Regular Meeting via Video Conference:

Pampa City Commission
October 13, 2020
4:00 p.m.

City of Pampa
201 W. Kingsmill
P.O. Box 2499
Pampa, Texas 79066-2499
Phone: 806-669-5750
Fax: 806-669-5767

A REGULAR MEETING OF THE PAMPA CITY COMMISSION WILL BE HELD ON TUESDAY, OCTOBER 13, 2020 AT 4:00 P.M. BY VIDEO CONFERENCE IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS ALSO CALLED “SOCIAL DISTANCING” TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19). THERE WILL BE NO PUBLIC ACCESS TO THE MEETING DESCRIBED ABOVE.

The City Commission may take up items out of the order as shown on the Agenda. The City Commission reserves the right to discuss all or part of any item in an Executive Session at any time during a meeting, as necessary and allowed by Title 5, Chapter 551, of the Texas Government Code. Votes or final decisions are made only in open session during a Regular or Special Meeting, not in an Executive Session.

This Notice and Meeting Agenda and Agenda Packet are posted online at www.cityofpampa.org/meetings

The video meeting is hosted through Zoom. Meeting can be viewed live at https://www.youtube.com/channel/UCxCVOozZvxTwTpcGkYS7U7jNag. The conference bridge number for Zoom is: Telephone #1-346-248-7799 when prompted for meeting ID enter: 804 814 6119#. All callers will be muted for the duration of the meeting.

PUBLIC COMMENTS:  
The public will be permitted to offer public comments as permitted by the presiding officer during the meeting by contacting the City Secretary at 806-669-5750 no later than 3:00 p.m. on Tuesday, October 13, 2020 to get instructions.

CALL TO ORDER

INVOCATION

AUTHORIZED BY CITY COMMISSION:

1. Consider approving the minutes of the September 28, 2020 Regular Commission Meeting as presented.

2. Excuse the absence of Commissioner Karen McLain from the September 28, 2020 Regular Commission Meeting.
3. Consider and act on adopting on second and final reading Ordinance No. 1737, an Ordinance by the City Commission to consider granting a Specific Use Permit to Crossing the Jordan Ministries for the purpose of allowing the ministry to provide alternative housing for parolees at 321 W. Albert, Pampa, Texas.

4. Consider and act on approving on first reading Ordinance No. 1740, an Ordinance by the City Commission amending the revenues and the appropriations for the fiscal year beginning October 1, 2019 and ending September 30, 2020.

5. Consider and act on adopting Resolution No. R20-027, a Resolution by the City Commission adopting Executive Order GA-30 and extending to November 9, 2020 the City of Pampa’s Declaration of Local Disaster.

6. Consider and act on authorizing the City Manager to enter into a five (5) year agreement with Accela for management and maintenance of the City of Pampa’s Community Pride App.

ADJOURN

CERTIFICATION

I certify that the above Agenda was posted on the outside officially designated bulletin board in front of City Hall, facing Kingsmill Street, a place convenient and readily accessible to the general public at all times, and said Agenda was posted on FRIDAY, OCTOBER 9, 2020 BEFORE 4:00 P.M. and remained so posted continuously for at least 72 hours proceeding 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 with disabilities attending City Commission meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Karen Price, City Secretary, at 669-5750. City Hall is wheelchair accessible. Entry is on the West side of the building.

AGENDA REMOVAL NOTICE

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

Date: _______________________________  Time: _______________________________

By: ________________________________________________
<table>
<thead>
<tr>
<th>ITEM/PROJECT:</th>
<th>MINUTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>October 13, 2020</td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>Consider approving the minutes of the September 28, 2020 Regular Commission Meeting as presented.</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Karen Price, City Secretary</td>
</tr>
<tr>
<td>FINANCIAL IMPACT:</td>
<td>N/A</td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td>N/A</td>
</tr>
<tr>
<td>START/COMPLETION SCHEDULE:</td>
<td>Minutes will be effective after Commission approval.</td>
</tr>
<tr>
<td>RECOMMENDED ACTION:</td>
<td>Staff recommends Commission approve the minutes of the September 28, 2020 Regular Commission Meeting as presented.</td>
</tr>
<tr>
<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
<td>Copy of September 28, 2020 minutes attached.</td>
</tr>
</tbody>
</table>
CALL TO ORDER: Mayor Brad Pingel at 4:00 p.m.

PRESENT: Brad Pingel Mayor
          Gary Winton Commissioner
          Matt Rains Commissioner
          Jimmy Keough Commissioner

ABSENT: Karen McLain Commissioner

STAFF: Shane Stokes City Manager
       Bryan Guymon City Attorney
       Karen Price City Secretary
       Robin Bailey Finance Director
       Gary Turley Director Public Works
       Dustin Miller Community Services Director
       Greg Lee Fire Chief
       Lance Richburg Chief of Police
       Theresa Daniels Asst. Finance Director
       Kevin Webb IT Administrator
       Wes Schaffer Emergency Mgt. Coordinator

VISITORS: Glenette Goode Ted Hutto
          Jason Bagwell Clay Rice
          Byron Williamson

NEWS MEDIA: None

INVOCAATION: Byron Williamson Commission Chaplain

AUTHORIZATIONS BY CITY COMMISSION:

20-120

1. Consider approving the minutes of the September 14, 2020 Public Regular Commission Meeting as presented.

   A motion was made by Commissioner Rains and Seconded by Commissioner Winton to approve the minutes of the September 14, 2020 Regular Commission Meeting as presented, with each Commission Member voting AYE, the motion carried.

20-121

2. Excuse the absence of Commissioner Karen McLain from the September 14, 2020 Regular Commission Meeting.

   A motion was made by Commissioner Winton and Seconded by Commissioner Keough to excuse the absence of Commissioner Karen McLain from the September 14, 2020 Regular Commission Meeting, with each Commission Member voting AYE, the motion carried.

20-122

3. Consider and take action on the sale of the membership interest in Las Pampas Square, LLC, a subsidiary of the Pampa Economic Development Corporation, owner of the real
property and improvements located at 1203 N. Hobart, Pampa, Texas, commonly known as Las Pampas Square Shopping Center, to Ted Hutto and Jason Bagwell for $1.6 million with no opt-out period.

A motion was made by Commissioner Keough and Seconded by Commissioner Rains to approve the sale of the membership interest in Las Pampas Square, LLC, a subsidiary of the Pampa Economic Development Corporation, owner of the real property and improvements located at 1203 N. Hobart, Pampa, Texas, commonly known as Las Pampas Square Shopping Center, to Ted Hutto and Jason Bagwell for $1.6 million with no opt-out period, with each Commission Member voting AYE, the motion carried.

20-123

4. Consider and act on approving a one (1) year Lease Agreement with the Greater Pampa Area Chamber of Commerce for a portion of the interior of the building located at 200 N. Ballard St., Pampa, Texas.

A motion was made by Commissioner Rains and Seconded by Commissioner Winton to approve a one (1) year Lease Agreement with the Greater Pampa Area Chamber of Commerce for a portion of the interior of the building located at 200 N. Ballard St., Pampa, Texas, with each Commission Member voting AYE, the motion carried.

20-124

5. Consider and act on approving a one (1) year Lease Agreement with Pampa United Way for a portion of the interior of the building located at 200 N. Ballard St., Pampa, Texas.

A motion was made by Commissioner Winton and Seconded by Commissioner Keough to approve a one (1) year Lease Agreement with Pampa United Way for a portion of the interior of the building located at 200 N. Ballard St., Pampa, Texas, with each Commission Member voting AYE, the motion carried.

20-125

6. Consider and act on adopting Resolution No. R20-026, a Resolution by the City Commission authorizing a Lease-Purchase Agreement with TCF National Bank for the lease-purchase of a Toro Groundsmaster 5900 and Toro Groundsmaster 4000-D Mowers and authorize the City Manager to act as the City’s representative in all matters pertaining to the Lease-Purchase Agreement.

A motion was made by Commissioner Keough and Seconded by Commissioner Winton to adopt Resolution No. R20-026, a Resolution by the City Commission authorizing a Lease-Purchase Agreement with TCF National Bank for the lease-purchase of a Toro Groundsmaster 5900 and Toro Groundsmaster 4000-D Mowers and authorize the City Manager to act as the City’s representative in all matters pertaining to the Lease-Purchase Agreement, with each Commission Member voting AYE, the motion carried.

20-126

7. Consider and act on accepting a bid from Gabriel Rivera in the amount of $400.00 for delinquent tax property located at Lot 13, Block 2, Parkhill Addition, commonly known as 920 Jorden.

A motion was made by Commissioner Rains and Seconded by Commissioner Keough to accept a bid from Gabriel Rivera in the amount of $400.00 for delinquent tax property located at Lot 13, Block 2, Parkhill Addition, commonly known as 920 Jorden, with each Commission Member voting AYE, the motion carried.

A motion was made by Commissioner Winton and Seconded by Commissioner Rains to approve the List of Disbursements dated August 2020, with total Disbursements being $6,669,087.28 and the amount after balance sheet and income accounts being $902,465.57, with each Commission Member voting AYE, the motion carried.

ADJOURNED:

There being no further business on the Agenda, the meeting was adjourned at 4:32 p.m. by Mayor Brad Pingel.

Karen L. Price, City Secretary Brad Pingel, Mayor
<table>
<thead>
<tr>
<th>AGENDA ITEM: 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>ITEM/PROJECT:</td>
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<tr>
<td>MEETING DATE:</td>
</tr>
<tr>
<td>DESCRIPTION</td>
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<tr>
<td>STAFF CONTACT:</td>
</tr>
</tbody>
</table>
AGENDA ITEM: 3

ITEM/PROJECT: ORDINANCE NO. 1737 – SPECIFIC USE PERMIT

MEETING DATE: October 13, 2020

DESCRIPTION: Consider and act on adopting on second and final reading Ordinance No. 1737, an Ordinance by the City Commission to consider granting a Specific Use Permit to Crossing the Jordan Ministries for the purpose of allowing the ministry to provide alternative housing for parolees at 321 W. Albert, Pampa, Texas.

STAFF CONTACT: Cary Rushing, Assistant Public Works Director

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Ordinance No. 1737 will be effective after Commission adopts.

RECOMMENDED ACTION:

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance, Agenda Briefing Sheet, Maps of Area and protest letters.
ORDINANCE NO. 1737

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, GRANTING A SPECIFIC USE PERMIT TO CROSSING THE JORDAN WORLD MINISTRIES, AN INSTITUTION OF RELIGIOUS OR PHILANTHROPIC NATURE, TO LOCATE AN ALTERNATIVE HOUSING FACILITY AT 321 W ALBERT, PAMPA, TEXAS, PARTICULARLY ALL OF LOTS NOS. 12 TO 38, IN BLOCK 1, OF THE HOLLYWOOD SUBDIVISION TO THE CITY OF PAMPA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application was filed by Crossing The Jordan World Ministries, an institution of religious or philanthropic nature, with the Planning & Zoning Commission (“P&Z”) of the City of Pampa, Texas (“City”) for a Specific Use Permit on property located within an One-Family Dwelling District One (“SF-1”) to locate an alternative housing facility for parolees, which use is permitted under Subsection 16 of Section 7 of Ordinance No. 690 of the City passed on April 8, 1969; and

WHEREAS, a public hearing was held on September 3, 2020 by the P&Z for locating such alternative housing facility for parolees at 321 W Albert, Pampa, Texas, consisting of two tracts of land owned by Crossing The Jordan World Ministries, and being more particularly described in Exhibit “A” attached hereto and made a part hereof; and

WHEREAS, the P&Z considered the application for a Special Use Permit and does not recommend to the City Commission that it authorize the issuance of the Special Use Permit; and

WHEREAS, a public hearing was held by the City Commission on consideration of such Specific Use Permit, and the City Commission FINDS that such permit should be granted;

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

Section 1.

That a Specific Use Permit is hereby granted to Crossing The Jordan World Ministries, an institution of religious or philanthropic nature, to locate an alternative housing facility for parolees at 321 W Albert, Pampa, Texas, being more particularly described in Exhibit “A” attached hereto and made a part hereof.

Section 2.

If any section, subsection, sentence, paragraph, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The City Commission of the City hereby declares that it would have passed this Ordinance and each section, subsection, sentence, paragraph, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences,
paragraphs, clauses or phrases be declared unconstitutional or invalid.

**Section 3.**

This ordinance shall be effective upon its final approval.

INTRODUCED, PASSED and APPROVED on its first reading this the 8th day of September 2020.

INTRODUCED, PASSED and APPROVED on its second and final reading this 13th day of October 2020.

CITY OF PAMPA, TEXAS

ATTEST:        By: ________________________________

______________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

______________________________
Bryan J. Guymon, City Attorney
Exhibit “A”

PROPERTY DESCRIPTION OF TRACT 1

All of Lots Nos. 12 to 24, both inclusive, and all of Lots Nos. 29 to 38, both inclusive, in Block No. 1, of the Hollywood Addition to the City of Pampa, Gray County, Texas, according to the map or plat of said Addition of record in the office of the County Clerk of said County.

PROPERTY DESCRIPTION OF TRACT 2

All of Lots 25 to 28, inclusive, in Block No. 1, of the Hollywood Addition to the City of Pampa, Gray County, Texas, according to the map or plat of said Addition of record in the office of the County Clerk of said County.
AGENDA ITEM
Specific Use Permit for 321 W Albert also known as Lots 12-38 Block 1 of the Hollywood Addition.

EXPLANATION
Billy Roy, representing Crossing the Jordan Ministries, requests a Specific Use Permit for 321 W Albert, Lots 12-38 Block 1 Hollywood Subdivision. The property is currently zoned single family residential. The Crossing the Jordan Ministries is requesting a specific use permit to allow the ministry to provide alternative housing for paroles.

BACKGROUND/EXISTING CONDITIONS
Billy Roy, representing Crossing the Jordan Ministries, requests a Specific Use Permit for 321 W Albert, Lots 12-38 Block 1 Hollywood Subdivision. The property is currently zoned single family residential. The Crossing the Jordan Ministries is requesting a specific use permit to allow the ministry to provide alternative housing for paroles.

The subject property is currently zoned for single family residences. The zoning for all adjacent property is single family. The Zoning Ordinance does allow for an Institutions of a Religious or Philanthropic to apply for a Specific Use Permit in Single Family Zoning.

PUBLIC NOTIFICATIONS
Notice was published in the Pampa News in the weekend edition on August 20th & August 27th, as required by State law and the City’s Zoning Ordinance.

Staff mailed notices 10 days prior to the P&Z Commission meeting to 22 property owners within 200 feet of the subject property. To date, three correspondence has been received for this item: These responses are included in the packet.

Any more correspondence received will be shared at the meeting.

Findings:
The City Planning & Zoning Commission met Thursday September 3, 2020 and held a Public Hearing regarding this request. There were two individuals present to protest the request, including the individual who filed the protest letter. Their protests echo what was said in the protest letter.
Following the Public Hearing, the action item failed to garner a motion and, therefore, died for lack of a second. As a result, neither a recommendation to approve nor deny has been given. A decision on this zoning request has, thus, been relegated to the City Commission.

RECOMMENDATION

Approve the Specific Use Permit for 321 W Albert.

ATTACHMENTS

1. Aerial Map
2. Current Zoning Map
3. Protest Letter
Mayor and Commission,

The Planning and Zoning Commission met ON Thursday September 3, 2020 for consideration of recommendation to the City Commission, the following item:

Billy Roy, representing Crossing the Jordan Ministries, requests a Specific Use Permit for 321 W Albert, Lots 12-38 Block I Hollywood Subdivision. The property is currently zoned single family residential. The Crossing the Jordan Ministries is requesting a specific use permit to allow the ministry to provide alternative housing for paroles.

This item died for lack of a second.

Sincerely,

Lance DeFever
Chairman
SPECIFIC USE PERMIT REQUEST NO. 2020-002
DATE RECV'D: 8/17/2020

ZONING ADMINISTRATION FORM
APPLICATION FOR SPECIFIC USE PERMIT
CITY OF PAMPA, TEXAS

Property Owner: Crossing the Jordan World Ministries
Phone: 806-662-5925

Mailing Address: P.O. Box 1738
Pampa, TX 79066-1738

Owner's Representative: Billy Roy
Phone: 806-662-5925

Mailing Address: 1520 N Dwight
Pampa, TX 79065

Location of Property: 321 W Albert
Pampa, TX

Property Description: Lot Nos.: 12-38
Blocks: 1
Acres: 2.960

Addition or Subdivision Name: Hollywood

Current Zoning: For School

Proposed Use: Alternative Housing for Paroles
(Non-profit)

I certify that I understand that the Planning and Zoning Commission, in considering and determining its recommendations to the City Commission on this request for a Specific Use Permit, may require plans, information, operating data and/or expert evaluation concerning the location, function and characteristic of any building or use proposed. The City Commission may, in the interest of public welfare and to assure compliance of the City's Zoning Ordinance 690, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as Specific Use Permits, the Commission may impose such development standards and safeguards to promote public welfare and protect adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions.

APPLICANT SIGNATURE: [Signature]

PRINT NAME: Billy G. Roy

Date: 8/15/2020
AS AN INTERESTED PROPERTY OWNER I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT REPRESENTED BY THE ABOVE FILE NUMBER BECAUSE:

1) I am a widow over the age of 70
2) I would not feel safe
3) My neighbor is also elderly - I just would not feel safe

(GIVE REASON FOR YOUR VIEWS)

RETURN TO:
ZONING OFFICER
City of Pampa
P.O. Box 2499
Pampa, Texas 79065

SIGNED: Beatrice Taylor
PRINT NAME: Beatrice Taylor
ADDRESS: 1251 S. Somervile St
DATE: 8-29-2020

Ref: ALTERNATIVE HOUSING

(DETACH HERE)
ZONING ADMINISTRATION FORM B
NOTICE OF APPLICATION
FOR SPECIFIC USE PERMIT
CITY OF PAMPA, TEXAS


THE APPLICANT PROPOSES THAT THE MINISTRY PROVIDE ALTERNATIVE HOUSING FOR PAROLEES. THE PLANNING AND ZONING COMMISSION OF THE CITY OF PAMPA, TEXAS, WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST ON Thursday September 3RD AT 10:00 A.M. AT THE ARMORY, LOCATED AT 12065 E FREDERIC, PAMPA TEXAS. THIS WILL BE A MEETING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENTS CONCERNING THE REQUEST.

AS AN INTERESTED PROPERTY OWNER YOU ARE REQUESTED TO MAKE YOUR VIEWS KNOWN BY ATTENDING THIS HEARING. IF YOU CANNOT ATTEND THE HEARING, IT IS REQUESTED THAT YOU EXPRESS YOUR VIEWS ON THIS REQUEST BY FILLING IN AND RETURNING THE FORM BELOW.

(DETACH HERE)

ZONING AMENDMENT
REQUEST NO. 2020-002
MEETING DATE: 9/03/2020

AS AN INTERESTED PROPERTY OWNER I (PROTEST), (APPROVE) THE REQUESTED ZONING AMENDMENT REPRESENTED BY THE ABOVE FILE NUMBER BECAUSE:

1) [ ] I approve.
2) [ ]
3) [ ]

(GIVE REASON FOR YOUR VIEWS)

RETURN TO:
ZONING OFFICER
City of Pampa
P.O. Box 2499
Pampa, Texas 79065

SIGNED: ____________________________
PRINT NAME: _________________________
ADDRESS: 918 S. SUNNEN
DATE: 8/27/2020

Ref: ALTERNATIVE HOUSING
AGENDA ITEM: 4

ITEM/PROJECT: ORDINANCE NO. 1740 – BUDGET AMENDMENT FOR 2019-2020

MEETING DATE: October 13, 2020

DESCRIPTION: Consider and act on approving on first reading Ordinance No. 1740, an Ordinance by the City Commission amending the revenues and the appropriations for the fiscal year beginning October 1, 2019 and ending September 30, 2020.

STAFF CONTACT: Robin Bailey, Finance Director

FINANCIAL IMPACT: See amounts listed in Ordinance

SOURCE OF FUNDS: See funds listed in Ordinance

START/COMPLETION SCHEDULE: Ordinance 1740 will be effective after Commission adopts on second and final reading.

RECOMMENDED ACTION: Staff recommends Commission approve Ordinance No. 1740 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1740 attached.
ORDINANCE NO. 1740


BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

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

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>ORIGINAL</th>
<th>CURRENT</th>
<th>REVISED</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$13,631,330</td>
<td>$13,699,058</td>
<td>$14,049,827</td>
<td>$350,769</td>
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<tr>
<td>M.K. Brown Auditorium</td>
<td>$ 346,950</td>
<td>$ 346,950</td>
<td>$ 396,950</td>
<td>$ 50,000</td>
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</table>

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

<table>
<thead>
<tr>
<th>APPROPRIATIONS</th>
<th>ORIGINAL</th>
<th>CURRENT</th>
<th>REVISED</th>
<th>CHANGE</th>
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</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$16,343,404</td>
<td>$18,588,265</td>
<td>$16,967,834</td>
<td>$(1,620,431)</td>
</tr>
<tr>
<td>MK Brown Auditorium</td>
<td>$ 404,667</td>
<td>$ 404,667</td>
<td>$ 454,667</td>
<td>$ 50,000</td>
</tr>
<tr>
<td>Water/Wastewater</td>
<td>$ 8,048,159</td>
<td>$ 9,854,604</td>
<td>$ 7,969,604</td>
<td>$(1,885,000)</td>
</tr>
<tr>
<td>Solid Waste Landfill</td>
<td>$ 2,317,262</td>
<td>$ 2,744,131</td>
<td>$ 2,802,931</td>
<td>$ 58,800</td>
</tr>
<tr>
<td>Hidden Hills Golf</td>
<td>$ 519,469</td>
<td>$ 835,332</td>
<td>$ 735,332</td>
<td>$(100,000)</td>
</tr>
</tbody>
</table>

INTRODUCED, PASSED, and APPROVED on its first reading this 13th day of October 2020.

PASSED, APPROVED and ADOPTED on its second and final reading this ____ day of October 2020.

CITY OF PAMPA, TEXAS

By: _______________________________
    Brad Pingel, Mayor

ATTEST:

______________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

______________________________
Bryan J. Guymon, City Attorney
**AGENDA ITEM: 5**

<table>
<thead>
<tr>
<th>ITEM/PROJECT:</th>
<th>RESOLUTION R20-027 – EXTENDING CITY’S DECLARATION OF LOCAL DISASTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>October 13, 2020</td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>Consider and act on adopting Resolution No. R20-027, a Resolution by the City Commission adopting Executive Order GA-30 and extending to November 9, 2020 the City of Pampa’s Declaration of Local Disaster.</td>
</tr>
</tbody>
</table>
| STAFF CONTACT: | Shane Stokes, City Manager  
                  Bryan Guymon, City Attorney |
| FINANCIAL IMPACT: | N/A |
| SOURCE OF FUNDS: | N/A |
| START/COMPLETION SCHEDULE: | Resolution will be effective after Commission adopts. |
| RECOMMENDED ACTION: | Staff recommends Commission adopt Resolution No. R20-027, adopting Executive Order GA-30 and extending the City’s Declaration of Local Disaster to November 9, 2020. |
| BACKGROUND/ADDITIONAL INFORMATION: | Copy of Resolution and Executive Order GA-30 attached. |
RESOLUTION NO. R20-027

ADOPTING EXECUTIVE ORDER GA-30 AND
EXTENDING DECLARATION OF LOCAL DISASTER

WHEREAS, a novel coronavirus (COVID-19) has been recognized globally as a
contagious respiratory virus; and

WHEREAS, COVID-19 continues to spread and to pose an increasing, imminent threat
of disaster throughout City of Pampa and beyond; and

WHEREAS, on March 17, 2020, the Mayor of the City of Pampa, Brad Pingel, declared
a local state of disaster for public health emergency pursuant to Section 418.108(a) of the Texas
Government Code, based upon the need for extraordinary measures to contain COVID-19 and to
prevent its spread throughout the City of Pampa with such declaration being extended by
Resolutions of the City Commission of the City of Pampa; and

WHEREAS, on September 7, 2020, the Governor of the State of Texas renewed his
state-wide disaster proclamation for an additional thirty (30) days, certifying that COVID-19
poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, the Governor of the State of Texas has stated that, due to improved medical
treatments for COVID-19 patients, substantial increases in testing, abundant supplies of personal
protective equipment, and Texans’ adherence to safe practices like social distancing, hand
sanitizing, and use of face coverings, the spread of COVID-19 and the number of new COVID-19
cases and hospitalizations have steadily and significantly declined since late July; and

WHEREAS, on September 17, 2020, the Governor of the State of Texas issued
Executive Order GA-30, superseding Executive Order GA-28, further expanding the reopening
of businesses, activities, nursing homes and related facilities, and services throughout most of
Texas; and

WHEREAS, the Declaration of Local Disaster extended in the latest Resolution of the
City Commission expired at 11:59 p.m. on October 12, 2020; and

WHEREAS, due to the evolving circumstances and the issuance of Executive Order GA-30
and the desire of the City of Pampa continue to safely re-open businesses in the City of
Pampa and pursuant to Texas Government Code §418.108, the City Commission believes it to be
in the best interest of the City and its citizens, in order to protect and preserve the public health,
safety and welfare, to continue the extension of the Declaration of Local Disaster, and adopt the
measures outlined herein;

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

SECTION 1. The recitals set forth above are true and correct and are incorporated as if
fully set forth herein.

SECTION 2. All terms and conditions of the Governor’s Executive Order GA-30 are
hereby adopted by reference and are incorporated herein as though set forth fully herein.
Additionally, the guidelines and recommendations provided by the Governor in conjunction
with issuing Executive Orders GA-30, are also adopted, to the extent they do not conflict with this Resolution, and all businesses, religious institutions and citizens are encouraged to review and follow said guidelines. A copy of Executive Order GA-30 is attached hereto and incorporated herein as though set forth fully herein.

**SECTION 3.** The Declaration of Local Disaster for public health emergency for the City of Pampa, which was signed and executed by the Mayor, in accordance with section 418.108 of the Texas Government Code, as previously renewed and extended by the Mayor and City Commission Resolutions, shall remain in full force and effect and are continued to the extent they do not directly conflict with this Resolution.

**SECTION 4.** All outdoor gatherings in excess of ten (10) people are prohibited unless such event has been previously approved by the Mayor, minimum standard health protocols as recommended by Texas Department of State Health Services are followed and they comply with any other restrictions, guidelines or protocols established by the Mayor not inconsistent with GA-30. Such additional restrictions and guidelines that the Mayor may impose include, but are not limited to, implementing additional sanitation and cleaning procedures, requiring social distancing, requiring event organizers to require all participants/spectators/attendees to wear face masks, limiting the number of participants/spectators/attendees at the event and/or additional reporting requirements.

**SECTION 5.** Pursuant to §418.108(c) of the Texas Government Code, this Resolution shall be given prompt and general publicity and shall be filed promptly with the City Secretary of the City of Pampa.

**SECTION 6.** In accordance with Texas Government Code § 418.173, this resolution and order is being issued in City of Pampa’s Emergency Management Plan and any person who knowingly or intentionally violates this resolution commits an offense, punishable by a fine up to $1,000.00. However, in accordance with Executive Order GA-29, after first receiving a verbal or written warning for a first-time violator for failing to wear a face covering in violation of Executive Order GA-29, any person failing to wear a face covering in violation of Executive Order GA-29 commits an offense punishable by a fine up to $250 per violation.

**SECTION 7.** This Resolution shall go into effect immediately upon approval and continue until 11:59 p.m., Monday, November 9, 2020, unless renewed, extended, amended or cancelled by the Mayor or City Commission of the City of Pampa.

**SECTION 8.** This resolution, pursuant to applicable provisions of Texas Government Code Chapter 418 and Texas Health and Safety Code § 122.006, authorizes the Mayor to take any actions necessary to promote health and suppress the COVID-19 virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals and other hospitals, enforcing applicable orders issued by the Gray County Judge, the Governor of the State of Texas or the Texas Department of State Health Services related to suppressing the COVID-19 virus, activating the emergency management plan for the City of Pampa in conjunction with Gray County and insuring compliance of such actions.

**SECTION 9.** To the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative
rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement which would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose.

SECTION 10. That to the extent this resolution conflicts with the Governor’s Executive Order GA-29 or GA-30, Executive Order GA-29 and GA-30 controls and the Mayor may comport and amend this resolution and order and any subsequent order to be consistent with Executive Order GA-29 and GA-30, or any applicable executive order that may be issued by the Governor of the State of Texas.

SECTION 11. That the Mayor is authorized to use all available resources of the City of Pampa reasonably necessary to comply with this resolution.

READ, APPROVED AND ADOPTED by the City Commission this the 13th day of October 2020.

CITY OF PAMPA

By: ____________________
Brad Pingel, Mayor

ATTEST:

_____________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

_____________________
Bryan J. Guymon, City Attorney
The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-30 relating to the continued response to the COVID-19 disaster as Texas reopens.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd
Attachment
WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have renewed the disaster declaration for all Texas counties; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain social-distancing restrictions for Texans in accordance with guidelines promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC); and

WHEREAS, I issued Executive Order GA-14 on March 31, 2020, expanding the social-distancing restrictions for Texans based on guidance from health experts and the President; and

WHEREAS, I subsequently issued Executive Orders GA-16, GA-18, GA-21, GA-23, and GA-26 from April through early June 2020, aiming to achieve the least restrictive means of combatting the threat to public health by continuing certain social-distancing restrictions, while implementing a safe, strategic plan to reopen Texas; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texas residents safe is for all Texans to consistently follow good hygiene and social-distancing practices, especially those set forth in the minimum standard health protocols from the Texas Department of State Health Services (DHS); and

WHEREAS, in June 2020, Texas experienced substantial increases in COVID-19 cases and hospitalizations, necessitating targeted and temporary adjustments to the reopening plan to achieve the least restrictive means for reducing the growing spread of COVID-19 and the resulting imminent threat to public health, and to avoid a need for more extreme measures; and

WHEREAS, I therefore issued Executive Orders GA-28 and GA-29 in late June and early
WHEREAS, due to improved medical treatments for COVID-19 patients, substantial increases in testing, abundant supplies of personal protective equipment, and Texans’ adherence to safe practices like social distancing, hand sanitizing, and use of face coverings, the spread of COVID-19 and the number of new COVID-19 cases and hospitalizations have steadily and significantly declined since late July; and

WHEREAS, as Texas continues to reopen, everyone must act safely, and to that end, this executive order and prior executive orders provide that all persons should follow the health protocols from DSHS, which whenever achieved will mean compliance with the minimum standards for safely reopening, but which should not be used to fault those who act in good faith but can only substantially comply with the standards in light of scarce resources and other extenuating COVID-19 circumstances; and

WHEREAS, in the Texas Disaster Act of 1975, the legislature charged the governor with the responsibility “for meeting … the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and expressly granted the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders hav[ing] the force and effect of law;” and

WHEREAS, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed $1,000, and may be subject to regulatory enforcement;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, and in accordance with guidance from the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, other medical advisors, the White House, and the CDC, do hereby order the following on a statewide basis effective at 12:01 a.m. on September 21, 2020:

Every business establishment in Texas shall operate at no more than 50 percent of the total listed occupancy of the establishment; provided, however, that:

1. There is no occupancy limit for the following:
   a. any services listed by the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 4.0 or any subsequent version;
   b. religious services, including those conducted in churches, congregations, and houses of worship;
   c. local government operations, including county and municipal governmental operations relating to licensing (including marriage licenses), permitting, recordation, and document-filing services, as determined by the local government;
   d. child-care services;
   e. youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths;
   f. recreational sports programs for youths and adults;
g. any public or private schools, and any public or private institutions of higher education, not already covered above; and

h. drive-in concerts, movies, or similar events, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle.

2. The following types of business establishments may operate at up to 75 percent of the total listed occupancy of the establishment, except for those establishments in areas with high hospitalizations as defined below:
   a. in-store, non-CISA retail establishments;
   b. dine-in restaurants, as defined below in paragraph No. 7;
   c. non-CISA office buildings;
   d. non-CISA manufacturers;
   e. museums and libraries; and
   f. gyms and exercise facilities and classes.

"Areas with high hospitalizations" means any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of all hospitalized patients exceeds 15 percent, until such time as the Trauma Service Area has seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of all hospitalized patients is 15 percent or less. A current list of areas with high hospitalizations will be maintained at www.dshs.texas.gov/ga3031.

3. Except as provided below by paragraph No. 6, this 50 percent occupancy limit does not apply to outdoor areas, events, or establishments, except that the outdoor areas or outdoor venues identified in paragraph No. 2 of Executive Order GA-28 shall operate at no more than the percentage of normal operating limits as was set forth in Executive Order GA-28.

4. There is no occupancy limit for the following establishments that operate with at least six feet of social distancing between work stations:
   a. cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade;
   b. massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; and
   c. other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services.

5. Amusement parks shall operate at no more than 50 percent of the normal operating limits as determined by the owner.

6. For any outdoor gathering in excess of 10 people, other than those set forth above in paragraph Nos. 1, 2, 3, or 5, the gathering is prohibited unless the mayor of the city in which the gathering is held, or the county judge in the case of a gathering in an unincorporated area, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with this executive order.

7. Only restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, and whose customers eat or drink only while seated, may offer dine-in services.

8. People shall not visit bars or similar establishments that hold a permit from the
Texas Alcoholic Beverage Commission (TABC) and are not restaurants as defined above in paragraph No. 7; provided, however, that the use by such bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks is allowed to the extent authorized by TABC.

9. People shall not use commercial rafting or tubing services, including rental of rafts or tubes and transportation of people for the purpose of rafting or tubing.

10. For any business establishment that is subject to a 50 percent "total listed occupancy" limit or "normal operating limit," and that is in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19, the business establishment may operate at up to 75 percent of the total listed occupancy or normal operating limit of the establishment.

11. For purposes of this executive order, facilities with retractable roofs are considered indoor facilities, whether the roof is opened or closed.

12. Staff members are not included in determining operating levels, except for manufacturing services and office workers.

13. Except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people shall not be in groups larger than 10 and shall maintain six feet of social distancing from those not in their group.

14. People over the age of 65 are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

15. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS.

16. Nothing in this executive order or the DSHS minimum standards precludes requiring a customer to follow additional hygiene measures when obtaining services.

17. People may visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible; and

18. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency (TEA). Private schools and institutions of higher education are encouraged to establish similar standards.

Notwithstanding anything herein to the contrary, the governor may by proclamation add to the list of establishments or venues that people shall not visit.

This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts

FILED IN THE OFFICE OF THE SECRETARY OF STATE
11:30 A.M. O'CLOCK
SEP 17 2020
services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list or scope of services as set forth in this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

All existing state executive orders relating to COVID-19 are amended to eliminate confinement in jail as an available penalty for violating the executive orders. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any executive order or local order issued in response to the COVID-19 disaster.

This executive order supersedes Executive Order GA-28, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-19, GA-24, GA-25, GA-27, or GA-29. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.

Given under my hand this the 17th day of September, 2020.

GREG ABBOTT
Governor

ATTESTED BY:

RUTH R. HUGHS
Secretary of State
AGENDA ITEM: 6

ITEM/PROJECT: AGREEMENT WITH ACCELA FOR MANAGEMENT OF CITY’S COMMUNITY PRIDE APP

MEETING DATE: October 13, 2020

DESCRIPTION: Consider and act on authorizing the City Manager to enter into a five (5) year Agreement with Accela for management and maintenance of the City of Pampa’s Community Pride App.

STAFF CONTACT: Shane Stokes, City Manager
Gary Turley, Director Public Works

FINANCIAL IMPACT: $32,810.46 total 5-year contact

SOURCE OF FUNDS: Operating Budget

START/COMPLETION SCHEDULE: Contact effective after Commission approve.

RECOMMENDED ACTION: Staff recommends Commission authorize the City Manager to enter into five-year agreement with Accela for management and maintenance of the City’s Community Pride App.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Agreement attached.
ORDER FORM

Address Information

Bill To:
Pampa, TX - City of
200 W Foster Ave, Room 205
PO Box 2499
Pampa, Texas 79066-2499
United States

Billing Contact: Gary Turley
Billing Phone: 806-669-5750
Billing Email: gturley@cityofpampa.org

Ship To:
Pampa, TX - City of
200 W Foster Ave, Room 205
PO Box 2499
Pampa, Texas 79066-2499
United States

Services

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Proposed by: Caitlin Carter
Contact Phone: gcarter@accela.com
Quote ID: Q-19916
Valid Through: 10/20/2020
Currency: USD
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Year 4

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Renewal Terms / Information

General Information

Governing Agreement(s) This Order Form will be governed by the applicable terms and conditions. If those terms and conditions are non-existent, have expired or have otherwise been terminated, the following terms will govern as applicable, based on the Customer’s purchase: [www.accela.com/terms](http://www.accela.com/terms).

Order Terms

Order Start Date Unless otherwise specified in the Special Order Terms:
- Software Licenses & Subscriptions start on the date of delivery by Accela;
- Hosting and Support start on Accela’s delivery of the software hosted and/or supported.

Order Duration Unless otherwise specified in the Special Order Terms:
- Subscriptions continue from the Order Start Date through the number of months listed in this Order Form (or if not listed, twelve (12) months). Thereafter Subscriptions automatically renew annually as calculated from Order Start Date of Customer’s first Subscription purchase.
- Any Software Licenses or Hardware are one-time, non-refundable purchases.
- Hosting and Support continue from the Order Start Date through the number of months listed in this Order Form (or if not listed, twelve (12) months).
- Professional Services continue for the duration as outlined in the applicable Statement of Work, Exhibit or the Governing Agreement, as applicable.

Special Order Terms This Order Form replaces all previous order forms for the terms listed above and will govern the Software, Maintenance, and/or Services items listed on Page 2 of this Order Form.
- In the event of an inconsistency between this Order Form, any governing agreement, purchase order, or invoice, the Order Form shall govern as it pertains to this transaction.
- For Software Licenses, Accela may terminate this Order Form in the event the Software is phased out across Accela’s customer base. In such event, Accela will provide Customer sufficient advance notice and the parties will mutually agree to a migration plan for converting Customer to another Accela generally-available offering with comparable functionality.

Payment Terms

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Accela Order Form

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