Special Meeting of the:

Pampa City Commission
September 18, 2012
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
SPECIAL MEETING

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

Notice is hereby given of a SPECIAL MEETING of the City Commission of the City of Pampa to be held on TUESDAY, SEPTEMBER 18, 2012 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 adopting on second and final reading Ordinance No. 1575, an Ordinance of the City of Pampa adopting the 2012-2013 Operating Budget.

2. Consider approving on first reading Ordinance No. 1576, 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.

3. Consider approving on first reading Ordinance No. 1577, an Ordinance of the City of Pampa amending the monthly rates to be charged for water within and outside the corporate limits of the City of Pampa.

4. Consider approving on first reading Ordinance No. 1578, an Ordinance of the City of Pampa amending the monthly rates to be charged for sewer service within and outside the corporate limits of the City of Pampa.

5. Consider approving on first reading Ordinance No. 1579, an Ordinance of the City of Pampa amending rates for solid waste disposal for residential and other customers within and outside the corporate limits of the City of Pampa.

6. Consider casting ballots to appoint the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

ADJOURNMENT
CERTIFICATION

I certify that the above Agenda was posted on the outside officially designated bulletin board in front of City Hall, facing Kingsmill, a place convenient and readily accessible to the general public at all times and said Agenda was posted on Friday, September 14, 2012 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, Pampa City Hall on the following date and time:

Date: ________________________________  Time: ________________________________

By: ____________________________________________
AGENDA ITEM NO. 1

ITEM/PROJECT: ORDINANCE NO. 1575 – 2012-2013 OPERATING BUDGET

MEETING DATE: September 18, 2012

DESCRIPTION: Consider adopting on second and final reading Ordinance No. 1575, an Ordinance of the City of Pampa adopting the 2012-2013 Operating Budget.

STAFF CONTACT: Richard Morris
Robin Bailey

FINANCIAL IMPACT: 12,983,679.00

SOURCE OF FUNDS: Ad Valorem Tax/Other Revenue

START/COMPLETION SCHEDULE: Budget will be effective October 1, 2012.

RECOMMENDED ACTION: Ordinance No. 1575 attached.

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1575 attached.
ORDINANCE NO. 1575

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF PAMPA FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013, APPROPRIATING MONEY TO A SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY’S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF PAMPA FOR THE 2012-2013 FISCAL YEAR.

WHEREAS, the budget, for the fiscal year beginning October 1, 2012, and ending September 30, 2013, was duly filed with the City Secretary and presented to the City Commission by the City Manager and a public hearing was caused to be given by the City Commission;

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

Section 1

That the appropriations for the fiscal year beginning October 1, 2012, and ending September 30, 2013, for the support of the general government of the City of Pampa, Texas, be fixed and determined for said terms in accordance with the expenditures shown in the City’s fiscal year 2012-2013 budget.

Section 2

That the budget is hereby approved in all respects and adopted as the City’s budget for the fiscal year beginning October 1, 2012, and ending September 30, 2013.

Section 3

That there is hereby appropriated the amount shown in said budget necessary to provide for a sinking fund for the payment of the principal and interest and the retirement of the bonded indebtedness of said City.

PASSED AND APPROVED on first reading this the 11th day of September, 2012.

PASSED, APPROVED AND ADOPTED on second and final reading this the _____day of September, 2012.

ATTEST:

By:

Karen L. Price, City Secretary
Brad Pingel, Mayor

APPROVED AS TO FORM:

Leland W. Waters, City Attorney
AGENDA ITEM NO. 2

ITEM/PROJECT: ORDINANCE NO. 1576 – AD VALOREM TAX

MEETING DATE: September 18, 2012

DESCRIPTION: Consider approving on first reading Ordinance No. 1576, an Ordinance of the City of Pampa setting a tax rate of $0.621027 on each $100 valuation of property and levying an Ad Valorem Tax.

STAFF CONTACT: Robin Bailey

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE: 2012-2013 Ad Valorem Tax will be effective October 1, 2012.

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1576 attached.
ORDINANCE NO. 1576

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 2012-2013; 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.

WHEREAS, the City Commission of the City of Pampa approved its budget for the fiscal year beginning October 1, 2012, through September 30, 2013, under Ordinance No. 1575, adopted on its second and final reading on September 18, 2012; and

WHEREAS, the City Commission of the City of Pampa FINDS that a tax in the amount of $0.621027 on each $100.00 valuation of property based upon the tax roll provided by the chief appraiser of the Gray County Appraisal District must be levied to provide the required revenue for the budget as approved; and

WHEREAS, notices and public hearings and all other statutory and constitutional requirements for the levying and assessing of ad valorem taxes by a home-rule municipality have been completed within the time required;

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

Section 1. 
Findings

The findings made above are hereby adopted and incorporated into the body of this Ordinance as if set forth in full.

Section 2. 
Tax Rate and Levy

There is hereby fixed and levied, and there shall be collected, for the use and support of the municipal government of the City of Pampa and to provide an Interest and Sinking Fund for the 2012-2013 fiscal year, upon all property, real, personal and mixed, within the corporate limits of the City of Pampa, subject to taxation, a tax of $0.621027 on each $100.00 valuation of property, said tax being so levied and apportioned to the specific purposes as follows:

(1) For the maintenance and operation of the general government (“General Fund”), $0.498846 on each $100.00 valuation of property; and
(2) For the maintenance and support of the Lovett Memorial Library ("Special Revenue Fund"), $0.03 on each $100.00 valuation of property, and

(3) For the Interest and Sinking Funds, $0.092181 on each $100.00 of valuation of property.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.86 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON THE AVERAGE HOME BY APPROXIMATELY $24.71.**

Section 3.
**Due Date and Delinquency**

The taxes assessed and levied under this Ordinance are payable anytime after the final reading and approval and publication and not later than January 31 of the year following the year in which the taxes are assessed. Penalty and interest as hereinafter provided shall accrue after January 31 of the year following the year in which the taxes are assessed if not paid in full by said date.

Section 4.
**Penalty and Interest**

4.1. The tax levied and assessed hereunder paid after January 31 are delinquent and shall incur the maximum penalty and interest authorized under Section 33.01 of the Texas Property Tax Code, to-wit:

(a) a penalty of six percent (6%) of the amount of the tax for the first calendar month the tax is delinquent plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1st of the year in which it becomes delinquent; and

(b) a tax that is delinquent on July 1st of the year in which it becomes delinquent shall incur a total penalty of twelve percent (12%) of the amount of the delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax shall also accrue interest at a rate of one percent (1%) for each month or portion of a month the tax remains unpaid; and

4.2. Taxes that remain delinquent on July 1st of each year in which they become delinquent shall incur an additional penalty of twenty percent (20%) of the amount of taxes, penalty and interest due which additional penalty is to defray the costs of collection as authorized by Section 6.30 of the Texas Property Tax Code.
Section 5.
Place of Payment

Taxes are payable at the offices of the Gray County Tax Assessor-Collector, Room 100 of the Gray County Court House, 205 N. Russell Street, Pampa, Gray County, Texas.

Section 6.
Lien and Collection

All taxes shall become a lien upon the property against which assessed, and the Gray County Tax Assessor and Collector, acting on behalf of the City of Pampa under an interlocal agreement, is hereby authorized and empowered to enforce the collection of such taxes according to the Constitution and Laws of the State of Texas and Ordinances of the City of Pampa and, by virtue of the tax rolls, to fix and establish a lien by levying upon such property, whether real or personal, for the payment of said taxes, penalty and interest, and the interest and penalty collected from such delinquent taxes shall be apportioned to the General Fund of the City of Pampa.

Section 7.
Age and Disability Exemption

There is hereby granted to an individual who is disabled or is 65 years or older an exemption from taxation of $15,000.00 of the appraised value of his/her residence homestead, as defined by Section 11.13(j) of the Texas Property Tax Code. Joint or community property owners may not each receive an exemption in the same year. An eligible disabled person who is 65 years of age or older may not receive both a disabled and an elderly residence homestead exemption but may choose either exemption. “Disabled” means a person under a disability for purposes of payment of Disability Insurance Benefits under Federal Old-Age, Survivors, and Disability Insurance.

Section 8.
Savings/Repealing Provision

All provisions of any Ordinance in conflict with this Ordinance are hereby repealed; provided, however, such repeal shall not abate any pending prosecution for violation of the repealed Ordinance nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting Ordinances shall remain in full force and effect.

Section 9.
Severability

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or
phrase hereof notwithstanding the fact that any one or more sections, subsections, clauses, or phrases be declared unconstitutional or invalid.

**Section 10. Effective Date**

This Ordinance shall become effective from and after its final adoption and publication.

INTRODUCED, PASSED AND APPROVED on its first reading this the 18th day of September, 2012.

PASSED, APPROVED, ADOPTED AND ORDERED PUBLISHED on its second and final reading this the ____ day of September, 2012.

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. 3

ITEM/PROJECT: ORDINANCE NO. 1577 – AMENDING MONTHLY WATER RATES

MEETING DATE: September 18, 2012

DESCRIPTION: Consider approving on first reading Ordinance No. 1577, an Ordinance of the City of Pampa amending the monthly rates to be charged for water within and outside the corporate limits of the City of Pampa.

STAFF CONTACT: Richard Morris

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE: Rate increase will be effective after October 1, 2012.

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1577 attached.
ORDINANCE NO. 1577

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF PAMPA, TEXAS, BE AMENDED BY REVISING CHAPTER 13, SECTIONS 13.02.038 AND 13.02.039 OF SAID CODE PROVIDING FOR THE MONTHLY RATES TO BE CHARGED FOR WATER WITHIN AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF PAMPA, TEXAS, RESPECTIVELY, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

That Section 13.02.038 of the Code of Ordinances of the City of Pampa, be amended so that such section shall read as follows:

“(a) The monthly rates to be charged and collected from customers utilizing water in the city limits are hereby fixed as follows, except (1) for multiple living units and multiple business units as provided in subsection (b), (2) as provided in Section 13.02.040, or (3) under individual contracts:

<table>
<thead>
<tr>
<th>Water meter (inches)</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Minimum bill-1,000 gallons)</td>
<td></td>
</tr>
<tr>
<td>5/8</td>
<td>$23.34</td>
</tr>
<tr>
<td>1</td>
<td>26.58</td>
</tr>
<tr>
<td>1 ½</td>
<td>31.96</td>
</tr>
<tr>
<td>2</td>
<td>38.42</td>
</tr>
<tr>
<td>2 ½</td>
<td>38.42</td>
</tr>
<tr>
<td>3</td>
<td>38.42</td>
</tr>
<tr>
<td>4</td>
<td>38.42</td>
</tr>
<tr>
<td>6</td>
<td>38.42</td>
</tr>
<tr>
<td>8</td>
<td>38.42</td>
</tr>
</tbody>
</table>

Volume charge, per 1,000 or more gallons over minimum,

- 1,000 to 9,999 gallons or part thereof ........................................ 3.57”
- 10,000 to 29,999 gallons or part thereof ........................................ 3.65”
- 30,000 to 49,999 gallons or part thereof ........................................ 3.75
- 50,000 gallons and over or part thereof ........................................ 4.00
Section 2.

That Section 13.02.039 of the Code of Ordinances of the City of Pampa be amended so that such section shall read as follows:

“(a) The water rates to be charged and collected from all state correctional institutions located outside the corporate limits of the city obtaining service from the system shall be and are fixed as follows: Two and 67/100ths Dollars ($2.67) per one thousand (1,000) gallons or part thereof.

“(b) The water rates per month to be charged and collected from all other customers outside the corporate limits of the city, except as provided (1) in paragraph (a) above, (2) in Section 13.02.040, or (3) under individual contracts, obtaining services from the system shall be and are fixed as follows:

<table>
<thead>
<tr>
<th>Water meter (inches) (minimum bill-1,000 gallons)</th>
<th>Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8</td>
<td>$35.01</td>
</tr>
<tr>
<td>1</td>
<td>39.87</td>
</tr>
<tr>
<td>1 ½</td>
<td>47.95</td>
</tr>
<tr>
<td>2</td>
<td>57.63</td>
</tr>
<tr>
<td>2 ½</td>
<td>57.63</td>
</tr>
<tr>
<td>3</td>
<td>57.63</td>
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<tr>
<td>4</td>
<td>57.63</td>
</tr>
<tr>
<td>6</td>
<td>57.63</td>
</tr>
<tr>
<td>8</td>
<td>57.63</td>
</tr>
</tbody>
</table>

Volume charge, per 1,000 or more gallons over minimum,

- 1,000 to 9,999 gallons or part thereof .............................. 5.36”
- 10,000 to 29,999 gallons or part thereof ............................. 5.45”
- 30,000 to 49,999 gallons or part thereof ............................. 5.55”
- 50,000 gallons and over or part thereof .............................. 5.80”

Section 3.

The rates provided for under this Ordinance shall become effective on the first billing date after September 30, 2012. Nothing in this Ordinance, however, shall be construed to repeal or affect the rates currently in effect to the effective date of this Ordinance for charges which will be billed on the billing date as hereinabove provided. Further, nothing in this Ordinance shall affect the City’s rights and remedies to enforce any rates in effect prior to the passage of this Ordinance.
Section 4.

This Ordinance shall be effective upon its final passage and enforceable ten (10) days after its publication.

PASSED AND APPROVED on its first reading this 18th day of September, 2012.

PASSED, APPROVED AND ADOPTED on its second and final reading this ___ day of September, 2012.

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. 1578 – AMENDING MONTHLY SEWER RATES

MEETING DATE: September 18, 2012

DESCRIPTION: Consider approving on first reading Ordinance No. 1578, an Ordinance of the City of Pampa amending the monthly rates to be charged for sewer service within and outside the corporate limits of the City of Pampa.

STAFF CONTACT: Richard Morris

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE: Rate increase will be effective after October 1, 2012.

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1578 attached.
ORDINANCE NO. 1578

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF PAMPA, TEXAS, BE AMENDED BY REVISIONING SECTION 13.03.002 OF SAID CODE PROVIDING FOR THE MONTHLY RATES TO BE CHARGED FOR SEWER SERVICE WITHIN AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF PAMPA, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

That Sec. 13.03.002. Rates. be amended so that said Section shall read as follows:

“(a) The sewer rates per month to be charged and collected within the corporate limits of the city from all customers obtaining service from such system shall be and are fixed as set forth below:

Sewer Rates
(1) Residential (minimum bill) – 1,000 gallons ....................... $  13.51
   – each 1,000 gal. or
   part thereof over
   1,000 to 8,000 gal.
   cap. at the volume
   charge hereinafter
   set forth
   ($0.10 of said minimum shall be allocated to fund household
   hazardous waste projects.)
(2) Commercial (minimum bill) – 1,000 gallons............... $  13.51
(3) Volume charge per 1,000 gallons or part thereof over and
   above the 1,000 gallon minimum ......................... $   1.85

   “All multifamily units located within any zone of the city other than a single family-
   one, single family-two, or single family-three, as provided under Ordinance No. 690
   (Appendix A to said Code), as amended, shall be classified and charged under commercial
   rates.

   “(b) The sewer rates per month to be charged and collected from all customers
   outside the corporate limits of the city, except as provided in paragraph (c) below, obtaining
   service from such system shall be and are fixed as set forth below:

Sewer Rates
(1) Residential (minimum bill) – 1,000 gallons ....................... $  20.27
   – each 1,000 gal. or
   part thereof over
   1,000 to 8,000 gal.
   cap. at the volume
   charge hereinafter
   set forth
   ($0.10 of said minimum shall be allocated to fund household
   hazardous waste projects.)
(2) Commercial (minimum bill) – 1,000 gallons…………………… $ 20.27
(3) Volume charge per 1,000 gallons or part thereof over and above the 1,000 gallon minimum ………………………… $ 2.77

“(c) The sewer rates to be charged and collected from all state correctional institutions located outside the corporate limits of the city obtaining service from the system shall be and are fixed as follows: One and 28/100ths Dollars ($1.28) per one thousand (1,000) gallons or part thereof.”

Section 2.

The rates provided for under this Ordinance shall become effective on the first billing date after September 30, 2012. Nothing in this Ordinance, however, shall be construed to repeal or affect the rates currently in effect to the effective date of this Ordinance for charges which will be billed on the billing date as hereinabove provided. Further, nothing in this Ordinance shall affect the City’s rights and remedies to enforce any rates in effect prior to the passage of this Ordinance.

Section 3.

This ordinance shall be effective upon its final passage and enforceable ten (10) days after its publication.

PASSED AND APPROVED on its first reading this 18th day of September, 2012.

PASSED AND APPROVED on its second and final reading this ____ day of September, 2012.

CITY OF PAMPA TEXAS

By: ____________________________
Brad Pingel, Mayor

ATTEST:

_____________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

_____________________________
Leland W. Waters, City Attorney
ITEM/PROJECT: ORDINANCE NO. 1579 – AMENDING MONTHLY RATES FOR SOLID WASTE DISPOSAL

MEETING DATE: September 18, 2012

DESCRIPTION: Consider approving on first reading Ordinance No. 1579, an Ordinance of the City of Pampa amending rates for solid waste disposal for residential and other customers within and outside the corporate limits of the City of Pampa.

STAFF CONTACT: Richard Morris

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE: Rate increase will be effective after October 1, 2012.

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1578 attached.
ORDINANCE NO. 1579

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF PAMPA, TEXAS, BE AMENDED BY REVISING CHAPTER 6, SECTIONS 6.05.010(a), 6.05.010(b), AND 6.05.010(d), PROVIDING FOR RATES FOR SOLID WASTE DISPOSAL FOR RESIDENTIAL AND OTHER CUSTOMERS WITHIN AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF PAMPA, TEXAS, RESPECTIVELY, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

That Section 6.05.010(a) of the Code of Ordinances of the City of Pampa, Texas, be amended so that such section shall hereafter read as follows:

“(a) Rates within the corporate limits. The monthly rate to be charged and collected for solid waste removal services for each single-family dwelling is fixed at the rate of Twenty One and 20/100ths Dollars ($21.20) per month per single-family dwelling, whether any dumpster is shared by one (1) or more residential, single-family dwellings or a combination of residential and commercial customers. Residential collections and removals shall be made only once a week. The rate is hereby fixed at Twenty One and 20/100ths Dollars ($21.20) per container for each pickup over and above the number of pickups for which a customer ordering said pickup is being charged.”

Section 2.

That Section 6.05.010(b) of the Code of Ordinances of the City of Pampa, Texas, be amended so that such section shall hereafter read as follows:

“(b) Rates outside the corporate limits. The monthly rate to be charged and collected for solid waste removal services for each single-family dwelling is fixed at the rate of Thirty One and 80/100ths Dollars ($31.80) per month per single-family dwelling, whether any dumpster is shared by one (1) or more residential, single-family dwellings or a combination of residential and commercial customers. Residential collections and removals shall be made only once a week. The rate is hereby fixed at Thirty One and 80/100ths Dollars ($31.80) per container for each pickup over and above the number of pickups for which a customer ordering said pickup is being charged.

“Residential services outside the corporate limits of Pampa shall be subject to the approval of the director of public works or his designated agent. In the event the director of public works or his designated agent should determine what such residential service requires excessive mileage or tonnage, the fee to be charged will be negotiated on an individual contract basis.”
Section 3.

That Section 6.05.010(d) of the Code of Ordinances of the City of Pampa, Texas, be amended so that such section shall hereafter read as follows:

“(d) Rates for other customers. Except as provided in subsections (a), (b) and (c) above, the monthly charge for solid waste services within the corporate limits is fixed as follows and shall be computed on the following formula:

\[
\text{Number of Dumpsters} \\
\text{Number of pickups per week} \times \$38.50 = \text{Monthly Charge}^*
\]

“*If more than one (1) customer uses a dumpster (or dumpsters), the monthly charge shall be divided by the number of customers using said dumpster (or dumpsters); provided, however, that in no event shall the minimum monthly charge per customer be less than Twenty One and 20/100ths Dollars ($21.20) per month per customer.

“The monthly charge for solid waste services outside the corporate limits is hereby fixed at one and one-half (1.5) times the rate which would be charged under the above schedule and computation for a customer within the city’s corporate limits.

\[
\text{Number of Dumpsters} \\
\text{Number of pickups per week} \times \$57.75 = \text{Monthly Charge}^*
\]

“*If more than one (1) customer uses a dumpster (or dumpsters), the monthly charge shall be divided by the number of customers using said dumpster (or dumpsters); provided, however, that in no event shall the minimum monthly charge per customer be less than Thirty One and 80/100ths Dollars ($31.80) per month per customer.

“Services to such other customers, as provided above, who are outside the corporate limits of Pampa, shall be subject to the approval of the director of public works or his designated agent. In the event the director of public works or his designated agent should determine that such service requires excessive mileage or tonnage, the fee to be charged will be negotiated on an individual contract basis.”

Section 4.

The rates provided for under this Ordinance shall become effective on the first billing date after September 30, 2012. Nothing in this Ordinance, however, shall be construed to repeal or affect the rates currently in effect to the effective date of this Ordinance for charges which will be billed on the billing date as hereinabove provided. Further, nothing in this Ordinance shall affect the City’s rights and remedies to enforce any rates in effect prior to the passage of this
Ordinance.

Section 5.

This Ordinance shall be effective upon its final passage and enforceable ten (10) days after its publication.

PASSED AND APPROVED on its first reading this 18th day of September, 2012.

PASSED, APPROVED AND ADOPTED on its second and final reading this ____ day of September, 2012.

CITY OF PAMPA, TEXAS

By: ____________________________
Brad Pingel, Mayor

ATTEST:

______________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

______________________________
Leland W. Waters, City Attorney
<table>
<thead>
<tr>
<th>ITEM/PROJECT:</th>
<th>ELECT TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>September 18, 2012</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
<td>Consider casting ballots to appoint the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.</td>
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<td>STAFF CONTACT:</td>
<td>Richard Morris</td>
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<td>FINANCIAL IMPACT:</td>
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<td>SOURCE OF FUNDS:</td>
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<td>START/COMPLETION</td>
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<td>SCHEDULE:</td>
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<td>RECOMMENDED ACTION:</td>
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<td>BACKGROUND/ ADDITIONAL INFORMATION:</td>
<td>Ballot and other information attached.</td>
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Memo

To: Mayor and Commission
From: Richard E. Morris, City Manager
Date: 9/13/2012
Re: TML Risk Pool Ballot

Attached is a ballot for TML Intergovernmental Risk Pool Board of Trustees Election.

I have also attached a letter from Greg Ingham, Plainview City Manager, who is currently on the board asking for our vote and support.

At a recent City Managers meeting, there was a recommendation to re-elect current (Incumbents).

Thanks,

Richard E. Morris
August 22, 2012

Re: TML-Intergovernmental Risk Pool Board Election – Place 11 – Greg Ingham

Dear Richard E. Morris,

You have recently received your Official Ballot to vote for four members of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. I am running for re-election for Place 11 and I would appreciate your vote and support.

The mission of the TML Intergovernmental Risk Pool is to provide Texas cities and other units of local government with a stable source of risk financing and loss prevention services at the lowest cost consistent with sound business practices. By pursuing these goals together we have built one of the largest local government risk pools in the country. Over the years we have expanded our coverage lines to include not only cities, but also local governmental entities such as appraisal districts, councils of governments, housing authorities, water districts, and others to broaden our base.

Last year our Pool’s Loss Prevention Staff presented on-site training to nearly 9,000 local government employees and officials; and on-line training to another 6,800 participants to help provide a safer work environment and to control losses. These efforts, when combined with the Board’s efforts to build a strong financial base have enabled your Pool to assume additional risk to control operating costs; at the same time return equity to our members sixteen times since 1993 totaling over $130,000,000; and reduce rates for certain coverages in ten of the years during that time frame.

The Plainview City Council and the TML-IRP Board have nominated me for your consideration for Place 11 on the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. I look forward to the opportunity to continue serving you – the cities and other local governments of Texas in this office.

I would appreciate your vote and continuing support.

Thank you,

Greg Ingham, City Manager
OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool
Board of Trustees Election

This is the official ballot for the election of Places 11 - 14 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an “X” in the square beside the candidate's name. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2012. Ballots received after September 30, 2012, cannot be counted. The ballot must be properly signed and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P. O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.
**Bill Agan.** Mayor of Richland Hills (Region 8). Mr. Agan was elected Mayor in May, 2012, for a term of two years. He has served as a city council member from 1986 to 1987. He has served on the City’s Planning and Zoning Commission, and has served on the City’s Charter Review Commission in 1986 and from 2011 to the present. Mr. Agan has owned an auto repair business for 40 years, and has been involved in an insurance business for two years and a real estate business for six years.

**Greg Ingham (Incumbent).** City Manager, City of Plainview (Region 3) since 2004. He has previously served as City Manager in Levelland and Littlefield, Texas. Mr. Ingham has served in local government since 1975 and is active in numerous statewide and regional organizations. He has an MPA and is a Certified Public Manager. Mr. Ingham has been a board member of the TML Intergovernmental Risk Pool since 1989. He has served as Chair and Vice-Chair of the Board, and has served as Chair of the Board’s Finance Committee.

**Kavon Novak.** Alderman, City of Caldwell (Region 10) since 2011. He is a 1991 graduate of Texas A&M University with a Bachelor’s Degree in Marketing. He has been a business owner for 14 years in the financial industry and is currently an Investment Consultant with LPL Commerce since 2009. Mr. Novak has been a member of the Caldwell Men’s Lions Club for 9 years and is currently the Treasurer. He and his wife of 16 years, Lori, have 4 children. They are members of First Baptist Church in Caldwell and are active in 4-H Shooting Sports and Soccer.

**Troy Stegemoeller.** Mayor Pro Tem, City of Idalou (Region 3). Mr. Stegemoeller has served on the City Council since 2008. He has a B.S. in Agriculture Economics from Texas Tech University and is a graduate of Louisiana State University Graduate Banking School. He has been in banking for 32 years, and currently serves as the President of Vista Bank in Idalou. He has served on an advisory committee to Congressman Randy Neugebauer, and has served as finance chair of the Idalou Methodist Church and Treasurer of the local Salvation Army.

**WRITE IN CANDIDATE:**
Larry Gilley (Incumbent). City Manager, City of Abilene (Region 6) since June of 2002. He previously served as City Manager for San Marcos (1988 – 2002), Assistant City Manager for San Marcos (1987 – 1988), City Manager for Panhandle (1977 – 1987), and City Manager for Bovina (1976 – 1977). Mr. Gilley has been a Board member of the TML Intergovernmental Risk Pool since 2007, and currently serves as Chair of the Board’s Underwriting and Claims Committee. He has an MPA from Southwest Texas University, and a BA from Texas Tech University.

Pete Gonzalez. Deputy City Manager and Chief Financial Officer of the City of Brownsville (Region 12) since June of 2008. He previously served as Director of Finance for Brownsville from 1978 to 2008. He serves as a Board member and Finance Officer for the United Brownsville Corporation. He has a BBA degree in Accounting from Texas A&I University in Kingsville and is a certified government financial manager. Under his leadership, the City of Brownsville has been awarded the Certificate of Achievement for Excellence in Financial Reporting for the past 34 consecutive years.

WRITE IN CANDIDATE:
Byron Black (Incumbent). Board Chair, Central Appraisal District of Johnson County (Region 8) and member of the Area Metro Ambulance Authority Board. He served as Mayor of Burleson from 1998-2004, previously serving as mayor pro tem and as a Councilmember. He was a member of the Burleson Independent School District Board for 12 years, 9 as President, and served as president of TASB. Mr. Black has served as a Board member of the TML Intergovernmental Risk Pool since 2000, and presently serves as Vice-Chair.

Gary L. Kent. Councilmember for the City of Copperas Cove (Region 9). Mr. Kent has been a resident of Copperas Cove for over fourteen years. He and his wife have three children and two grandchildren. He served 24 years with the U.S. Army, including three combat tours, and retired as a 1st sergeant. He currently serves as police chief for the City of Nolanville and has more than 17 years of law enforcement experience. He is an active member of many community groups, including VFW Post #8577.

Keith Olson. Councilmember, City of Huntsville (Region 14) since 2010, and serves as Chair of the City’s Finance Committee. Mr. Olson was born in Houston in 1973, and grew up in Huffman, Texas. He graduated from the University of Houston’s Police Academy in 1994. Councilmember Olson sits on various local and regional boards pertaining to private finance. He is currently the owner and operator of Olson’s Fine Jewelry, with interests in diamonds and specialty watches.

WRITE IN CANDIDATE:
PLACEMENT 14

☐  **Cynthia Kirk.** Risk Manager for the City of Bryan (Region 10) since 1984. Ms. Kirk directs the City’s workers’ compensation, property and casualty coverage, claims administration, and safety/loss control functions. She is past president and currently serves on the Board of Directors of the Texas Chapter of the Public Risk Management Association and of the State and Local Government Benefits Association. She has served on the Board of Directors for the Surplus Lines Stamping Office of Texas and on various committees for the National Public Risk Management Association.

☐  **Pat Norriss (Incumbent).** Nortex Regional Planning Commission (Region 5). Ms. Norriss served on the Burkburnett City Council for 22 years, including 16 years as mayor. She serves as a board member of the National Association of Regional Councils and has served as president of the Texas Association of Regional Councils of Government. She is also a Board member of Wichita Wilbarger 911 District and Nortex 911 Communication District. Ms. Norriss has served as a Board member of the TML Intergovernmental Risk Pool since 1995, and served as chair of the Board from 2004 - 2006.

☐  **Michael S. Nyren.** Risk Manager for Capital Metropolitan Transportation Authority in Austin (Region 10) for 17 years. He has earned the designation of Associate in Risk Management and Associate in Risk Management for Public Entities and he serves on the Board of the Risk and Insurance Management Society, Central Texas Chapter. Mr. Nyren has a degree in Government and recently completed the Certified Public Manager Program at Texas State. He also has 30 years of experience in insurance, wellness, safety, security, and risk management.

WRITE IN CANDIDATE:
Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness by hand, this ______ day of _________________________, 2012.

______________________________________________________________
Signature of Authorized Official ........................................ Title

______________________________________________________________
Printed Name of Authorized Official

______________________________________________________________
Printed name of Political Entity