Regular Meeting of the:

Pampa City Commission
October 8, 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
Chris Porter, Commissioner Ward 2 Richard Morris, City Manager
Robert Dixon, Commissioner Ward 3 Karen Price, City Secretary
Karen McLain, Commissioner Ward 4 Leland Waters, City Attorney
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, OCTOBER 8, 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

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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 September 24, 2013 regular City Commission Meeting as presented.

2. Consider appointing Tom Lindsey to the Hidden Hills Golf Advisory Board for a two year term with term effective immediately.

3. Consider approving on first reading Ordinance No. 1608, an Ordinance of the City of Pampa providing for limited operation of Golf Carts on public streets and highways.

4. EXECUTIVE SESSION: The City Commission will convene into closed session in accordance with Texas Government Code Subchapter D, Section 551.074 – PERSONNEL MATTERS:

   ▶ Discuss appointment to the Gray County Appraisal District Board of Directors

RECONVENE: Into Open Session with or without action.
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, OCTOBER 4, 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: ________________________________________________________________
### Agenda Item No. 1

**Item/Project:** Minutes  
**Meeting Date:** October 8, 2013  
**Description:** Consider approving the minutes of the September 24, 2013 regular City Commission Meeting as presented.  
**Staff Contact:** Karen Price  
**Financial Impact:**  
**Source of Funds:**  
**Start/Completion Schedule:**  
**Recommended Action:** Approve minutes as presented.  
**Background/Additional Information:** Minutes attached
CALL TO ORDER: Mayor Pingel at 4:00 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
Donny Hooper Public Works Director
Kim Powell Fire Chief
Kelly Rushing Chief of Police
Gayla Pickens Asst. Finance Director
Kevin Webb IT Managers
Jil Arias Engineer

VISITORS: Lynn Hancock Briarwood Church
Toni White UPS
Clay Rice PEDC

NEWS MEDIA: Tim Howsare Pampa News
Mike Ehrle KGRO Radio

INVOCATION: Lynn Hancock City Commission Chaplain

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PUBLIC COMMENTS: NONE

DISCUSSION ITEM:

► Toni White from UPS made request to City Commission to allow UPS to use Golf Carts for Christmas deliveries in Pampa neighborhoods.

AUTHORIZATIONS BY COMMISSION:

13-149

1. Consider approving the minutes of the September 17, 2013 Special City Commission Meeting as presented.

A motion was made by Commissioner Studebaker and Seconded by Commissioner Porter to approve the minutes of the September 17, 2013 Special City Commission Meeting as presented, with each Commission Member voting AYE, the motion carried.

13-150

2. Excuse the absence of Commissioner Karen McLain from the September 17, 2013 Special City Commission Meeting.
A motion was made by Commissioner Dixon and Seconded by Commissioner Studebaker to excuse the absence of Commissioner Karen McLain from the September 17, 2013 Special Commission Meeting with each Commission Member voting AYE, the motion carried.

13-151

3. Consider adopting on second and final reading Ordinance No. 1607, an Ordinance of the City of Pampa setting a tax rate of $0.621027 on each $100.00 valuation of property and levying an Ad Valorem Tax.

ORDINANCE NO. 1607

AN ORDINANCE SETTING A TAX RATE OF $0.621027 ON EACH $100.00 VALUATION OF PROPERTY AND LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF PAMPA FOR THE FISCAL YEAR OF 2013-2014; PROVIDING FOR APPORTIONING OF EACH LEVY FOR SPECIFIC PURPOSES; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SUCH TAXES SHALL BECOME DELINQUENT IF NOT PAID AND FOR PENALTY AND INTEREST; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF.

A motion was made by Commissioner McLain and Seconded by Commissioner Porter to adopt on second and final reading Ordinance No. 1607, an Ordinance of the City of Pampa setting a tax rate of $0.621027 on each $100.00 valuation of property and levying an Ad Valorem Tax, with Mayor Pingel, Commissioner Porter, Commissioner Studebaker and Commissioner McLain voting AYE, and Commissioner Dixon voting NAY, the motion carried.

13-152

4. Consider reappointing Dick Stowers, Ray Jaramillo, Lynn Allison and Roy Morriss to the Board of Adjustments for a two year term with term beginning October 1, 2013.

A motion was made by Commissioner Dixon and Seconded by Commissioner Studebaker to reappoint Dick Stowers, Ray Jaramillo, Lynn Allison and Roy Morriss Board of Adjustments for a two year term with term beginning October 1, 2013, with each Commission Member voting AYE, the motion carried.

13-153

5. Consider reappointing Jeri Erickson to the Lovett Memorial Library Advisory Board for a two year term with term beginning October 1, 2013.

A motion was made by Commissioner Porter and Seconded by Commissioner Studebaker to reappoint Jeri Erickson to the Lovett Memorial Library Advisory Board for a two year term with term beginning October 1, 2013, with each Commission Member voting AYE, the motion carried.

13-154

6. Consider reappointing Rusty Tapp and Chuck Morgan to the Hidden Hills Golf Advisory Board for a two year term with term beginning October 1, 2013.
A motion was made by Commissioner Dixon and Seconded by Commissioner Studebaker to reappoint Rusty Tapp and Chuck Morgan to the Hidden Hills Golf Advisory Board for a two year term with term beginning October 1, 2013, with each Commission Member voting AYE, the motion carried.

13-155


A motion was made by Commissioner McLain and Seconded by Commissioner Dixon to approve the List of Disbursements dated August 31, 2013, with total Disbursements being $2,877,993.19 and the amount after balance sheet and income accounts being $1,842,950.09, with each Commission Member voting AYE, the motion carried.

8. EXECUTIVE SESSION: The City Commission convened into closed session at 4:21 p.m. according to Texas Government Code Subchapter D. Section 551.074 – PERSONNEL MATTERS:

► Discuss appointment to the Gray County Appraisal District Board of Directors.

Texas Government Code Subchapter D, Section 551.071 – CONSULTATION WITH ATTORNEY to discuss:

► Pending or Contemplated Litigation

RECONVENE: The City Commission reconvened into open session at 5:19 p.m. with no action taken on Appointment to the Gray County Appraisal District Board of Directors; and the following action taken on Pending or Contemplated Litigation:

13-156

A motion was made by Commissioner McLain and Seconded by Commissioner Dixon to authorize the City Attorney to enter into a Settlement Agreement subject to approval of final terms settling all claims of Layne Christensen Company and the City of Pampa in connection with the Agreement between Owner and Contractor for Construction Contract between Layne and the City of Pampa and a Joint Motion to dismiss Cause Number 37492 in the 223rd District Court, Layne Christensen Company versus the City of Pampa, Texas, in exchange for a one-time payment from the City of Pampa to Layne of $125,000.00, with each Commission Member the motion carried.

ADJOURNMENT

There being no further business on the agenda, the meeting was adjourned at 5:21 p.m. by Mayor Pingel.

Karen L. Price, City Secretary Brad Pingel, Mayor
AGENDA ITEM NO. 2

ITEM/PROJECT: BOARD APPOINTMENT

MEETING DATE: OCTOBER 8, 2013

DESCRIPTION: Consider appointing Tom Lindsey to the Hidden Hills Golf Advisory Board for a two year term, with term effective immediately.

STAFF CONTACT: David Teichmann

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE:

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Board application attached.
CITY OF PAMPA
ADVISORY BOARDS AND COMMISSIONS
APPLICATION

Please place a check mark by the Board or Commission you are interested in serving on. (For persons currently serving on a board and desiring reappointment check the board you are currently on.)

_ Planning and Zoning Commission
_ Board of Adjustments
_ Construction Board of Appeals
_ Lovett Memorial Library Board
X Hidden Hills Golf Course Advisory Board
_ Working for Progress Board
_ Parks, Recreation and Auditorium Advisory Board

Name: __  Tom Lindsey __ Age (optional): ________

Home Address: __ 2305 Dogwood __

Home Phone: __ 669-7563 __ Business Phone: ________

Business Address: ____________

Resident of City for ________ Years. Voter Registrations No.: ____________

Occupation: __ retired __

Other Information (Civic Activities, Volunteer Work, etc.) ____________

__ IRC CC Board __

__ PTECU Board __

I have attended one or more meetings of the board or commission for which I have applied: __ Yes __ No

Date: __ 10-1-13 __ Signature: __ Tom Lindsey __

Return completed form to the City Secretary's office: 201 W. Kingsmill, Room 205 or P. O. Box 2499, Pampa, Texas 79065. For further information call 669-5750 or e-mail at kprice@cityofpampa.org. Completed form may be faxed to 669-5767.

This application will be kept on file in the Office of the City Secretary for one year.
AGENDA ITEM NO. 3

ITEM/PROJECT: ORDINANCE NO. 1608 – GOLF CARTS ON PUBLIC STREETS

MEETING DATE: OCTOBER 8, 2013

DESCRIPTION: Consider approving on first reading Ordinance No. 1608, an Ordinance of the City of Pampa providing for limited operation of Golf Carts on public streets and highways.

STAFF CONTACT: Shane Stokes

FINANCIAL IMPACT:

SOURCE OF FUNDS:

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:

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1608 attached.
AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT IT’S CODE OF ORDINANCES BE AMENDED BY REVISIONING CHAPTER 12 TRAFFIC AND VEHICLES, TO PROVIDE FOR LIMITED OPERATION OF GOLF CARTS ON PUBLIC STREETS AND HIGHWAYS FOR HOLIDAY PARCEL DELIVERY, PROVIDING FOR A PENALTY FOR VIOLATION, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Pampa finds that the use of golf carts for holiday parcel delivery would benefit the residents of the City; and

WHEREAS, the City Commission of the City of Pampa finds that parcel delivery services can reduce emissions, traffic congestion and deterioration of City streets by utilizing light weight golf carts rather than the trucks normally used for parcel delivery during the holiday season; and

WHEREAS, the City Commission of the City of Pampa finds that there is a need for certain restrictions to be placed on the use of golf carts for holiday parcel delivery; and

WHEREAS, the City Commission of the City of Pampa finds that it is in the best interests of the health, safety and general welfare of the citizens and residents of the City of Pampa to enact this Ordinance;

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

Section 1.

That Sec. 12.01.001 of the Code of Ordinances of the City of Pampa be amended by adding the following Definition thereto:

Golf Cart. A motor vehicle designed by the manufacturer primarily for use on a golf course.

Section 2.

That Chapter 12 of the Code of Ordinances of the City of Pampa be amended by adding the following as Sec. 12.03.010:

Sec. 12.03.010 Golf Carts for Holiday Parcel Delivery

(a) From 12:00 a.m. on November 1 until 11:59 p.m. on December 31 of each year, an employee or agent of an entity whose primary business is the delivery of parcels may operate golf carts on the public streets of the City of Pampa that have speed limits of not more than 35 miles per hour, provided that the golf cart is equipped with functioning headlamps, tail lamps,
reflectors, parking brake, and mirrors and clearly marked with the name of the company delivering parcels; provided that the operator has a valid driver’s license which authorizes the operator to operate a motor vehicle on public highways; provided that the operator has proof of at least the minimum amounts of liability insurance required by the Texas Motor Vehicle Safety Responsibility Act; and provided further that the golf cart has been issued license plates by the Texas Department of Motor Vehicles. A golf cart may cross intersections, including a highway or street that has a posted speed limit of more than 35 miles per hour.

(b) It is unlawful for any person to operate a golf cart on a public street except as provided above.

(c) Any person who violates the provisions hereof, upon conviction, shall be fined in accordance with the general penalty provision found in Section 1.01.009 of this Code.

Section 3.

It is the intention of the City Commission that the sections, paragraphs, sentences, clauses, phrases and words of Ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this Ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words of this Ordinance since the same would have been enacted by the City Commission without the incorporation therein of any such unconstitutional or invalid portion.

Section 4.

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 8th day of October, 2013.

INTRODUCED, PASSED and APPROVED on its second and final reading this _____ day of October, 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: EXECUTIVE SESSION

MEETING DATE: OCTOBER 8, 2013

DESCRIPTION: EXECUTIVE SESSION: The City Commission will convene into closed session in accordance with Texas Government Code Subchapter D, Section 551.074 – PERSONNEL MATTERS to:
* Discuss appointment to the Gray County Appraisal District Board of Directors.

RECONVENE: Into Open Session with or without action.