Special Meeting of the:

Pampa City Commission

November 12, 2014

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
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, Texas to be held on WEDNESDAY, NOVEMBER 12, 2014 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.

AUTHORIZED BY CITY COMMISSION

SPOTLIGHT:

 ► Pampa Police Department Crime Stoppers Governor’s Recognition – Kelly Rushing

AUTHORIZED BY CITY COMMISSION:

1. Consider adopting Resolution No. R14-017, a Resolution of the City of Pampa, Texas canvassing the returns and declaring results of the November 4, 2014 Special Election held for the purpose of Voter consideration on amending Specific Sections of the Home Rule Charter.

   Consideren la adopcion de la Resolucion R14-017 una Resolucion de la Ciudad de Pampa, Texas prospeccion del regreso y declarando los resultados de la Eleccion Especial del 4 de Noviembre 2014, retenida para el proposito de la consideracion de los Votantes para el proposito de la consideracion de los Votantes para enmendar secciones especificas del Reglamento Interno de la Ciudad.

2. Consider approving the minutes of the October 28, 2014 Regular Commission Meeting as presented.

4. Consider approving on first reading Ordinance No. 1628, an Ordinance of the City of Pampa amending the revenues and appropriations for the support of the City of Pampa for the fiscal year beginning October 1, 2013 and ending September 30, 2014.

5. Consider adopting Resolution No. R14-011, a Resolution of the City of Pampa approving an Interlocal Governmental Cooperative Contract for management services with the Panhandle Regional Planning Commission for Pampa’s 2014 Texas Community Development Project.

6. Consider adopting Resolution No. R14-012, a Resolution of the City of Pampa designating the Mayor and City Manager to act as designated signatories on contractual documents between the Texas Department of Agriculture and the City of Pampa for the 2014 Texas Community Development Block Grant Program and for the Mayor, City Manager, Public Works Director and City Engineer to act as authorized signatories to execute the State of Texas Purchase Voucher and Request for Payment Form documents required for requesting funds approved in the 2014 Texas Community Development Block Grant Program.

7. Consider adopting a Proclamation designating December 2014 as Fair Housing Month in the City of Pampa.

8. Consider appointing the City Manager as the designated Section 504 HUD Grievance Coordinator and Civil Rights Officer for the City of Pampa.

9. Consider appointing Dustin Meyer of the Panhandle Regional Planning Commission as the designated Labor Standards Officer for the City of Pampa.

10. Consider adopting Section 504 Grievance Procedures as an internal complaint system providing for a prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Housing and Urban Development Regulations.

11. Consider adopting Resolution No. R14-013, a Resolution of the City of Pampa adopting the Texas Community Development Program’s Complaint Procedures.

12. Consider adopting Resolution No. R14-014, a Resolution of the City of Pampa adopting the Section 3 Policy of the Texas Community Development Block Grant Program and designating the City Manager as the Equal Rights Officer.

13. Consider adopting Resolution No. R14-015, a Resolution of the City of Pampa establishing rules and regulations regarding the use of excessive force during nonviolent civil rights demonstrations.

14. Consider adopting Resolution No. R14-016, a Resolution of the City of Pampa reviewing Proposals and awarding Engineering Services for the City’s participation in the Texas Community Development Block Grant Project.

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, NOVEMBER 7, 2014 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: ____________________________________________________________
Pampa/Gray county Crime Stoppers recognized at State Crime Stoppers conference in Beaumont.

Thursday night, October 9th, 2014, Pampa/Gray County Crime Stoppers received recognition from the Governor's office for having the highest dollar recovery and most cases cleared for a Crime Stoppers organization serving a population under 25,000.

Each year, thanks to grant funding provided through court costs and fees, not tax dollars, we are able to send a large portion of our Board of Directors to the state conference, which changes location across the state each year. This is a way to ensure our members are trained on the best practices for running an non-profit organization such as ours.

Thanks to Crime Stoppers organizations across the state, we are able to bring closure to victims of crime. Crimes that would otherwise go unsolved. We thank the community for giving our program the success it has had this year. Without the community, we don't have tips that point law enforcement in the right direction. Without the community, we don't have members to run the organization. Crime Stoppers is you, the community, working with law enforcement and the media to solve crime.

This year, we, the people, we the community, should be proud of our success. We together out performed all of the other organizations across the state which represent a population of our size.
Pampa/Gray County CrimeStoppers Board is comprised of the following people:

**Officers**

Chairman- Rob Hampton
Vice Chairman- Wayne Slater
Secretary- Ty Stubblefield
Treasurer- Bill Campbell

**General Membership**

Barbara Slater
Walt Parry
Barbara Parry
Jim Free
Jerry Lister

**Brian Massey**

Crime Prevention Officer
Crime Stoppers Coordinator
Property/ Evidence Technician
AGENDA ITEM NO. 1

ITEM/PROJECT: CANVASS ELECTION

MEETING DATE: November 12, 2014

DESCRIPTION: Consider adopting Resolution No. R14-017, a Resolution of the City of Pampa, Texas canvassing the returns and declaring results of the November 4, 2014 Special Election held for the purpose of Voter consideration on amending Specific Sections of the Home Rule Charter.

BACKGROUND/ADDITIONAL INFORMATION: Resolution with Election results will be provided at meeting.
AGENDA ITEM NO. 2

ITEM/PROJECT: MINUTES

MEETING DATE: November 12, 2014

DESCRIPTION: Consider approving the minutes of the October 28, 2014 Regular Commission Meeting as presented.

STAFF CONTACT: Karen Price

FINANCIAL IMPACT: 

SOURCE OF FUNDS: 

START/COMPLETION SCHEDULE: 

RECOMMENDED ACTION: 

BACKGROUND/ADDITIONAL INFORMATION: Minutes attached.
CALL TO ORDER: Mayor Brad Pingel at 4:00 p.m.

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

ABSENT: John Studebaker Commissioner

STAFF: Richard Morris City Manager
       Shane Stokes Asst. City Manager
       Karen Price City Secretary
       Robin Bailey Finance Director
       Kelly Rushing Police Chief
       Kim Powell Fire Chief
       Kevin Webb IT Manager
       Gayla Pickens Asst. Finance Director
       Cary Rushing Building Official
       Donna Darling Code Enforcement
       Nadia Silva Code Enforcement
       Jildardo Arias Engineer

VISITORS: Dale Garner Phillis Garner
          Dennis Palmitier Mike Price
          Ray Smith Jeff Andrews
          Judy Cambern Ken Cambern
          Lynn Hancock

NEWS MEDIA: Lindsey Tomaschik Pampa News
            Mike Ehrle KGRO Radio

INVOCATION: Lynn Hancock City Commission Chaplain

PLEDGE OF ALLEGIANCE

PLEDGE ALLEGIANCE TO TEXAS FLAG

SPOTLIGHT:
► Cary Rushing receives Plumbing Inspectors License – Donny Hooper

DISCUSSION ITEM:
► City Commission Meeting Time – Mike Price

AUTHORIZATIONS BY CITY COMMISSION:

1. Consider approving the minutes of the October 14, 2014 Public Hearing/Regular Commission Meetings as presented.

A motion was made by Commissioner Dixon and Seconded by Commissioner Porter to approve the minutes of the October 14, 2014 Public Hearing/Regular Commission Meetings as presented, with each Commission Member voting AYE, the motion carried.
2. Excuse the absence of Commissioner Karen McLain from the October 14, 2014 Public Hearing/Regular Commission Meeting.

A motion was made by Commissioner Porter and Seconded by Commissioner Dixon to excuse the absence of Commissioner Karen McLain from the October 14, 2014 Public Hearing/Regular Commission Meeting, with each Commission Member voting AYE, the motion carried.

3. Consider adopting on second and final reading Ordinance No. 1627, an Ordinance of the City of Pampa, Texas rezoning Lots 5 through 8 of Block 5, Lots 8 through 14 of Block 6 and Lots 9 through 19 of Block 8 of the Monterrey Subdivision from Single Family 2 Residential to Light Industrial.

A motion was made by Commissioner McLain and Seconded by Commissioner Dixon to adopt on second and final reading Ordinance No. 1627, an Ordinance of the city of Pampa, Texas rezoning Lots 5 through 8 of Block 5, Lots 8 through 14 of Block 6 and Lots 9 through 19 of Block 8 of the Monterrey Subdivision from Single Family 2 Residential to Light Industrial, with each Commission Member voting AYE, the motion carried.

4. Consider approving the List of Disbursements for September 2014.

A motion was made by Commissioner McLain and Seconded by Commissioner Porter to approve the List of Disbursements dated September 2014, with total Disbursements being $2,121,374.26 and the amount after balance sheet and income accounts is $1,460,265.44, 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
AGENDA ITEM NO. 3

ITEM/PROJECT: EXCUSE COMMISSION ABSENCE

MEETING DATE: November 12, 2014

DESCRIPTION: Excuse the absence of Commissioner John Studebaker from the October 28, 2014 Regular Commission Meeting.

STAFF CONTACT:

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE:

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION:
AGENDA ITEM NO. 4

ITEM/PROJECT: ORDINANCE NO. 1628-BUDGET AMENDMENT

MEETING DATE: November 12, 2014

DESCRIPTION: Consider approving on first reading Ordinance No. 1628, an Ordinance of the City of Pampa amending the revenues and appropriations for the support of the City of Pampa for the fiscal year beginning October 1, 2013 and ending September 30, 2014.

STAFF CONTACT: Robin Bailey

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE:

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1628 attached.
ORDINANCE NO. 1628

AN ORDINANCE AMENDING THE REVENUES AND APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF PAMPA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 ENDING SEPTEMBER 30, 2014. THIS AMENDMENT APPROPRIATES FUNDS TO COVER ANIMAL SHELTER MAINTENANCE, TRANSFER DONATIONS TO PAWS, FINAL CONSTRUCTION ON ANIMAL SHELTER, AND A TRANSFER FROM M.K. BROWN TO GENERAL FUND FOR RECREATION BUILDING IMPROVEMENTS.

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

That the funds listed below are amended from the original revenues to the amended revenues as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Original Budget</th>
<th>Current Revised Budget</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>$35,150</td>
<td>$35,150</td>
<td>$64,322.40</td>
</tr>
</tbody>
</table>

That the funds listed below are amended from the original appropriations to the amended appropriations as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Original Budget</th>
<th>Current Revised Budget</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>66</td>
<td>$25,000</td>
<td>$524,226</td>
<td>$536,216</td>
</tr>
<tr>
<td>12</td>
<td>0</td>
<td>2,050</td>
<td>7,356</td>
</tr>
</tbody>
</table>

INTRODUCED, PASSED AND APPROVED on its first reading this the 12th day of November 2014.

READ, APPROVED AND ADOPTED on its second and final reading this the ______ day of November 2014.

CITY OF PAMPA

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. R14-011 – INTERLOCAL GOVERNMENTAL AGREEMENT WITH PRPC

MEETING DATE: November 12, 2014

DESCRIPTION: Consider adopting Resolution No. R14-011, a Resolution of the City of Pampa approving an Interlocal Governmental Cooperative Contract for management services with the Panhandle Regional Planning Commission for Pampa’s 2014 Texas Community Development Project.

STAFF CONTACT: Richard Morris, Donny Hooper, Jildardo Arias

FINANCIAL IMPACT: $79,027.00

SOURCE OF FUNDS: General Fund

START/COMPLETION SCHEDULE: Project will start December 2014 with construction completion date of June 2016.

RECOMMENDED ACTION: Resolution and contract attached.

BACKGROUND/ADDITIONAL INFORMATION: Resolution and contract attached.
RESOLUTION NO. R14-011

WHEREAS, the City of Pampa has received notice from the Texas Department of Agriculture (TDA) of a Texas Community Development Program (TCDP) grant award, and;

WHEREAS, the Interlocal Governmental Cooperation Act provides for contractual agreements between governmental entities, and;

WHEREAS, the City of Pampa desires to contract the administration of its Texas Community Development Program (TCDP) contract for Community Development Funds through an interlocal governmental cooperation contractual agreement with the Panhandle Regional Planning Commission (PRPC). (Pending contract execution with Texas Department of Agriculture).

NOW THEREFORE BE IT RESOLVED that the Mayor is authorized to execute a contract with the Panhandle Regional Planning Commission under the Interlocal Governmental Cooperation Act for administrative services for the City of Pampa’s Texas Community Development Program contract.

PASSED AND ADOPTED this the 12th day of November, 2014.

CITY OF PAMPA, TEXAS

By: _________________________________
   Brad Pingel, Mayor

ATTEST:

___________________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

___________________________________
Leland W. Waters, City Attorney
WHEREAS, this Contract is made and entered into this the 11th day of November, 2014 by and between the CITY OF PAMPA, acting by its duly authorized Mayor, after obtaining a resolution of its governing body authorizing this contract and the PANHANDLE REGIONAL PLANNING COMMISSION (PRPC), a political subdivision of the State of Texas organized under Chapter 391 of the Texas Local Government Code, acting by its duly authorized executive director.

WHEREAS, both parties to this Contract are local governments as defined in Chapter 791 of the Texas Government Code, and this Contract is entered into pursuant to the provisions of said Code which is commonly referred to as The Interlocal Cooperation Act.

WHEREAS, PRPC is agreeable to providing services and professional management expertise needed by the City of Pampa for management of a Texas Community Development Program (TCDP) Contract under the following terms and conditions:

NOW, THEREFORE PRPC agrees to provide the following described management services to the City of Pampa, TCDP Contract No. 7214341 (the "TCDP Contract"), to-wit:

A. Project Management

1. Develop a record-keeping system consistent with program guidelines, including the establishment and maintenance of a filing system.

2. Provide general advice and technical assistance to the City of Pampa personnel on implementation of project and regulatory matters.

3. Assist in the procurement of professional consulting engineering services through the request for proposal process, if applicable, and as required by the TCDP regulations.

4. Furnish the City of Pampa with necessary forms and procedures required for implementation of project.

5. Assist the City of Pampa in meeting all special condition requirements that may be stipulated in the contract between the City of Pampa and the Texas Department of Agriculture (TDA).

6. Prepare and submit to TDA documentation necessary for amending the TCDP contract, if required.

7. Conduct required re-assessment of environmental clearance for any program amendments.

8. Prepare and submit quarterly reports (progress and minority hiring).

10. Establish procedures to document expenditures associated with local administration of the project.

11. Provide guidance and assistance to the City of Pampa regarding acquisition of property.
   - Submit required reports concerning acquisition activities to TDA
   - Establish a separate acquisition file for each parcel of real property acquired
   - Determine necessary method(s) for acquiring real property
   - Prepare correspondence to the property owners for the City of Pampa’s signature to acquire the property or to secure an easement
   - Assist the City of Pampa in negotiation with property owner(s)

12. Serve as liaison for the City of Pampa during any monitoring visit by staff representatives from either TDA or the United States Department of Housing and Urban Development.

B. **Financial Management**

   1. Assist the City of Pampa in proving its ability to manage the grant funds to the State's audit division.

   2. Assist the City of Pampa in establishing and maintaining a bank account (Direct Deposit account) and/or separate local bank account, journals and ledgers.

   3. Assist the City of Pampa in submitting the required Accounting System Certification letter, Direct Deposit Authorization Form (if applicable), and/or Depository/Authorized Signatory form to TDA.

   4. Review invoices received for payment and file back-up documentation.

   5. Prepare all fund drawdowns on behalf of the City of Pampa in order to ensure orderly, timely payments to all contracting parties within the allotted time period.

   6. Provide general advice and technical assistance to the City of Pampa personnel on implementation of project and regulatory matters.

   7. Assist the City of Pampa in establishing procedures to handle the use of any TCDP program income.

C. **Environmental Review**

   1. Prepare environmental assessment.

   2. Coordinate environmental clearance procedures with other federal or state agencies and interested parties responsible for implementing applicable laws.

   3. Document consideration of any public comments.

   4. Prepare any required re-assessment of environmental assessment.

   5. Ensure compliance with EO 11988 projects in flood plains.

   6. Prepare Request for Release of Funds and certifications to be sent to TDA.
D. Acquisition

1. Prepare required acquisition reports(s).
2. Obtain documentation of ownership for the City of Pampa-owned property and/or ROWs.
3. Maintain a separate file for each parcel of real property acquired.
4. Determine necessary method(s) for acquiring real property.
5. Prepare correspondence with property owners.
6. Assist the City of Pampa in negotiations with property owner(s).
7. Prepare required acquisition reports and submit to TDA.

E. Construction Management

1. Establish procedures to document expenditures associated with local construction of the project (if force account is applicable).
   - Assist the City of Pampa in determining whether and/or what TCDP contract activities will be carried out in whole or in part via force account labor.
   - Assist the City of Pampa in determining whether or not it will be necessary to hire temporary employees to specifically carryout TCDP contract activities.
   - Assist the City of Pampa in maintaining adequate documentation of personnel, equipment and materials expended/used and their costs.
2. Assist the City of Pampa in documenting compliance with all federal and state requirements related to equal employment opportunity.
3. Assist the City of Pampa in documenting compliance with all federal and state requirements related to minimum wage and overtime pay requirements.
4. Provide assistance to or act as local labor standards officer. Notify TDA in writing of name, address, and phone number of appointed labor standards compliance officer.
5. Request wage rates from TDA.
6. Provide sample TCDP contract documents to engineer.
7. Advertise for bids.
8. Make ten-day call to TDA.
9. Verify construction contractor eligibility with TDA.
11. Conduct pre-construction conference and prepare minutes.
12. Submit any reports of additional classification and rates to TDA.
13. Issue Notice of Start of Construction to TDA.
15. Process and submit change orders to TDA prior to execution.

16. Obtain Certificate of Construction Completion/Final Wage Compliance Report and submit to TDA.

F. Fair Housing/Equal Opportunity

1. Assist the City of Pampa in developing, implementing and documenting new activities to affirmatively further fair housing activities during the contract period.

2. Maintain documentation of all project beneficiaries by ethnicity and gender.


4. Prepare all Section 504 requirements.

5. Provide all applicable equal opportunity provisions and certifications for inclusion in bid packet.

G. Audit/Close-out Procedures


2. Assist the City of Pampa in resolving any monitoring and audit findings.

3. Assist the City of Pampa in resolving any third party claims.

In consideration of the services described in the foregoing paragraph to be rendered by PRPC, to the City of Pampa, the City of Pampa agrees to make the following progress payments totaling $25,318.00 to PRPC:

1. Ten (10.0%) percent of the administrative portion of the TCDP Contract is to be paid upon completion of the startup activities associated with the TCDP grant which includes: TCDP Contract approval/depository and authorized signatory designation procedures; Direct Deposit authorization procedures; establishment of financial management procedures; all fair housing and equal opportunity procedures; establishment of citizen participation process; authorization of the Labor Standards Officer; adoption of complaint procedures for the purposes of TCDP grant; and determination of compliance with applicable federal, state, and local laws and regulations.

2. Ten (10.0%) percent of the administrative portion of the TCDP Contract is to be paid upon completion of securing all professional services associated with the TCDP grant including the participation of minority-owned, female-owned, and local businesses.

3. Fifteen (15.0%) percent of the administrative portion of the TCDP Contract sum is to be paid upon completion of establishment of program and project files; assignment of roles and responsibilities; acquisition of any necessary property; completion of the environmental review requirements; and participant income verification (if applicable).

4. Twenty (20.0%) percent of the administrative portion of the TCDP Contract sum is to be paid upon receipt of construction bids and the award of a construction contract.

5. Twenty (20.0%) percent of the administrative portion of the TCDP Contract sum is to be paid upon completion of monitoring labor standards compliance by conducting interviews with construction workers at the job site and reviewing payroll reports.
6. Fifteen (15.0%) percent of the administrative portion of the TCDP Contract sum is to be paid upon completion of construction activities, inspection, acceptance, and project close-out procedures.

7. Ten (10.0%) percent of the administrative portion of the TCDP Contract sum is to be paid upon completion of monitoring review activities and receipt of the Administratively Complete Letter by the City.

It is expressly understood and agreed by the parties hereto that they are independent contractors; and that nothing contained herein should be construed as giving rise to a partnership or joint venture.

PRPC shall maintain fiscal records and supporting documentation for all expenditures of funds made under this Contract in a manner which conforms to OMB Circular A-87, the Management Standards, and this Contract. PRPC agrees to comply with the retention and custodial requirements for records as set forth in Attachment C of OMB Circular A-102, as amended August 29, 1997, as supplemented by Section 5.154 of the Management Standards.

PRPC shall give the United States Department of Housing and Urban Development, the Inspector General, the Comptroller General of the United States, the Auditor of the State of Texas, TDA, or any of their duly authorized representatives, access to and the right to examine all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by PRPC or pertaining to this Contract. Such rights to access shall continue as long as the records are retained by PRPC and PRPC agrees to maintain such records in accessible location.

Federal Civil Rights Compliance

During the performance of this Contract, PRPC agrees as follows related to activities associated with TCDP contract #7214341:

a. Equal Employment Opportunity

1. PRPC will not discriminate against any employee or applicant for employment because of race, creed, sex, color, national origin or disability. PRPC will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, sex, color, national origin or disability. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. PRPC agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City of Pampa setting forth the provisions of this nondiscrimination clause.

2. PRPC will, in all solicitations or advertisements for employees placed by or on behalf of PRPC, state that all qualified applicants will receive consideration for employment without regard to race, creed, sex, color, national origin or disability.

3. PRPC will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this contract so that such provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

4. PRPC will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the secretary of Labor.
5. PRPC will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the City of Pampa and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

6. In the event of PRPC's noncompliance with the noncompliance clauses of this Agreement or with any of such rules, regulation or orders, this Agreement may be canceled, terminated, amended or suspended in whole or in part and PRPC may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

7. PRPC will include the provisions of paragraphs (1) through (6) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. PRPC will take such action with respect to any subcontract or purchase order as the City of Pampa may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that in the event PRPC becomes involved in, or is threatened with, litigation with such a subcontract or vendor as a result of such direction by the City of Pampa. PRPC may request the United States to enter into such litigation to protect the interests of the United States.

b. Civil Rights Act of 1964

Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, sex, national origin or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

c. Section 109 of the Housing and Community Development Act of 1974

No person in the United States shall on the grounds of race, color, national origin, sex or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

d. Section 3, Compliance in the Provision of Training, Employment and Business Opportunities

1. The work to be performed under this Contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended and 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of this project.

2. The parties to this contract will comply with the provision of said Section 3 and the regulation issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR 135, and all applicable rules and orders of the TDA issued there under prior to the execution of this Agreement. The parties to this Agreement certify and agree that they are in no contractual or other disability which would prevent them from complying with these requirements.
3. PRPC will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.

4. PRPC will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for or recipient of Federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontract is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR Part 135. PRPC will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

5. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, issued hereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, for such assistance, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which the federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 135.

e. Section 503 (if $10,000 or Over) Affirmative Action for Employment of Qualified Individuals with Disabilities (29 USC 793)

1. PRPC will not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. PRPC agrees to take affirmative action to employ, advance in employment and otherwise treat qualified individuals with disabilities without discrimination in practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

2. PRPC agrees to comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.

3. In the event of PRPC's non-compliance with the requirements of this clause, actions for non-compliance may be taken in accordance with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.

4. PRPC will include the provisions of this clause in every subcontract or purchase order of $10,000 or more unless exempted by rules, regulations, or orders of the Secretary issued pursuant to Section 503 of the Act, so that such provisions will be binding upon each subcontractor with respect to any subcontract or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for non-compliance.
Modification/Amendment:

The City of Pampa and PRPC may, upon mutual agreement, modify or amend this contract. Modifications, including any increase or decrease in the amount of compensation or scope of services, will be incorporated into this contract and finalized through a signed, written amendment.

Access to Information/Records:

It is agreed that all information, data, reports and records and maps as are existing, available and necessary for the carrying out of the work outlined above shall be furnished to PRPC by the City and its agencies. No charge will be made to PRPC for such information and the City and its agencies will cooperate with PRPC in every way possible to facilitate the performance of the work described in this agreement.

PRPC, at such times and in such forms as the City may require, shall furnish the City such periodic reports as it may request pertaining to the work or services undertaken pursuant to this agreement, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this agreement.

Assignability:

The City of Pampa and PRPC may assign interest in this Contract (whether by assignment or novation) with the written consent of the other.

Resolution of Program Non-Compliance and Disallowed Costs:

In the event of any dispute, claim, question, or disagreement arising from or relating to this Contract, or the breach thereof, including determination of responsibility for any costs disallowed as a result of non-compliance with federal, state or TCDP requirements, the parties hereto shall use their best efforts to settle the dispute, claim, question or disagreement. To this effect, the parties shall consult and negotiate with each other in good faith within 30 days of receipt of a written notice of the dispute or invitation to negotiate, and attempt to reach a just and equitable solution satisfactory to both parties.

If the matter is not resolved by negotiation within 30 days of receipt of written notice or invitation to negotiate, the parties agree first to try in good faith to settle the matter by mediation administered by the American Arbitration Association under its Commercial Mediation Procedures before resorting to arbitration, litigation, or some other dispute resolution procedure. The parties may enter into a written amendment to this Contract and choose a mediator that is not affiliated with the American Arbitration Association. The parties shall bear the costs of such mediation equally. If the matter is not resolved through such mediation within 60 days of the initiation of that procedure, either party may proceed to file suit.

Termination of Contract for Cause:

If, through any cause, PRPC shall fail to fulfill in a timely and proper manner its obligations under this Contract, or if PRPC shall violate any of the covenants, conditions, agreements, or stipulations of this Contract, the City shall thereupon have the right to terminate this Contract by giving written notice to PRPC of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by PRPC under this Contract shall, at the option of the City, become its property and PRPC shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.
Notwithstanding the above, PRPC shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of the Contract by PRPC, and the City may withhold any payments to PRPC for the purpose of set off until such time as the exact amount of damages due the City from PRPC is determined.

**Termination for Convenience of the City:**

The City may terminate this Contract at any time by giving at least ten (10) days notice in writing to PRPC. If the Contract is terminated by the City as provided herein, PRPC will be paid for the time provided and expenses incurred up to the termination date. If this Contract is terminated due to the fault of PRPC, Paragraph 1 hereof relative to termination shall apply.

**Termination for Convenience of PRPC:**

PRPC may terminate this Contract at any time by giving at least ten (10) days notice in writing to the City. If the Contract is terminated by PRPC as provided herein, the City will be provided all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by PRPC under this Contract.

**Severability:**

Should any one or more of the provisions of this agreement be held to be null, void, voidable, or for any reason whatsoever, of no force and effect, such provision(s) shall be construed as severable from the remainder of this agreement and shall not affect the validity of all other provisions of this agreement, which shall remain in full force and effect.

**Interest of Members of a City:**

No member of the governing body of the City and no other officer, employee, or agent of the City, who exercises any functions or responsibilities in connection with the administration, construction, engineering or implementation of the Texas Community Development Block Grant award between TDA and the City, shall have any personal financial interest, direct or indirect, in this Contract. PRPC shall take appropriate steps to assure compliance.

**Interest of Other Local Public Officials:**

No member of the governing body of the Grant Recipient and no other public official of such Grant Recipient, who exercises any functions or responsibilities in connection with the administration, construction, engineering or implementation of the Texas Community Development Block Grant award between TDA and the City, shall have any personal financial interest, direct or indirect, in this Contract; and PRPC shall take appropriate steps to assure compliance.

**Interest of PRPC and Employees:**

PRPC covenants that it presently has no interest and shall not acquire interest, direct or indirect, with the TXCDBG award between TDA and the City, or any other interest which would conflict in any manner or degree with the performance of his/her services hereunder. PRPC further covenants that in the performance of this Contract, no person having any such interest shall be employed.
EXECUTED this 12th day of November, 2014.

CITY OF PAMPA, TEXAS

By: _______________________________
   Brad Pingel, Mayor

ATTEST:

__________________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

__________________________________
Leland W. Waters, City Attorney

PANHANDLE REGIONAL PLANNING COMMISSION

By: __________________________________
   Gary Pitner, Executive Director
AGENDA ITEM NO. 6

ITEM/PROJECT: RESOLUTION NO. R14-012-DESIGNATION OF SIGNATORIES FOR TEXAS COMMUNITY DEVELOPMENT PROGRAM

MEETING DATE: November 12, 2014

DESCRIPTION: Consider adopting Resolution No. R14-012, a Resolution of the City of Pampa designating the Mayor and City manager to act as designated signatories on contractual documents between the Texas Department of Agriculture and the City of Pampa for the 2014 Texas Community Development Block Grant Program and for the mayor, City Manager, Public Works Director and City Engineer to act as authorized signatories to execute the State of Texas Purchase Voucher and Request for Payment Form documents required for requesting funds approved in the 2014 Texas Community Development Block Grant Program.

STAFF CONTACT: Richard Morris
Donny Hooper
Jildardo Arias

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE:

RECOMMENDED ACTION: Resolution and Signature document attached.

BACKGROUND/ADDITIONAL INFORMATION:
RESOLUTION NO. R14-012

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG) CONTRACT NUMBER 7214341.

WHEREAS, the City of Pampa, Texas has received a 2014 Texas Community Development Block Grant award to provide water improvements, and;

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents for requesting funds from the Texas Department of Agriculture, and;

WHEREAS, an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) is to be submitted with a copy of this Resolution, and;

WHEREAS, the City of Pampa, Texas acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.), the City must provide TxCDBG with the following:

- a Resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG Depository/ Authorized Signatories Designation Form (Form A202).

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

The Mayor and City Manager be authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2014 Texas Community Development Block Grant Program.

The Mayor, City Manager, Public Works Director and City Engineer be authorized to execute the State of Texas Purchase Voucher and Request for Payment Form documents required for requesting funds approved in the 2014 Texas Community Development Block Grant Program.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS on this the 12th day of November, 2014.

CITY OF PAMPA, TEXAS

By: _______________________________
    Brad Pingel, Mayor

ATTEST:

__________________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

__________________________________
Leland W. Waters, City Attorney
Depository/Authorized Signatories Designation Form

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
DEPOSITORY/AUTHORIZED SIGNATORIES DESIGNATION FORM

Grant Recipient: CITY OF PAMPA, TxCDBG Contract No. 7214341

The individuals listed below are designated by resolution as authorized signatories for contractual documents.

<table>
<thead>
<tr>
<th>Brad Pingel</th>
<th>Richard E. Morris</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Name)</td>
<td>(Name)</td>
</tr>
<tr>
<td>Mayor</td>
<td>City Manager</td>
</tr>
<tr>
<td>(Title)</td>
<td>(Title)</td>
</tr>
<tr>
<td>(Signature)</td>
<td>(Signature)</td>
</tr>
</tbody>
</table>

In addition to the individuals listed above, the individuals listed below are designated by resolution as authorized signatories for the Request for Payment Form (Form A203)—(At least two (2) signatories required).

<table>
<thead>
<tr>
<th>Brad Pingel</th>
<th>Richard E. Morris</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Name)</td>
<td>(Name)</td>
</tr>
<tr>
<td>Mayor</td>
<td>City Manager</td>
</tr>
<tr>
<td>(Title)</td>
<td>(Title)</td>
</tr>
<tr>
<td>(Signature)</td>
<td>(Signature)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Donny Hooper</th>
<th>Jildardo Arias</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Name)</td>
<td>(Name)</td>
</tr>
<tr>
<td>Public Works Director</td>
<td>City Engineer</td>
</tr>
<tr>
<td>(Title)</td>
<td>(Title)</td>
</tr>
<tr>
<td>(Signature)</td>
<td>(Signature)</td>
</tr>
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</table>

NOTE: A copy of a Resolution passed by the City Commission authorizing the signatories must be submitted along with this form.
AGENDA ITEM NO. 7

ITEM/PROJECT: PROCLAMATION – FAIR HOUSING MONTH

MEETING DATE: November 12, 2014

DESCRIPTION: Consider adopting a Proclamation designating December 2014 as Fair Housing Month in the City of Pampa.

STAFF CONTACT: Commission Members

FINANCIAL IMPACT: 

SOURCE OF FUNDS: 

START/COMPLETION SCHEDULE: 

RECOMMENDED ACTION: Proclamation attached.

BACKGROUND/ADDITIONAL INFORMATION:
Proclamation

WHEREAS, Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS, the principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS, the National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans;

NOW THEREFORE, WE, the City Commission of the City of Pampa, do hereby proclaim December 2014 as Fair Housing Month in the City of Pampa and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of the City of Pampa to be affixed this 11th day of November, 2014.

__________________________
Mayor Brad Pingel

__________________________
Commissioner John Studebaker

__________________________
Commissioner Chris Porter

__________________________
Commissioner Robert Dixon

__________________________
Commissioner Karen McLain

Attest:

__________________________
Karen L. Price, City Secretary
AGENDA ITEM NO. 8

ITEM/PROJECT: APPOINT CIVIL RIGHTS OFFICER

MEETING DATE: November 12, 2014

DESCRIPTION: Consider appointing the City Manager as the designated Section 504 HUD Grievance Coordinator and Civil Rights Officer for the City of Pampa.

STAFF CONTACT: Richard Morris
                Donny Hooper
                Jildardo Arias

FINANCIAL IMPACT: 

SOURCE OF FUNDS: 

START/COMPLETION SCHEDULE: 

RECOMMENDED ACTION: Appointment document attached.

BACKGROUND/ADDITIONAL INFORMATION:
Designation Form for Civil Rights Officer

City/County: CITY OF PAMPA  TxCDBG Contract # 7214341
Address: 200 W. Foster Ave.
P.O. Box 2499
Pampa, TX 79066

Telephone Number: (806) 669-5750

********************************************************************************
**
I, Brad Pingel, Mayor, do hereby appoint Richard E. Morris, City Manager,
(Chief Elected Official) (Name and Title)
as the Civil Rights Officer for the City of Pampa.

The Civil Rights Officer shall be responsible for the oversight and compliance of fair housing and equal
opportunity activities to be performed by the City of Pampa, as required by the Texas Community
Development Block Grant Program Contract No. 7214341.

The Civil Rights Officer is responsible for being familiar with and adhering to all civil rights laws and
regulations pertaining to the Texas Community Development Block Grant Program, including those
described in the TxCDBG Implementation Manual and those listed on Exhibit E of the TxCDBG contract.

Civil Rights Officer: ____________________________
(Signature)

********************************************************************************
**
Appointed by: Brad Pingel, Mayor  Date: ________________
AGENDA ITEM NO. 9

ITEM/PROJECT: APPOINT LABOR STANDARDS OFFICER

MEETING DATE: November 12, 2014

DESCRIPTION: Consider appointing Dustin Meyer of the Panhandle Regional Planning Commission as the designated Labor Standards Officer for the City of Pampa.

STAFF CONTACT: Richard Morris
                Donny Hooper
                Jildardo Arias

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE:

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Appointment document attached.
Appointment of Labor Standards Officer
(Submit form to Labors@TexasAgriculture.gov)

Grant Recipient: CITY OF PAMPA
Contract No: 7214341

I, Brad Pingel, Mayor
(Print Mayor)
hereby appoint Dustin Meyer/PRPC Staff
(Print Name)
as the Labor Standards Officer for the aforementioned contract. The appointed Labor Standards Officer is assigned to oversee the labor portion of the contract and will be responsible for assuring compliance with all requirements under Chapter 7 of the TxCDBG Project Implementation Manual.

<table>
<thead>
<tr>
<th>Appointed Labor Standards Officer Name:</th>
<th>Dustin Meyer / PRPC Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>P.O. Box 9257</td>
</tr>
<tr>
<td>City: Amarillo</td>
<td>State: TX</td>
</tr>
<tr>
<td>Zip: 79105</td>
<td>Telephone Number: 806-372-3381</td>
</tr>
<tr>
<td>Fax Number: 806-372-3268</td>
<td>Email Address: <a href="mailto:dmeyer@theprpc.org">dmeyer@theprpc.org</a></td>
</tr>
</tbody>
</table>

I acknowledge the appointment and duties of Labor Standards Officer.

Signature: _____________________________
(Labor Standards Officer)
Date: _____________________________

Appointed by: Brad Pingel
(Print Mayor)
Title: Mayor

Signature: _____________________________
(Mayor)
Date: _____________________________
AGENDA ITEM NO. 10

ITEM/PROJECT: ADOPT SECTION 504 GRIEVANCE PROCEDURES

MEETING DATE: November 12, 2014

DESCRIPTION: Consider adopting Section 504 Grievance Procedures as an internal complaint system providing for a prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Housing and Urban Development Regulations.

STAFF CONTACT: Richard Morris
Donny Hooper
Jildardo Arias

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE:
RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Section 504 Grievance Procedures attached.
The City of Pampa has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Housing and Urban Development regulations (24 CFR Subpart A Sec. 8.4(a) implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794). Section 504 states, in part that “No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance...”

Complaints should be addressed to: Richard E. Morris, City Manager, 200 W. Foster Ave, P.O. Box 2499, Pampa, TX, 79066, who has been designated to coordinate Section 504 compliance efforts.

A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

A complaint should be filed within ten (10) working days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis).

An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Richard E. Morris. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Richard E. Morris and a copy forwarded to the complainant no later than ten (10) working days after its filing.

The Section 504 coordinator shall maintain the files and records of the City of Pampa relating to the complaints files.

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within ten working days to the City of Pampa.

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person’s pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Pampa complies with Section 504 and HUD regulations.

Signature  Title  Date
AGENDA ITEM NO. 11

ITEM/PROJECT: RESOLUTION NO. R14-013- ADOPTING TCDP COMPLAINT PROCEDURES.

MEETING DATE: November 12, 2014

DESCRIPTION: Consider adopting Resolution No. R14-013, a Resolution of the City of Pampa adopting the Texas Community Development Program’s Complaint Procedures.

STAFF CONTACT: Richard Morris
Donny Hooper
Jildardo Arias

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE:

RECOMMENDED ACTION: Resolution with Complaint Procedures attached.

BACKGROUND/ADDITIONAL INFORMATION:
RESOLUTION NO. R14-013

WHEREAS, the City of Pampa has received notice from the Texas Department of Agriculture (TDA) of a Texas Community Development Program (TCDP) grant award, and;

WHEREAS, TDA requires that the City of Pampa have in place citizen complaint procedures related to this project.

NOW THEREFORE BE IT RESOLVED that the following complaint procedures be adopted by the City Commission of the City of Pampa:

Texas Community Development Program Complaint Procedures

The City of Pampa will use the following system for reviewing complaints associated with the Texas Community Development Program (TCDP):

a. A citizen who has a complaint regarding the local government's participation in a TCDP application and/or grant activity, may submit his/her views in writing to the Mayor of the City of Pampa, during regular business hours.

b. The City will respond in writing to the complaint within ten (10) working days of the date in which the complaint was received.

c. If the City of Pampa is unable to resolve the issues stated in the complaint to both parties satisfaction, the City will refer the complaint to the following agency:

Texas Department of Agriculture
Program Compliance Division
P.O. Box 12847
Austin, Texas 78711

PASSED AND ADOPTED this the 12th day of November, 2014.

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. 12

ITEM/PROJECT: RESOLUTION NO. R14-014 – ADOPTING SECTION 3 POLICY FOR TCDP BLOCK GRANT

MEETING DATE: November 12, 2014

DESCRIPTION: Consider adopting Resolution No. R14-014, a Resolution of the City of Pampa adopting Section 3 Policy of the Texas Community Development Block Grant Program and designating the City Manager as the Equal Rights Officer.

STAFF CONTACT: Richard Morris
                Donny Hooper
                Jildardo Arias

FINANCIAL IMPACT:

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE:

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Resolution and supporting documents attached.
RESOLUTION NO R14-014

WHEREAS, it is hereby declared that the City of Pampa, Texas is adopting a local Section 3 Policy, and;

WHEREAS, it is further declared that establishment of such policy requires the designation of an Equal Rights Officer, and;

WHEREAS, it is the intent of the City of Pampa, Texas to comply with Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and business concerns;

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

1. That the City adopt the attached Section 3 Policy for the Texas Community Development Block Grant Program, and;

2. That the City Commission designate the City Manager as the City’s Equal Rights Officer, and;

3. That the City direct the Equal Rights Officer to maintain records, where applicable and feasible, and take necessary action in order to comply with the adopted Section 3 Policy.

PASSED AND ADOPTED this the 12th day of November, 2014.

CITY OF PAMPA, TEXAS

By: _______________________________
    Brad Pingel, Mayor

ATTEST:

__________________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

__________________________________
Leland W. Waters, City Attorney
In accordance with 12 U.S.C. 1701u the City of Pampa agrees to implement the following steps, which, to the greatest extent feasible, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.

B. Assign duties related to implementation of this plan to the designated Equal Rights Officer.

C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.

D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.

E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.

F. Require that all Prime contractors and subcontractors with contracts over $100,000 commit to this plan as part of their contract work. Monitor the contractors’ performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.

G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of calendar year end which identify and quantify Section 3 businesses and employees.

H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the City of Pampa we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature __________________________ Title __________________________ Date ____________
AGENDA ITEM NO. 13

ITEM/PROJECT: RESOLUTION NO. R14-015- EXCESSIVE FORCE RULES AND REGULATIONS

MEETING DATE: November 12, 2014

DESCRIPTION: Consider adopting Resolution No. R14-015, a Resolution of the City of Pampa establishing rules and regulations regarding the use of excessive force during nonviolent civil rights demonstrations.

STAFF CONTACT: Richard Morris
Donny Hooper
Jildardo Arias

FINANCIAL IMPACT: 

SOURCE OF FUNDS: 

START/COMPLETION SCHEDULE: 

RECOMMENDED ACTION: 

BACKGROUND/ADDITIONAL INFORMATION: Resolution attached.
RESOLUTION NO. R14-015

A RESOLUTION ESTABLISHING RULES AND REGULATIONS REGARDING THE USE OF EXCESSIVE FORCE DURING NONVIOLENT CIVIL RIGHTS DEMONSTRATIONS, INCLUDING PHYSICALLY BARRING ENTRANCE TO A FACILITY OR LOCATION WHICH IS THE SUBJECT OF SUCH DEMONSTRATIONS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE CITY OF PAMPA, COUNTY OF GRAY, STATE OF TEXAS, AS FOLLOWS:

ARTICLE I

It is the policy of the City of Pampa to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations. The city also prohibits the physical barring of any entrance to, or exit from, such a facility within its jurisdiction.

ARTICLE II

It is the policy of the City of Pampa to enforce this policy to the full extent allowed by law.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS on this the 12th day of November, 2014.

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>RESOLUTION NO. R14-016 – ENGINEERING SERVICES FOR TCDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>November 12, 2014</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
<td>Consider adopting Resolution No. R14-016, a Resolution of the City of Pampa reviewing Proposals and awarding Engineering Services for the City’s participation in the Texas Community Development Block Grant Project.</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Richard Morris, Donny Hooper, Jildardo Arias</td>
</tr>
<tr>
<td>FINANCIAL IMPACT:</td>
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<td>SOURCE OF FUNDS:</td>
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<td>START/COMPLETION SCHEDULE:</td>
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<tr>
<td>RECOMMENDED ACTION:</td>
<td></td>
</tr>
<tr>
<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
<td>Resolution and Proposals score sheets will be provided at meeting.</td>
</tr>
</tbody>
</table>