavator. I have attached a Bid Tabulation Sheet for your review.

Sincerely,

Jildardo Arias, P.E.
City Engineer
CITY OF PAMPA
Used Hydraulic Excavator
Bid No. 13.01.B
Bid Opening Tabulations
February 6, 2013

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Specifications &amp; Literature Included</th>
<th>Bid Amount</th>
<th>Year/Make/Model</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warren Cat Amarillo, TX</td>
<td>YES</td>
<td>$72,000.00</td>
<td>2006 Caterpillar 312CL</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2882 Hours</td>
</tr>
<tr>
<td>Kirby-Smith Machinery, Inc.</td>
<td>-</td>
<td>No Bid</td>
<td></td>
</tr>
<tr>
<td>Amarillo, TX</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
312C
312C L
Hydraulic Excavators

Weights

| Operating Weight* | 13 140 kg | 28,970 lb |

Engine

<table>
<thead>
<tr>
<th>Engine Model</th>
<th>Cat® 3064 T</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Power</td>
<td>70 kW</td>
</tr>
<tr>
<td>Flywheel Power</td>
<td>67 kW</td>
</tr>
</tbody>
</table>

Swing Mechanism

| Swing Torque       | 30 500 N·m  | 22,496 lb·ft |

* long undercarriage, 3000 mm (9'10") stick and 600 mm (24") shoes
AGENDA ITEM NO. 3

ITEM/PROJECT: ORDINANCE NO. 1587 – ORDERING ELECTION

MEETING DATE: February 12, 2013

DESCRIPTION: Consider approving on first reading Ordinance No. 1587, an Ordinance of the City of Pampa validating Petition filed on December 26, 2012 to call local option liquor election; ordering and providing notice of General Election to elect a Mayor and Commissioners for Ward 1 and Ward 3, ordering and providing notice of Special Election to submit the Proposition to legalize within the corporate limits of the City of Pampa the sale of mixed beverages in restaurants by food and beverage certificates holders only.

STAFF CONTACT: Leland Waters
Karen Price

FINANCIAL IMPACT: Cost of Election

SOURCE OF FUNDS: Operating Budget

START/COMPLETION SCHEDULE:

RECOMMENDED ACTION: Approve Ordinance No. 1587 ordering General and Special Election for May 11, 2013.

BACKGROUND/ADDITIONAL INFORMATION: Ordinance attached.
ORDINANCE NO. 1587

AN ORDINANCE ORDERING AND PROVIDING NOTICE OF A GENERAL ELECTION FOR THE CITY OF PAMPA, TEXAS, TO BE HELD ON THE 11TH DAY OF MAY, 2013, FOR THE PURPOSE OF ELECTING A MAYOR AND A COMMISSIONER FOR WARD 1 AND FOR WARD 3; VALIDATING THE PETITION FILED ON DECEMBER 26, 2012 TO CALL AN ELECTION TO LEGALIZE WITHIN THE CORPORATE LIMITS OF THE CITY OF PAMPA, GRAY COUNTY, TEXAS, THE SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY; ORDERING AND PROVIDING NOTICE OF A SPECIAL ELECTION ON THE 11TH DAY OF MAY, 2013 TO SUBMIT TO THE QUALIFIED VOTERS OF THE CITY OF PAMPA, TEXAS, THE PROPOSITION TO LEGALIZE WITHIN THE CORPORATE LIMITS OF THE CITY OF PAMPA, GRAY COUNTY, TEXAS, THE SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY; PROVIDING FOR EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING FOR THE ESTABLISHMENT OF POLLING PLACES; PROVIDING FOR A CONTRACT FOR ELECTION SERVICES WITH GRAY COUNTY, PROVIDING FOR CERTAIN JOINT ELECTION ARRANGEMENTS; PROVIDING FOR A JOINT ELECTION AGREEMENT WITH THE PAMPA INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, FOR SEVERABILITY, FOR PROPER NOTICE AND MEETING, AND FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission (“Commission”) of the City of Pampa (“City”) seeks to proceed with the ordering of a general and a special election for Saturday, May 11, 2013, the next uniform election date, and appointing election officials required for the conduct of the election, and has deemed it advisable to call the election hereinafter ordered; and

WHEREAS, the City’s next municipal election at which the Mayor and Commissioners for Wards 1 and 3 shall be elected, is due to be held on the uniform election date occurring in May, 2013, which is May 11, 2013; and

WHEREAS, the Commission has determined that an election on May 11, 2013, the next uniform election date authorized by state law, would constitute an appropriate date for a special election; and

WHEREAS, the Commission has authority pursuant to Chapter 31, Texas Election Code, to enter into an election services contract with Gray County to obtain certain election services; and

WHEREAS, the Commission has made provision to contract with Gray County to conduct the City General Election and the Special Election; and
WHEREAS, the Commission has the authority pursuant to Chapter 271, Texas Election Code and Chapter 31, Texas Election Code, to enter into joint election agreements with the other political subdivisions also holding a general election on the same date, and

WHEREAS, a petition to call a local option election on the proposition to legalize within the corporate limits of the City the sale of mixed beverages in restaurants by food and beverage certificate holders only was filed with the office of the City Secretary on December 26, 2012; and

WHEREAS, the City Secretary has verified that the petition complies with Section 501.031 and Section 501.032 of the Texas Election Code in that the petition bears the actual signatures of 1321 qualified voters of the City, which is at least 35% of the registered voters in the City who voted in the most recent gubernatorial election; and

WHEREAS, the Commission finds that it is in the public interest that the City General Election and this Special Election be conducted as one election; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF PAMPA, TEXAS that:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the Commission and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety. The petition to call local option election is hereby found to be lawful and valid. Said petition shall be recorded in the minutes which shall reflect the date filed with the City Secretary, reference to the names of the signers, and the action taken with respect to the petition, in accordance with Section 501.033, Texas Election Code.

SECTION 2. There is hereby called a General Election to be participated in by the qualified voters of the City to be held on the second Saturday in May, being the 11th day of May, 2013, between the hours of 7:00 a.m. and 7:00 p.m. (the “Election”), for the purpose of electing a Mayor, a City Commissioner for Ward 1, and a City Commissioner for Ward 3.

SECTION 3. There is hereby called a Special Election to be participated in by the qualified voters of the City to be held jointly on the second Saturday in May, being the 11th day of May, 2013, between the hours of 7:00 a.m. and 7:00 p.m. (the “Election”), for the purpose of submitting to the qualified voters of the City the proposition to legalize within the corporate limits of the City of Pampa, Texas, the sale of mixed beverages in restaurants by food and beverage certificate holders only, and the following proposition shall be added to the ballot and submitted:

   Proposition 1 ballot language shall read:
(in English)

[  ] FOR the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.
[  ] AGAINST the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.

(in Spanish)

[  ] A FAVOR la venta de bebidas alcohólicas mezcladas (cocteles) en restaurantes solo por los poseedores de un certificado de comidas y bebidas.
[  ] EN CONTRA la venta de bebidas alcohólicas mezcladas (cocteles) en restaurantes solo por los poseedores de un certificado de comidas y bebidas.

SECTION 4. The official ballots shall be prepared in accordance with the Texas Election Code and the Local Government Code and all applicable laws so as to permit the electors to vote “FOR” or “AGAINST” the proposition.

SECTION 5. Candidates for Mayor and City Commissioner shall meet the qualifications as prescribed by law and by the Charter of the City.

SECTION 6. M.K. Brown Civic Auditorium, 1000 N. Sumner, Pampa, Texas is designated as the polling place for the Election on May 11, 2013, between the hours of 7:00 a.m. and 7:00 p.m.

SECTION 7. Early voting by personal appearance will be conducted at City Hall, 200 W. Foster, Second Floor, Pampa, Texas, on April 29, 2013 through May 7, 2013 between the hours of 8:00 a.m. and 5:00 p.m., and on April 30, 2013 and May 1, 2013 between the hours of 7:00 a.m. and 7:00 p.m.

SECTION 8. Applications for ballot by mail shall be mailed to Karen L. Price, City Secretary, P.O. Box 2499, Pampa, TX 79066-2499. Applications for ballot by mail must be received no later than 5:00 p.m. on May 3, 2013.

SECTION 9. Chapter 31 of the Texas Election Code authorizes county election officers to contract with the governing body of a political subdivision situated wholly or partly in the county served by the officer to perform certain election services. Pursuant to Chapter 31 of the Texas Election Code, the Commission is expressly providing the Election may be conducted in accordance with the terms and conditions of a Contract for Election Services with Gray County, Texas, which shall be approved by a separate act of the Commission.

Chapter 271 of the Texas Election Code provides that the authorities of two or more political subdivisions that have ordered elections for the same day in all or part of the same territory, may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Commission is expressly
authorizing this action, as may be set out and described in the Joint Election Agreement with Pampa Independent School District, which shall be approved by a separate act of the Commission.

SECTION 10. Notice of the Election shall be published in accordance with Section 4.003 and Section 501.103 of the Texas Election Code.

SECTION 11. The recitals contained in the preamble hereof are hereby found to be true and correct, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Commission.

SECTION 12. All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

SECTION 13. Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

SECTION 14. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and the public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

INTRODUCED, PASSED, and APPROVED on its first reading this 12th day of February, 2013.

INTRODUCED, PASSED and ADOPTED on its second and final reading this _____ day of February, 2013

CITY OF PAMPA, TEXAS

By: ________________________________
Brad Pingel, Mayor

ATTEST:

__________________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

__________________________________
Leland W. Waters, City Attorney
AGENDA ITEM NO. 4

ITEM/PROJECT: ORDINANCE NO. 1588 – AMENDING FEES FOR RECREATION PARK

MEETING DATE: February 12, 2013

DESCRIPTION: Consider approving on first reading Ordinance No. 1588, an Ordinance of the City of Pampa amending fees for RV Sites and Group Shelter at Recreation Park.

STAFF CONTACT: Shane Stokes

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: This Ordinance shall be effective upon its adoption and shall be enforceable ten (10) days after its publication as provided by law.

RECOMMENDED ACTION: Approve Ordinance No. 1588 on first reading.

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1588 attached.
ORDINANCE NO. 1588

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT ITS CODE OF ORDINANCES BE AMENDED BY REVISIONING ARTICLE 1.09 PARKS AND RECREATION, DIVISION 3 RECREATION PARK, PROVIDING FOR INCREASED NUMBER OF CONSECUTIVE DAYS USAGE, PROVIDING FOR INCREASED FEES, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

That Sec. 1.09.082 (a), (c) and (d) be amended in their entirety to read as follows:

(a) No person shall use a recreational vehicle hookup for more than sixty (60) consecutive days and without at least a three-day interval between uses.

(c) No person shall use a recreational vehicle hookup without paying, in advance the following fees:
   (1) Fifteen dollars ($15.00) per day per recreational vehicle for Sunday through Thursday.
   (2) Twenty dollars ($20.00) per day per recreational vehicle for Friday through Sunday.

(d) Exclusive use of the Group Shelter may be arranged upon at least two (2) weeks’ prior notice and payment of an advance fee of fifty dollars ($50.00) per day. Such advance fee is nonrefundable.

Section 2.

This ordinance shall be effective upon its adoption and shall be enforceable ten (10) days after its publication as provided by law.

INTRODUCED, PASSED, and APPROVED on its first reading this 12th day of February, 2013.

INTRODUCED, PASSED and APPROVED on its second and final reading this _____ day of February, 2013.

CITY OF PAMPA, TEXAS

By: ______________________________

Brad Pingel, Mayor
ATTEST:

__________________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

_______________________________
Leland W. Waters, City Attorney
AGENDA ITEM NO. 5

ITEM/PROJECT: RESOLUTION NO. R13-003 – ALLIANCE OF XCEL MUNICIPALITIES

MEETING DATE: February 12, 2013

DESCRIPTION: Consider adopting Resolution No. R13-003, a Resolution of the City of Pampa supporting the legislative activity and goals of the Alliance of Xcel Municipalities (AXM).

STAFF CONTACT: Richard Morris

FINANCIAL IMPACT: 

SOURCE OF FUNDS: 

START/COMPLETION SCHEDULE: Resolution effective upon its adoption.

RECOMMENDED ACTION: Adopt Resolution No. R13-003.

BACKGROUND/ADDITIONAL INFORMATION: Resolution attached.
RESOLUTION NO. R13-003

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS, SUPPORTING THE LEGISLATIVE ACTIVITY AND GOALS OF THE ALLIANCE OF XCEL MUNICIPALITIES (AXM) BEFORE THE TEXAS LEGISLATURE AS THEY RELATE TO JURISDICTION FOR THE SETTING OF ELECTRIC UTILITY RATES AND REGULATION OF ELECTRIC UTILITIES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Pampa, Texas, hereinafter referred to as “City,” is a member of Alliance of Xcel Municipalities (“AXM”); and,

WHEREAS, AXM has participated in numerous electric utility ratemaking proceedings before the Public Utility Commission of Texas; and,

WHEREAS, during the 83rd Regular Session of the Texas Legislature the Legislature may consider legislation that affects the manner in which electric utility rates are determined and the regulatory body that will have jurisdiction to set electric utility rates; and,

WHEREAS, the Legislature may consider major changes with regard to the jurisdiction, structure, and operations of the Public Utility Commission of Texas, including amending, altering or eliminating laws which affect utility ratemaking, including a city’s original jurisdiction over electric utility rates; and,

WHEREAS, the City supports AXM’s participation in and during the 83rd Texas Legislature in order to improve regulatory decision-making in electric utility ratemaking
proceedings both before the City and before any state agency that is authorized to regulate
electric utilities and including the setting of rates that affect ratepayers within the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF PAMPA, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things
approved and adopted.

Section 2. The City directs AXM to oppose legislation that allows for:

• Rate increases based upon a formula or pre-set criteria.
• The elimination or reduction in the ability of incorporated municipalities to participate in the rate-setting process.
• The elimination or reduction in the ability of incorporated municipalities to exercise original jurisdiction to set rates.
• The setting of rates that separate the connection between the utility’s revenue and the sales of electricity.
• A process for the setting of rates that does not permit a complete and thorough review of capital expenditures or operating expenses by electric utilities.

Section 3. The City directs AXM to support legislation that allows for:

• The continuation of original jurisdiction by municipalities over electric utility ratemaking.
• The continuation of municipalities to be able to fully participate in ratemaking proceedings regarding electric utility rates.
• The designing of rates that encourage the wise and efficient use of electric utility service.

Section 4. The City authorizes the AXM Steering Committee to hire and direct legislative advocates acting on its behalf in and during the 83rd Regular Session of the Texas Legislature.
Section 5. That a copy of this resolution shall be sent to Mr. Alfred R. Herrera, Herrera & Boyle, PLLC, 816 Congress Avenue, Suite 1250, Austin, Texas 78701, in his role as Special Counsel to AXM.

Section 6. That the meeting at which this resolution was adopted was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 7. That this resolution shall become effective from and after its passage.

PASSED AND APPROVED this _____ day of February, 2013.

CITY OF PAMPA, TEXAS

By: ________________________________
Brad Pingel, Mayor

ATTEST:

___________________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

___________________________________
Leland W. Waters, City Attorney