Public Hearings/Special Meeting at M.K. Brown Auditorium:

Pampa City Commission
September 8, 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
NOTICE IS HEREBY GIVEN OF PUBLIC HEARINGS/SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS TO BE HELD ON TUESDAY, SEPTEMBER 8, 2020 AT 4:00 P.M., M.K. BROWN AUDITORIUM, 1100 W. CORONADO DRIVE, HERITAGE ROOM, PAMPA, TEXAS, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING AGENDA ITEMS.

The City Commission may take up items out of the order as shown on any Agenda Item. 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 Regular or Special meetings, not in an Executive Session.

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

IF YOU PLAN TO ATTEND THIS MEETING IN PERSON, THERE IS A 25% CAPACITY LIMIT, SOCIAL DISTANCING AND WEARING A MASK SHOULD BE PRACTICED.

CALL TO ORDER

INVOCATION

PUBLIC HEARING – 2020-2021 PROPOSED TAX RATE: The City Commission of the City of Pampa will conduct a Public Hearing at 4:00 p.m. at the M. K. Brown Auditorium, 1100 W. Coronado Drive, Heritage Room, Pampa, Texas on a proposal to increase total tax revenue from properties on the tax roll in the proceeding tax year by 5.92% (percent by which proposed tax rate exceeds lower of the no-new-revenue tax rate and the voter approval tax rate, calculated under Chapter 26 of the Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

If the governing body adopts the proposed tax rate of $0.73 per $100 of taxable value, the amount of taxes imposed this year on a $100,000 home will be $730.00.

Citizens are encouraged to attend this Public Hearing and express their views.
PUBLIC HEARING – REZONING: The City Commission of the City of Pampa will conduct a Public Hearing immediately following the 2020-2021 Proposed Tax Rate Public Hearing. This will be a Public Hearing for the purpose of receiving public comments concerning the following request:

Chris and Jeremy Doucette request to rezone Lot 8 and the West 45 feet of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas commonly known as 100 E. 28th Avenue. The request is to rezone from Office to Commercial. The applicants are requesting this rezone for the purpose of increasing its marketability to sell. The property is currently vacant. Public comments on the proposed Rezoning request are welcome and will be heard.

PUBLIC HEARING – SPECIFIC USE PERMIT: The City Commission of the City of Pampa will conduct a Public Hearing immediately following the Rezoning Public Hearing. This will be a Public Hearing for the purpose of receiving public comments concerning the following request:

Billy Roy, representing The Crossing the Jordan Ministries, request a Specific Use Permit for Lots 12 through 38, Block 1, Hollywood Subdivision to the City of Pampa, Texas commonly known as 321 W. Albert. 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 parolees. Public comments on the proposed Specific Use Permit are welcome and will be heard.

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, Commission Members and City Staff are prevented from discussing the subject and may respond only with statements of factual information or existing City policy. Citizens are limited to three (3) minutes for their presentation to the City Commission.

AUTHORIZATIONS BY CITY COMMISSION:

1. Consider approving the minutes of the August 31, 2020 Public Hearing/Special Commission Meeting as presented.

2. Consider and act on approving the renewal of a two (2) year agreement with the Chamber of Commerce Tourism Committee for tourism related advertising and promotion of the City of Pampa and its vicinity using revenue from the Hotel Occupancy Tax.

3. Consider and act on adopting on second and final reading Ordinance No. 1734, an Ordinance by the City Commission adopting the City of Pampa’s 2020-2021 Operating Budget.

4. Consider and act on adopting on second and final reading Ordinance No. 1735, an Ordinance by the City Commission amending tonnage fees charged at the City of Pampa’s Landfill.
5. Consider and act on approving on first reading Ordinance No. 1736, an Ordinance by the City Commission setting a tax rate of $.73 per $100.00 valuation on taxable property for the 2020-2021 fiscal year and levying an Ad Valorem Tax on all properties subject to taxation within the corporate limits of the City of Pampa.

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

7. Consider and act on approving on first reading Ordinance No. 1738, an Ordinance by the City Commission to consider approving a rezoning request from Chris and Jeremy Doucette to rezone from Office to Commercial, Lot 8 and the West 45 feet of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas commonly known as 100 E. 28th Avenue.

8. Consider and act on approving on first reading Ordinance No. 1739, an Ordinance by the City Commission to consider approving a negotiated settlement between the Executive Committee of Cities served by Atmos West Texas and Atmos Energy Corporation West Texas Division regarding the Company’s 2020 Rate Review Mechanism Filing.

9. Discuss and consider accepting the donation of real property located at 200 N. Ballard St., Pampa, Texas from the Pampa Area Foundation, Inc.

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, SEPTEMBER 4, 2020 BEFORE 12:00 P.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Karen L. Price
Karen L. Price, City Secretary

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

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

Date: ______________________ Time: ______________________

By: ______________________
PUBLIC HEARING

ITEM/PROJECT:  
2020-21 PROPOSED TAX RATE

MEETING DATE:  
September 8, 2020

DESCRIPTION  
PUBLIC HEARING: The City Commission of the City of Pampa will conduct a Public Hearing at 4:00 p.m. at the M.K. Brown Auditorium, 1100 W. Coronado Drive, Heritage Room, Pampa, Texas on a proposal to increase total tax revenue from properties on the tax roll in the proceeding tax year by 5.92% (percent by which proposed tax rate exceeds lower of the no-new-revenue tax rate and the voter approval tax rate, calculated under Chapter 26 of the Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

If the governing body adopts the proposed tax rate of $0.73 per $100 of taxable value, the amount of taxes imposed this year on a $100,000 home will be $730.00.

Citizens are encouraged to attend this Public Hearing and express their views.

STAFF CONTACT:  
Commission Members
Robin Bailey, Finance Director
Shane Stokes, City Manager
PUBLIC HEARING

ITEM/PROJECT: REZONING FROM OFFICE TO COMMERCIAL PROPERTY
LOCATED AT 100 E. 28TH AVENUE, PAMPA, TEXAS

MEETING DATE: September 8, 2020

DESCRIPTION

PUBLIC HEARING: The City Commission of the City of Pampa will conduct a Public Hearing immediately following the 2020-2021 Proposed Tax Rate Public Hearing. This will be a Public Hearing for the purpose of receiving public comments concerning the following request:

Chris and Jeremy Doucette request to rezone Lot 8 and the West 45 feet of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas commonly known as 100 E. 28th Avenue. The request is to rezone from Office to Commercial. The applicants are requesting this rezone for the purpose of increasing its marketability to sell. The property is currently vacant.

Public comments on the proposed Rezoning request are welcome and will be heard.

STAFF CONTACT: Commission Members
Cary Rushing, Asst. Public Works Director

ADDITIONAL INFORMATION: Copy of Aerial Map, Current Zoning Map and Protest Letters attached.
AGENDA ITEM
Rezone Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas

EXPLANATION
Chris and Jeremy Doucette, the owners and applicant, have submitted a request to rezone Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas. The rezone request is to go from Office to Commercial.

The applicant is requesting this rezone to increase the property’s viability in the marketplace.

BACKGROUND/EXISTING CONDITIONS
This property is a vacant lot located at the corner of 100 E. Twenty-Eight Avenue (intersection with Perryton Parkway). The applicant purchased this property several years ago with the intention of building a carwash there but has since scrapped that idea. They currently request the zoning change to meet the needs for a buyer and their intention to develop.

The subject property described above is currently zoned Office. The zoning of property adjacent to the subject is as follows: South and East – SF-2 Residential; North – Office; West – Commercial.

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 13 property owners within 200 feet of the subject property. To date, one 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 one present to protest the request, the protestor spoke regarding diminished value and trash as reasons for his protest.
Following the Public Hearing, the action item the vote was 5 to 1 in favor of said request. A decision on this zoning request has, thus, been relegated to the City Commission.

The proposed rezone meets the requirements of the City’s Zoning Ordinance and State Law. City Staff has researched the protest letter’s claims that this is spot zoning and find that this is not a spot zoning issue. The property located to the north across the street is the Smile Zone Dentistry. To the west there is a Toot ‘n Totum, as well as other businesses in the vicinity including Walmart and The Shoe Store. Zoning this property commercial is not a spot zone because it is consistent with, and it furthers the general plans in the area for business-related uses, and its use would be compatible and supportive with the adjacent properties.

Diminution of property values is not a valid consideration. The Supreme Court has ruled that claims of diminution of property values are irrelevant. [Lindsey Creek Area Civic Assoc. v. Columbus, 249 Ga. 488, 292 S.E.2d 61 (1982)]

Further, regarding the protest letter’s claims of increased traffic, the Supreme Court has ruled: “Such an inconvenience is a condition incident to urban living. It is merely the result of normal, urban growth and development. To hold that such an inconvenience would give to any resident or property holder of an urban area the right to override the decisions of boards of zoning appeals any time such property owner or resident disagreed with such decision would be a dangerous precedent to establish. It would result in materially slowing, if not completely stopping, the inevitable and necessary growth of large modern cities.” [Victoria Corp. v. Atlanta Merchandise Mart, 101 Ga. App. 163 (3)(4) (112 SE2d 793) (1960)]

Denying this rezone application would, therefore, deprive the property owners of their rights.

RECOMMENDATION
Approve the request rezone Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas, from Office to Commercial; and make recommendation to the City Commission.

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:

Chris and Jeremy Doucette, the owners and applicant, have submitted a request to rezone Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas. The rezone request is to go from Office to Commercial.

After careful review, the P&Z voted \underline{5} to \underline{1} in favor of / against said request.

This vote came after careful consideration to ensure that the request was not unreasonable and would not negatively affect the health, safety, morals and general welfare of the surrounding area.

Sincerely,

Lance DeFever
Chairman
City of Pampa – Zoning Change Application

Request No. 2020-001

TO: City Commission

Date Received: 07-28-2020
Received by: D. Darling
Filing Fee: $125.00 Paid

ZONING CHANGE APPLICATION

Applicant: Chris and Jeremy Doucette
(Applicant must be all who have a proprietary interest in the property. If Applicant is not
the record owner, written proof of Applicant’s proprietary interest must accompany this
Application.)

Mailing Address: 1901 N. Hobart Pampa, TX 79065

Telephone: Home: 806-662-4661 Office: ____________

Legal Description of Property (Please include street address, if any): Lot 8 and West
45 Feet of Lot 7 Block 71 of Fraser Annex No. 3

Present Zoning Office

Zoning Change Request Commercial

Reason for Zoning Change I have a buyer for the property
pending zoning change to meet New Development

I (We) hereby certify that the above information is true to the best of my knowledge and belief. I
(We) also grant permission to the members of the Planning & Zoning Commission and any other
City official or representative to enter and inspect the property for purposes related to this
application.

Date: 7-28-2020

Signature of Applicant

(Capacity if Applicant a partnership
or corporation)
9-16-2020

I, Gerald Urban, am petitioning
Bob Griffin to pursue property located
off HWY 70 and 28th St (proprietors
Lot: 3599 and 3600) on Gray Cad.
Said properties will be used to construct
a drive thru drink establishment, that
is soft drinks, coffee, etc. (No Alcohol
Beverages). This will be a Drive Thru only,
no inside service. Building size will be
approx. 15' x 30' ft, therefore allowing
ample room for vehicles to enter and exit
safely. Combined physical property size
is 14,392.50 (Gray Cad).

David Urban

R.I.B. (306) 662-1561
Aerial Map

Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision

Subject Property

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Pampa. Any use or reliance on this map by anyone else is at that party’s risk and without liability to the City of Pampa, its officials, or employees, for any discrepancies or errors which may exist.
Current Zoning Map

Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision

Disclaimer:
This map and information contained in it were developed exclusively for use by the City of Pampa. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Pampa, its officials, or employees, for any discrepancies or errors which may exist.
ZONING AMENDMENT
REQUEST NO. 2020-001
DATE: 07/28/2020

ZONING ADMINISTRATION FORM B
NOTICE OF APPLICATION
FOR AMENDMENT TO ZONING ORDINANCE
CITY OF PAMPA, TEXAS

A REQUEST HAS BEEN RECEIVED FROM CHRIS AND JEREMY DOUCETTE REQUESTING TO RE-ZONE THE FOLLOWING DESCRIBED PROPERTY: LOT 8 AND THE WEST 45 FT OF LOT 7, BLOCK 71 OF THE FRASER ANNEX 3 SUBDIVISION TO THE CITY OF PAMPA, TEXAS, LOCATED AT 100 E. 28TH AVENUE, PAMPA, TEXAS.

THE APPLICANT PROPOSES TO REZONE FROM OFFICE TO COMMERCIAL. THE APPLICANT IS REQUESTING THIS REZONE TO MAKE THE PROPERTY MORE MARKETABLE. 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 12065 E Frederick Pampa, Texas 79065. 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. 2020-001
MEETING DATE: 9/03/2020

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

1) ________
2) ________
3) ________

(GIVE REASON FOR YOUR VIEWS)

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

SIGNED: Gayla Rigdon
PRINT NAME: Gayla Rigdon
ADDRESS: 111 E. 28th Ave
DATE: 07/28/2020

Ref: DOUCETTE REZONE
CITY OF PAMPA
AGENDA INFORMATION SHEET

PUBLIC HEARING

ITEM/PROJECT: SPECIFIC USE PERMIT FOR 321 W. ALBERT

MEETING DATE: September 8, 2020

DESCRIPTION

PUBLIC HEARING: The City Commission of the City of Pampa will conduct a Public Hearing immediately following the Rezoning Public Hearing. This will be a Public Hearing for the purpose of receiving public comments concerning the following request:

Billy Roy, representing The Crossing the Jordan Ministries, request a Specific Use Permit for Lots 12 through 38, Block 1, Hollywood Subdivision to the City of Pampa, Texas commonly known as 321 W. Albert. 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 parolees.

Public comments on the Specific Use Permit request are welcome and will be heard.

STAFF CONTACT: Commission Members
Cary Rushing, Asst. Public Works Director

ADDITIONAL INFORMATION: Copy of Aerial Map, Current Zoning Map and Protest Letter attached.
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 a 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 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.

This item died for lack of a second.

Sincerely,

Lance DeFever
Chairman
APPLICATION FOR SPECIFIC USE PERMIT
CITY OF PAMPA, TEXAS

Property Owner: Crossing The Jordan World Ministries
Mailing Address: P.O. Box 1738 Pampa, TX 79065
Owner’s Representative: Billy Roy
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 Parolees (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: 1031 S. Somervill St
DATE: 8-22-2020

Ref: ALTERNATIVE HOUSING

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

1) There 3 Churches within 2 blocks
2) The baseball soccer fields for our kids are right out back door
3) Our neighborhood consist of single elderly women

(GIVE REASON FOR YOUR VIEWS)

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

SIGNED: Willie Caldwell
PRINT NAME: Willie Caldwell
ADDRESS: 1029 S. Somervill
DATE: 8-24-20

Ref: ALTERNATIVE HOUSING
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.

(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) [ ]
2) [ ]
3) [ ]

(GIVE REASON FOR YOUR VIEWS)

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

SIGNED: [signature]
PRINT NAME: [signature]
ADDRESS: 918 S. SUNNEN
DATE: 8/27/2020

Ref: ALTERNATIVE HOUSING
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<th><strong>AGENDA ITEM: 1</strong></th>
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<td><strong>DESCRIPTION</strong></td>
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<td><strong>START/COMPLETION SCHEDULE:</strong></td>
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PUBLIC HEARING – 2020-2021 PROPOSED OPERATING BUDGET: The City Commission of the City of Pampa will conduct a Public Hearing at 4:00 p.m. virtually using Zoom Video Conferencing. This will be a Public Hearing for the purpose of receiving public comments concerning the City’s Proposed Operating Budget for the 2020-2021 fiscal year.

This budget will raise more total property taxes than last year’s budget by $161,683 or 3.48% and of that amount $17,630 is tax revenue to be raised from new property added to the tax roll this year.

A copy of the proposed budget is on file in the office of the City Secretary and on the City’s website at www.cityofpampa.org for public review. Citizens are encouraged to participate in this Public Hearing and express their views by contacting the City Secretary’s Office no later than 3:00 p.m. for public comment instructions.

Mayor Pingel opened the Public Hearing for the 2020-2021 Proposed Operating Budget at 4:02 p.m. The Mayor asked if there was anyone who wanted to speak concerning the Proposed Budget. There was no one who wanted to speak.

20-089

Mayor Pingel called for a motion to close the Public Hearing for the 2020-2021 Operating Budget, a motion was made by Commissioner Winton and Seconded by Commissioner McLain to close the Public Hearing at 4:03 p.m., with each Commission Member voting AYE, the motion carried.
AUTHORIZATIONS BY CITY COMMISSION:

20-090

1. Consider approving the minutes of the August 24, 2020 Regular Commission Meeting as presented.

A motion was made by Commissioner McLain and Seconded by Commissioner Rains to approve the minutes of the August 24, 2020 Regular Commission Meeting as presented, with each Commission Member voting AYE, the motion carried.

20-091

2. Consider and act on approving the Gray County Appraisal District’s 2021 Operating Budget.

Tyson Paronto, Chief Appraiser for the Gray County Appraisal District presented their 2021 Operating Budget and the GrayCAD Reappraisal Plan for 2021 and 2022.

A motion was made by Commissioner Keough and Seconded by Commissioner Rains to approve Gray County Appraisal District’s 2021 Operating Budget as presented, with each Commission Member voting AYE, the motion carried.

20-092

3. Consider and act on approving the Pampa Economic Development Corporation’s Proposed Operating Budget for the 2020-2021 fiscal year, which includes 2020-2021 Operating Budgets for Pampa Energy Center, LLC and Las Pampas Square, LLC.

Glennette Goode, PEDC Board President presented PEDC’s, PEC and Las Pampas Square 2020-2021 Proposed Operating Budgets and the Leading EDG Progress Report.

A motion was made by Commissioner McLain and Seconded by Commissioner Keough to approve the Pampa Economic Development Corporation’s Proposed Operating Budget for the 2020-2021 fiscal year as presented, the PEDC’s Proposed Budget includes 2020-2021 Operating Budget for Pampa Energy Center, LLC and Las Pampas Square, LLC, with each Commission Member voting AYE, the motion carried.

20-093

4. Consider and act on adopting on second and final reading Resolution No. R20-022, a Resolution by the City Commission approving an Economic Development Agreement and Forgivable Loan in the amount of $2,000,000.00 between the Pampa Economic Development Corporation and Keystone Tower Systems, Inc.

RESOLUTION NO. R20-022

A RESOLUTION APPROVING ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE PAMPA ECONOMIC DEVELOPMENT CORPORATION AND KEYSTONE TOWER SYSTEMS, INC., AND A FORGIVABLE LOAN BY THE PAMPA ECONOMIC DEVELOPMENT CORPORATION TO KEYSTONE TOWER SYSTEMS, INC.

A motion was made by Commissioner Winton and Seconded by Commissioner Keough to adopt on second and final reading Resolution No. R20-022, a Resolution by the City Commission approving an Economic Development Agreement and Forgivable Loan in the amount of $2,000,000.00 between the Pampa Economic Development Corporation and Keystone Tower Systems, Inc., each Commission Member voting AYE, motion carried.
5. Consider and act on adopting Resolution No. R20-024, a Resolution by the City Commission authorizing the submission of a Community Wildfire Protection Plan Project Grant application to the Federal Emergency Management Agency (FEMA) and authorize the City Manager to act as the City’s authorized representative in all matters pertaining to the City’s participation in the Grant Program.

RESOLUTION NO. R20-024

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION WITH THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT AS A SUB-GRANTEE OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE PAMPA/GRAY COUNTY WILDFIRE MITIGATION PLANNING PROJECT; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF PAMPA IN ALL MATTERS RELATED TO THE APPLICATION; AND AGREEING TO COMPLY WITH THE TERMS AND CONDITIONS OF THE GRANT IF AWARDED.

A motion was made by Commissioner Keough and Seconded by Commissioner Winton to adopt Resolution No. R20-024, a Resolution by the City Commission authorizing the submission of a Community Wildfire Protection Plan Project Grant application to the Federal Emergency Management Agency (FEMA) and authorize the City Manager to act as the City’s authorized representative in all matters pertaining to the City’s participation in the Grant Program, with each Commission Member voting AYE, the motion carried.

20-095

6. Consider and act on approving on first reading Ordinance No. 1734, an Ordinance by the City Commission adopting the City of Pampa’s 2020-2021 Operating Budget.

ORDINANCE NO. 1734

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF PAMPA FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021, APPROPRIATING MONEY TO A SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY’S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF PAMPA FOR THE 2020-2021 FISCAL YEAR.

A motion was made by Commissioner Rains and Seconded by Commissioner McLain to approve on first reading Ordinance No. 1734, an Ordinance by the City Commission adopting the City of Pampa’s 2020-2021 Operating Budget as presented, with Mayor Pingel and Commissioners Winton, Rains, Keough and McLain voting AYE, the motion carried.

20-096

7. Consider and act on approving on first reading Ordinance No. 1735, an Ordinance by the City Commission amending tonnage fees charged at the City of Pampa’s Landfill.

ORDINANCE NO. 1735

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES, BE AMENDED BY REVISIONING SECTION 6.06.004 OF SAID CODE PROVIDING FOR FEES TO BE CHARGED AT THE CITY’S SANITARY LANDFILL; AND PROVIDING FOR AN EFFECTIVE DATE.
A motion was made by Commissioner McLain and Seconded by Commissioner Keough to approve on first reading Ordinance No. 1735, an Ordinance by the City Commission amending tonnage fees charged at the City of Pampa’s Landfill, with each Commission Member voting AYE, the motion carried.

ADJOURNED:

There being no further business on the Agenda, the meeting was adjourned at 4:45 p.m. by Mayor Brad Pingel.

_________________________________________  _________________________________________
Karen L. Price, City Secretary                    Brad Pingel, Mayor
**AGENDA ITEM: 2**

**ITEM/PROJECT:** RENEW TOURISM AGREEMENT  
**MEETING DATE:** September 8, 2020  
**DESCRIPTION**  
Consider and act on approving the renewal of a two (2) year agreement with the Chamber of Commerce Tourism Committee for tourism related advertising and promotion of the City of Pampa and its vicinity using revenue from the Hotel Occupancy Tax.  
**STAFF CONTACT:** Shane Stokes, City Manager  
Shawna Elliott, Chamber of Commerce Director  
**FINANCIAL IMPACT:** Information to be provided during meeting.  
**SOURCE OF FUNDS:** Hotel Occupancy Tax  
**START/COMPLETION SCHEDULE:** Tourism Agreement will be effective October 1, 2020 to September 30, 2022.  
**RECOMMENDED ACTION:**  
**BACKGROUND/ADDITIONAL INFORMATION:** Copy of Tourism Agreement, 2021 Tourism Budget, funds distribution report, minutes of previous Tourism Committee attached.
PUBLICITY AND TOURISM AGREEMENT

THIS AGREEMENT made and entered into by and between the CITY OF PAMPA, TEXAS, a home-rule municipality located in Gray County, Texas (the “City”) and the GREATER PAMPA AREA CHAMBER OF COMMERCE, a Texas non-profit corporation having its office and principal place of business in the City of Pampa, Gray County, Texas (the “Chamber”).

WITNESSETH:

WHEREAS, the City by ordinance has imposed a hotel occupancy tax (the “Tax”) upon occupants of hotels within the City as provided under the laws of the State of Texas, i.e., Chapter 351 of the Texas Tax Code; and

WHEREAS, the City desires to delegate to the Chamber the management of programs and activities funded with the Tax within the authority and under the restrictions imposed and required under Chapter 351 of the Texas Tax Code; and

WHEREAS, the Chamber has agreed to provide necessary services and management of such funds designated by the City of publicity and tourism development.

NOW, THEREFORE, in consideration of the premises, and of the provisions, conditions and covenants contained herein, the parties do contract and agree as follows, to-wit:

1. TERM
   a. The term of this Agreement shall be from October 1, 2018, and end on September 30, 2020, unless sooner terminated as herein provided. At the expiration of the Initial Term, the City will review the revenues generated from the tax and the benefits received under this Agreement. This agreement will not automatically renew unless official action is taken by the City to renew the Agreement.
   b. This Agreement shall automatically terminate upon the occurrence of any one or more of the following events:
      (i) The termination of the corporate existence of the Chamber;
      (ii) The insolvency of the Chamber, the filing of a Petition in Bankruptcy, either voluntarily or involuntarily, or an assignment by the Chamber for the benefit of creditors; and/or
      (iii) The continuation of a breach of any of the terms or conditions of this Agreement by either the City or the Chamber for more than 30 days after written notice of such breach is given to the breaching party by the other party.
2. **FUNDING**

   a. The City agrees to pay to the Chamber up to fifteen percent (15%), but not to exceed $50,000.00, of the money actually received by the City from the local hotel occupancy tax during the City’s fiscal year. Such sum shall be paid as collected by the Finance Department of the City in consideration for the Chamber’s management of certain programs and activities funded with the revenue from the Tax directly related to increasing tourism and the convention and hotel industry in the City.

   b. The City shall pay to the Chamber such sum on a reasonable date each quarter after the Finance Department of the City has calculated the revenue from the local hotel occupancy tax.

3. **USE OF SUCH FUNDS**

   The Chamber agrees to use the sums paid to it by the City pursuant to the provisions of the Agreement in one or more of the following manners which will directly enhance and promote tourism and the convention and hotel industry in the City:

   a. Paying administrative cost for facilitating convention registration;

   b. Paying for tourist-related advertising and promotions of the City or its vicinity;

   c. Funding programs which enhance the arts, it being understood that expenditures made for art programs will not exceed a maximum of fifteen percent (15%) of the portion of the Tax transferred to the Chamber;

   d. Funding historical restoration or preservation programs, it being understood that expenditures for historical restoration or preservation projects shall not exceed 50% of the portion of the Tax transferred to the Chamber;

   e. Any other activity which is reasonably connected with any of the above, which is directly related to increasing tourism (which may include certain administrative costs: and/or which directly enhances and promotes tourism in the convention and hotel industry in the City.

4. **PROGRAM DEVELOPMENT**

   The Chamber agrees to conduct a continuing program of advertising and/or promotion for the purpose of attracting visitors, tourists, and conventions to the City under the provisions of this Agreement and/or pursuant to applicable law, which may include, and is not necessarily limited to, the following:

   a. Publishing and distributing brochures and community information packets;
b. Advertising in various appropriate tourist publications and general media publications;

c. Representing the City at travel shows and other such events;

d. Participating with State and regional agencies in tourist development programs of benefit to the local area and to the City;

e. Using all appropriate means to increase the traveling public’s awareness of the resort, recreational and/or tourist advantages of the local area and the City.

Upon request, the Chamber may serve in an advisory capacity to the City in matters relating to the enhancement and promotion of tourism and the convention and hotel industry.

5. **SUPPORT STAFF**

The Chamber shall provide sufficient staff and an appropriate structure to carry out the provisions of this Agreement, including, but not necessarily limited to, office space and equipment.

6. **BUDGET**

Chamber shall provide the City, on or before September 1st of each year this Agreement is in effect, a proposed budget allocating the expenditures of the Tax revenue for the City’s next fiscal year, that is, October 1 through September 30. The submission of such budget and its approval by the City Commission are conditions precedent for the release of funds by the City to the Chamber.

7. **REPORTS**

a. The Chamber shall provide to the City Commission, at least quarterly, a report of expenditures of the Tax revenues made pursuant to provisions of this Agreement, which report shall include a list of all such expenditures made by the Chamber.

b. The Chamber shall also keep complete and accurate financial records of each such expenditure and will make such records available for inspection and review upon request of the City Commission or its designee.

c. The Chamber shall furnish on a timely basis: minutes of monthly meetings; monthly financial reports from the previous month accompanied by copies of vouchers showing transfers and copies of check ledgers, monthly bank statements; and a comprehensive annual financial report.

8. **SEPARATE ACCOUNT**

Pursuant to the provision of Section 351.101(g) of the Texas Tax Code, as the
City’s delegated authority to manage programs funded by the Tax revenue, the Chamber shall maintain such Tax revenue in a separate account established for that purpose. Such revenues will not be commingled with any other monies or maintained in any other account.

9. **ADMINISTRATION EXPENSES**

a. Pursuant to the provisions of Section 351.101 of the Texas Tax code, the Tax revenue paid to the Chamber may not be spent for travel for a person to attend an event or conduct an activity if the primary purpose of such event or activity is not directly related to the promotion of tourism and the convention and hotel industry in the City or to the performance of such person’s job in an efficient and professional manner.

b. It is understood that a portion of the Tax revenue may be used for day-to-day operational expenses, including, but not necessarily limited to, supplies, salaries, office rental, travel expenses and other administrative costs, so long as such costs are incurred directly in the promotion of tourism and the management of expenditures authorized under applicable law governing the hotel occupancy Tax and its revenues. Any such portion of administrative costs which may be appropriately paid from such Tax revenue may not exceed the percentage of the cost attributable to the activity funded by the Tax revenue and so long as same have been previously approved in the budget. For example, administrators who spend 10% of their time overseeing programs funded by the Tax revenue may seek funding for no more than 10% of their salary or other related overhead costs.

c. In the event this Agreement is terminated pursuant to the provisions of Paragraph 1 above, the City agrees to reimburse the Chamber for any and all expenses and costs for which the Chamber has become obligated in performance of those activities governed by this Agreement. The City is obligated to reimburse the Chamber for such expenses and costs for the period commencing on the date notice of termination is given and ending on the date of termination. In addition, this obligation, under this paragraph “c,” shall be limited to the lesser of actual expenses and costs incurred by the Chamber during the 45-day period preceding termination or the agreed payments otherwise due and payable to the Chamber for such period. No new obligations will be incurred during the 45-day period.

d. In the event this Agreement is terminated pursuant to Paragraph 1 above, the City agrees to reimburse the Chamber for any and all contractual obligations of the Chamber for which the Chamber has become obligated in performance of those services governed by this Agreement, conditioned upon such contractual obligations having been incurred and entered into in the good faith performance of those services and activities contemplated by this Agreement and further conditioned upon such contractual obligations having a term not exceeding the full term of this Agreement.
10. **INDEPENDENT CONTRACTOR STATUS**

The parties intend that this Agreement create an independent contractor relationship between them. The Chamber and its employees are not agents or employees of the City for any purpose. Nothing herein shall be construed as establishing or creating any employee/employer relationship between the parties. The Chamber shall control the conduct and means of performing its activities under this Agreement and shall have full and complete control of the work and manner in which it is performed.

11. **NOTICES**

a. All notices required under this Agreement will be sufficient if furnished in writing and shall be effective three business days after being deposited in an official depository of the United States Postal Service, Certified Mail, Return Receipt Requested, or Registered Mail, Postage Prepaid, and addressed as follows:

   CITY:  
   City Manager  
   City of Pampa  
   P. O. Box 2499  
   Pampa, Texas 79066-2499

   CHAMBER:  
   Executive Director  
   Greater Pampa Area Chamber of Commerce  
   P. O. Box 1942  
   Pampa, Texas 79066-1942

b. Notice may also be affected by personal delivery to the City Manager of the City of Pampa and/or the Executive Director of the Chamber, as the case may be.

c. Any change of address or designated recipient of any such notice may be effected in the manner provided in this paragraph.

12. **INDEMNITY CLAUSE**

The Chamber agrees to and shall indemnify and hold harmless and defend the City, its officers, agents, and employees from any and all claims, losses, causes of action and damages, suits, and liability of every kind including all expenses of litigation, court costs, and attorney fees, for injury to or death to any person, or for damage to any property, arising from or in connection with the operations of the Chamber, its officers, agents and employees carried out in furtherance of this Agreement. It is the expressed intention of the parties hereto, both the Chamber and the City, that the indemnity provided for in this paragraph is also indemnity by the Chamber to indemnify and protect the City from the consequences of the City’s own negligence, where the negligence is a concurring cause of the injury.
13. GENERAL PROVISIONS

a. Waiver of Breach of Violation Not Deemed Continuing. The waiver by either party of a breach or violation of any provision of this Agreement shall not operate as or be construed to be a waiver of any subsequent breach of any provision of this Agreement.

b. Authority. The parties warrant and represent that the persons executing this Agreement on their behalf have full power and authority to execute this Agreement and thereby fully bind the respective parties hereto.

c. Legal Construction. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been included in this Agreement.

d. Governing Law. This Agreement shall be governed by and construed under the laws of the State of Texas. The parties stipulate that this Agreement is performable in Gray County, Texas.

e. Assignment. This Agreement may not be assigned by the Chamber without the prior written consent of the City or its designee.

f. Binding on Successors and Assigns. Subject to subparagraph 12e above, this Agreement shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.

EXECUTED in duplicate this the 9th day of September, 2018.

CITY OF PAMPA, TEXAS

By: Brad Pingel, Mayor

ATTEST:

Karen L. Price, City Secretary

APPROVED AS TO FORM:
Leland W. Waters, Bryan J. Guymon, City Attorney

GREATER PAMPA AREA CHAMBER OF COMMERCE, a Texas non-profit corporation — TOURISM

By: ________________________________

Brenda Guess, President
Tourism Chairman

GREATER PAMPA AREA CHAMBER OF COMMERCE, a Texas non-profit corporation

By: ________________________________

Lacey Daniels,
Tourism Committee Chairperson
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b. This Agreement shall automatically terminate upon the occurrence of any one or more of the following events:

(i) The termination of the corporate existence of the Chamber;

(ii) The insolvency of the Chamber, the filing of a Petition in Bankruptcy, either voluntarily or involuntarily, or an assignment by the Chamber for the benefit of creditors; and/or

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Upon request, the Chamber may serve in an advisory capacity to the City in matters relating to the enhancement and promotion of tourism and the convention and hotel industry.

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CITY:       City Manager  
            City of Pampa  
            P. O. Box 2499  
            Pampa, Texas 79066-2499

CHAMBER:   Executive Director  
            Greater Pampa Area Chamber of Commerce  
            P. O. Box 1942  
            Pampa, Texas 79066-1942

b. Notice may also be affected by personal delivery to the City Manager of the City of Pampa and/or the Executive Director of the Chamber, as the case may be.

c. Any change of address or designated recipient of any such notice may be effected in the manner provided in this paragraph.

12. **INDEMNITY CLAUSE**

The Chamber agrees to and shall indemnify and hold harmless and defend the City, its officers, agents, and employees from any and all claims, losses, causes of action and damages, suits, and liability of every kind including all expenses of litigation, court costs, and attorney fees, for injury to or death to any person, or for damage to any property, arising from or in connection with the operations of the Chamber, its officers, agents and employees carried out in furtherance of this Agreement. It is the expressed intention of the parties hereto, both the Chamber and the City, that the indemnity provided for in this paragraph is also indemnity by the Chamber to indemnify and protect the City from the consequences of the City’s own negligence, where the negligence is a concurring cause of the injury, death, or damage.

13. **GENERAL PROVISIONS**

a. **Waiver of Breach of Violation Not Deemed Continuing.** The waiver by either party of a breach or violation of any provision of this Agreement shall not operate as or be construed to be a waiver of any subsequent breach of
any provision of this Agreement.

b. Authority. The parties warrant and represent that the persons executing this Agreement on their behalf have full power and authority to execute this Agreement and thereby fully bind the respective parties hereto.

c. Legal Construction. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been included in this Agreement.

d. Governing Law. This Agreement shall be governed by and construed under the laws of the State of Texas. The parties stipulate that this Agreement is performable in Gray County, Texas.

e. Assignment. This Agreement may not be assigned by the Chamber without the prior written consent of the City or its designee.

f. Binding on Successors and Assigns. Subject to subparagraph 12e above, this Agreement shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.

EXECUTED in duplicate this the 9th day of September 2020.

CITY OF PAMPA, TEXAS

By: ________________________________
Brad Pingel, Mayor

ATTEST:

______________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

______________________________
Bryan J. Guymon, City Attorney
GREATER PAMPA AREA  
CHAMBER OF COMMERCE, a Texas  
non-profit corporation  

By: ________________________________  
   Brenda Guess, President  

GREATER PAMPA AREA  
CHAMBER OF COMMERCE, a Texas  
non-profit corporation  

By: ________________________________  
   Lacey Daniels,  
   Tourism Committee Chairperson  

Pampa Chamber of Commerce
Tourism 2021 Budget
January - December 2021

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As of March 2020 the current tourism committee all resigned their positions with the Chamber and tourism committee. Shortly, after COVID-19 turned 2020 into a very unique year and most all of current tourism functions (advertising/marketing contract/radio ads, etc) were put on hold or cancelled completely.

The Chamber BOD began taking applications for individuals who wished to serve the Chamber on the tourism committee. As of August 31, 2020 the new committee has not met but a meeting is set up for September 15, 2020. Listed are the individuals who will be serving on the tourism committee:
Lacey Daniels-Chairperson
ReDonn Woods
Richard Stowers
Nathan Withers
Shelby McGagen
Shawna Elliott-Chamber Executive Director

[Signature]
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Tourism Expense: Advertising: Authentic Texas

Tourism Expense: Advertising: Travelhost

12,379.11

13,579.11
Tourism Committee
Pampa Chamber of Commerce
February 25, 2020

The meeting was called to order at 4:01 p.m. Members present were Anita Gullett, Della Moyer, John Curry, JoAnn Jones, and Charles Henry. Chamber board members joining the meeting were Daniel Rivera, Jason Bagwell, Brian Cota, Cade Taylor, and Lacy Daniels. The committee welcomed the Chamber Board members.

The minutes of the January 28 meeting were approved on a motion by Della Moyer and second by JoAnn Jones.

The financial report for January 2020 was presented and approved on a motion by Charles Henry and second by JoAnn Jones. Tourism received the first hotel tax check of 2020 for $8,951.53 which was lower that the first check last year.

The committee discussed the hotel response card that Shawna Elliott has prepared. Several comments were made regarding layout. Discussion raised issues if this was the best way to get feedback. Several wondered if the hotels would add our questions to their online surveys that followed people’s stay in the motel. Further research is needed to arrive at a decision on how to receive the best response.

The committee discussed the best way to tap social media for advertising Pampa. Facebook ads were discussed. Other social media sites were mentioned and the demographic they would reach. Jana Williamson with PISD was mentioned as a possible resource.

Anita Gullett had canvassed 10 area Chambers to get input on how they are reaching out. Anita found that Pampa was already doing most of the things things reported to her and in most cases much more. Both Anita and Della reported on their work on the viability of Billboard advertising. All the chambers contacted had discontinued the use of billboards as ineffective. The number of billboards that are currently available in the Panhandle seems to back up this decision.

John Curry reviewed the contract the chamber has with the City of Pampa which reflects the state law on the use of hotel taxes. The chamber members hoped that some of the money could be used for more retail trade advertising which John Curry responded probably wasn’t possible under the law. Curry will reach out to the state and others to see if this is possible.

Brian Cota brought up several issues regarding the structure of the committee. He felt like millennials currently represented 41% of people and would soon be 75% and that the committee needed a change in membership and leadership. He mentioned that the Chamber was considering a restructuring of the Tourism Committee and that all members would have to apply for membership. He also questioned the museum visitation numbers and why we counted school children visits.

The meeting was adjourned at 5:15 p.m.
March 24, 2020

Chamber Board
Pampa Chamber of Commerce

After the last Tourism Committee meeting and in conversation with Brenda Guess, Chamber President, the current Tourism Committee has decided that it will be in the best interests of the Chamber for all of us to resign.

Our committee has worked to promote Pampa Tourism in a variety of ways over the years. We believe that we have followed best practices and gotten the best “Bang for the Buck” for Pampa. We have made every effort to follow the guidelines of our city contract and the Texas regulations in Texas Tax Code 351 which govern the use of hotel tax money. Supporting local tourism assets, funding local events with the potential to put “heads in beds”, and using a variety of marketing techniques, our committee has successfully promoted Pampa.

Talking to City Manager Shane Stokes last week, he complimented the chamber and the committee on fulfilling the requirements of the agreement with the city for the use of the hotel tax money. Our biennial report to the city commission has been well received and has resulted in the continuation of the contract for many years. He felt we had the most successful partnership of the many the city has with outside groups.

We will be glad to give Shawna Elliott, Pampa Chamber Executive Director, all the support we can to make this a smooth transition.

Good luck as you promote Pampa, “The Gateway to the Eastern Texas Panhandle”.

John Curry
Della Moyer
JoAnn Jones
Mike Sinks
Anita Gullett
Charles Henry

CC: Shane Stokes, Pampa City Manager
Brad Pingel, Pampa Mayor
<table>
<thead>
<tr>
<th>AGENDA ITEM: 3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ITEM/PROJECT:</strong></td>
</tr>
<tr>
<td><strong>MEETING DATE:</strong></td>
</tr>
<tr>
<td><strong>DESCRIPTION</strong></td>
</tr>
</tbody>
</table>
| **STAFF CONTACT:** | Robin Bailey, Finance Director  
Shane Stokes, City Manager |
| **FINANCIAL IMPACT:** | $13,737,610.07 |
| **SOURCE OF FUNDS:** | Various Funding Sources |
| **START/COMPLETION SCHEDULE:** | Ordinance No. 1734 will be effective after Commission adopts. Budget will be in effect October 1, 2020. |
| **RECOMMENDED ACTION:** | Staff recommends Commission adopt Ordinance No. 1734 on second and final reading, adopting the City’s 2020-2021 Operating Budget. |
| **BACKGROUND/ADDITIONAL INFORMATION:** | Copy of Ordinance 1734 attached. |
ORDINANCE NO. 1734

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF PAMPA FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021, APPROPRIATING MONEY TO A SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY’S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF PAMPA FOR THE 2020-2021 FISCAL YEAR.

WHEREAS, the budget, for the fiscal year beginning October 1, 2020, and ending September 30, 2021, was duly filed with the City Secretary Office on August 14, 2020 and presented to the City Commission by the City Manager and a public hearing was caused to be given by the City Commission;

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

Section 1

That the appropriations for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for the support of the general government of the City of Pampa, Texas, be fixed and determined for said terms in accordance with the expenditures as now shown in the City’s fiscal year 2020-2021 budget.

Section 2

That the budget is hereby approved in all respects and adopted as the City’s budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

Section 3

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

PASSED AND APPROVED on first reading this 31st day of August 2020, upon a voice roll call vote as follows:

Mayor Brad Pingel  AYE
Commissioner Ward 1 Gary Winton  AYE
Commissioner Ward 2 Matt Rains  AYE
Commissioner Ward 3 Jimmy Keough  AYE
Commissioner Ward 4 Karen McLain  AYE

PASSED, APPROVED AND ADOPTED on second and final reading this 8th day of September 2020, upon a voice roll call vote as follows:

Mayor Brad Pingel
Commissioner Ward 1 Gary Winton
Commissioner Ward 2 Matt Rains
Commissioner Ward 3 Jimmy Keough
Commissioner Ward 4 Karen McLain
CITY OF PAMPA, TEXAS

By: ____________________________
Brad Pingel, Mayor

ATTEST:

_______________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

_______________________________
Bryan J. Guymon, City Attorney
CITY OF PAMPA  
AGENDA INFORMATION SHEET

AGENDA ITEM: 4

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<tr>
<th align="left">ITEM/PROJECT:</th>
<th align="left">ORDINANCE NO. 1735 – AMENDING TONNAGE FEES AT LANDFILL</th>
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<td align="left">September 8, 2020</td>
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<tr>
<td align="left">DESCRIPTION</td>
<td align="left">Consider and act on adopting on second and final reading Ordinance No. 1735, an Ordinance by the City Commission amending tonnage fees charged at the City of Pampa’s Landfill.</td>
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<td align="left">STAFF CONTACT:</td>
<td align="left">Gary Turley, Director Public Works</td>
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<td align="left">FINANCIAL IMPACT:</td>
<td align="left">Tonnage fee will increase from $42.25 to $43.00</td>
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<td align="left">SOURCE OF FUNDS:</td>
<td align="left">Non-residential customers/businesses using Landfill.</td>
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<td align="left">START/COMPLETION SCHEDULE:</td>
<td align="left">Ordinance No. 1735 will be effective October 1, 2020.</td>
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<td align="left">RECOMMENDED ACTION:</td>
<td align="left">Staff recommends Commission adopts on second and final reading Ordinance No. 1735 amending fees at the City’s Landfill.</td>
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<tr>
<td align="left">BACKGROUND/ADDITIONAL INFORMATION:</td>
<td align="left">Copy of Ordinance No. 1735 attached.</td>
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ORDINANCE NO. 1735

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE
CODE OF ORDINANCES, BE AMENDED BY REVISING SECTION 6.06.004 OF
SAID CODE PROVIDING FOR FEES TO BE CHARGED AT THE CITY’S
SANITARY LANDFILL; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

Section 6.06.004 of the Code of Ordinances of the City of Pampa; be amended so that
such section shall read as follows:

Sec. 6.06.004. Fees.

(a) There shall be paid and collected from the owner or driver of any vehicle
for the use of the sanitary landfill for the disposal of solid waste and rubbish a fee of
$43.00 per ton, except as follows:

(1) Any resident of the City, upon providing proof with current water bill of
such residency and for non-commercial disposal only: No Charge,
except for any fee assessed under part (13) below.

(2) For any non-resident of the City and for non-commercial disposal only:

All vehicles: $43.00 per ton

(3) Soils: $43.00 per ton

(4) Sewer sludge: $43.00 per ton

(5) Trees/Tree Limbs: $43.00 per ton

(6) Business located within corporate
limits disposing of locally
generated grease trap slurry, car
wash grit and septic tank contents: $9.65 per hundred gallons

(7) Business located outside corporate
limits, but within Gray County,
disposing of car wash grit, and
septic tank contents: $13.67 per hundred gallons

(8) Small animals (e.g., dogs, cats): $43.00 per ton with a
$30.00 minimum
(9) Concrete: $43.00 per ton

(10) Metal: $43.00 per ton

(11) Any item which may require special handling and not otherwise described as quoted by the landfill superintendent.

(12) Any specific Solid Waste Disposal Agreement approved by the City providing for other fees or providing for other waste or rubbish.

(13) An additional fee of $25.00 for any vehicle arriving at the Sanitary Landfill without a cover suitable to prevent any part of the contents from falling or being scattered upon a public street, highway, alley, or other public right-of-way, whether or not any of the load fell from the vehicle prior to its arrival.

(b) All fees required hereunder shall be paid in cash upon entry into the landfill and prior to the use thereof, unless other method of payment has been made by prior written agreement with the City.

Section 2.

All rates set under Section 1 above shall be effective October 1, 2020.

PASSED AND APPROVED on its first reading this 31st day of August 2020.

PASSED AND ADOPTED on its second and final reading this 8th day of September 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**

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<tr>
<th>ITEM/PROJECT:</th>
<th>ORDINANCE NO. 1736 – 2020-2021 TAX RATE (AD VALOREM TAX)</th>
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<td>September 8, 2020</td>
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<td>DESCRIPTION</td>
<td>Consider and act on approving on first reading Ordinance No. 1736, an Ordinance by the City Commission setting a tax rate of $.73 per $100 valuation on taxable property for the 2020-2021 fiscal year and levying an Ad Valorem Tax on all properties subject to taxation within the corporate limits of the City of Pampa.</td>
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<td>STAFF CONTACT:</td>
<td>Robin Bailey, Finance Director</td>
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<td>Shane Stokes, City Manager</td>
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<td>START/COMPLETION SCHEDULE:</td>
<td>Ordinance No. 1736 will be effective upon its adoption and shall be enforceable ten (10) days after its publication as provided by law.</td>
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<td>RECOMMENDED ACTION:</td>
<td>Staff recommends Commission approve on first reading Ordinance No. 1736 setting a tax rate for the 2020-2021 fiscal year.</td>
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<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
<td>Copy of Ordinance No. 1736 attached.</td>
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ORDINANCE NO. 1736

AN ORDINANCE SETTING A TAX RATE OF $.73 ON EACH $100.00 VALUATION OF PROPERTY AND LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF PAMPA FOR THE FISCAL YEAR OF 2020-2021; PROVIDING FOR APPORTIONING OF EACH LEVY FOR SPECIFIC PURPOSES; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SUCH TAXES SHALL BECOME DELINQUENT IF NOT PAID AND FOR PENALTY AND INTEREST; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Commission of the City of Pampa approved its budget for the fiscal year beginning October 1, 2020, through September 30, 2021, under Ordinance No. 1734, adopted on its second and final reading on September 8, 2020; and

WHEREAS, the City Commission of the City of Pampa FINDS that a tax in the amount of $.73 on each $100.00 valuation of property based upon the tax roll provided by the chief appraiser of the Gray County Appraisal District must be levied to provide the required revenue for the budget as approved; and

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

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

Section 1.
Findings

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

Section 2.
Tax Rate and Levy

There is hereby fixed and levied, and there shall be collected, for the use and support of the municipal government of the City of Pampa and to provide an Interest and Sinking Fund for the 2020-2021 fiscal year, upon all property, real, personal and mixed, within the corporate limits of the City of Pampa, subject to taxation, a tax of $.73 on each $100.00 valuation of property, said tax being so levied and apportioned to the specific purposes as follows:

(1) For the maintenance and operation of the general government (“General Fund”), $.513937 on each $100.00 valuation of property; and
(2) For the maintenance and support of the Lovett Memorial Library (“Special Revenue Fund”), $0.03 on each $100.00 valuation of property, and

(3) For the Interest and Sinking Funds, $.186063 on each $100.00 of valuation of property.

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

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 5.92 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $41.00**

Section 3.

**Due Date and Delinquency**

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

Section 4.

**Penalty and Interest**

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

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

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

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

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

Section 6.
Lien and Collection

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

Section 7.
Age and Disability Exemption

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

Section 8.
Savings/Repealing Provision

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

Section 9.
Severability

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

Section 10. Effective Date

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

INTRODUCED, PASSED AND APPROVED on its first reading this the 8th day of September 2020, upon a voice roll call vote as follows:

Mayor Brad Pingel
Commissioner Ward 1 Gary Winton
Commissioner Ward 2 Matt Rains
Commissioner Ward 3 Jimmy Keough
Commissioner Ward 4 Karen McLain

PASSED, APPROVED, ADOPTED AND ORDERED PUBLISHED on its second and final reading this the _____ day of September 2020, upon a voice roll call vote as follows:

Mayor Brad Pingel
Commissioner Ward 1 Gary Winton
Commissioner Ward 2 Matt Rains
Commissioner Ward 3 Jimmy Keough
Commissioner Ward 4 Karen McLain

CITY OF PAMPA, TEXAS

By: ________________________________
Brad Pingel, Mayor

ATTEST:

Karen L. Price, City Secretary

APPROVED AS TO FORM:

______________________________
Bryan J. Guymon, City Attorney
<table>
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<tr>
<th>ITEM/PROJECT:</th>
<th>ORDINANCE NO. 1737 – SPECIFIC USE PERMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>September 8, 2020</td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>Consider and act on approving on first reading Ordinance No. 1737, an Ordinance by the City Commission to consider granting a Specific Use Permit to the Crossing the Jordan Ministries for the purpose of allowing the ministry to provide alternative housing for parolees at 321 W. Albert, Pampa, Texas.</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Cary Rushing, Asst. Public Works Director</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>Ordinance No. 1737 will be effective after Commission adopts on second and final reading.</td>
</tr>
<tr>
<td>RECOMMENDED ACTION:</td>
<td>Staff recommends Commission approve request for Specific Use Permit.</td>
</tr>
<tr>
<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
<td>Copy of Ordinance No. 1737, Aerial Map, Current Zoning Map and Protest Letters attached.</td>
</tr>
</tbody>
</table>
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 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, a public hearing was held by the city commission on granting 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 _____ day of September 2020.

CITY OF PAMPA, TEXAS

ATTEST:       By: ________________________________

By: ________________________________

Brad Pingel, Mayor

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

Property Owner: Crossing The Jordan World Ministries
Phone: 806-662-2595

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

Owner's Representative: Billy Roy
Phone: 806-662-5425

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: 1031 S. Somervill ST
DATE: 8-28-2020

Ref: ALTERNATIVE HOUSING

(DETACH HERE)

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

1) There are churches within 2 blocks
2) The baseball & soccer fields for our kids are right out back door
3) Our neighborhood consist of single elderly women

(GIVE REASON FOR YOUR VIEWS)

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

SIGNED: Willie Caldwell
PRINT NAME: Willie Caldwell
ADDRESS: 1029 S. Somerville
DATE: 8-24-20

Ref: ALTERNATIVE HOUSING
ZONING AMENDMENT
REQUEST NO. 2020-002
DATE: 08/17/2020

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) 

2) 

3) 

(GIVE REASON FOR YOUR VIEWS)

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

SIGNED: Violeta Moreno
PRINT NAME: Violeta Moreno
ADDRESS: 918 S. Sutton
DATE: 8/27/2020

Ref: ALTERNATIVE HOUSING
AGENDA ITEM: 7

ITEM/PROJECT: ORDINANCE NO. 1738 – REZONE REQUEST

MEETING DATE: September 8, 2020

DESCRIPTION
Consider and act on approving on first reading Ordinance No. 1738, an Ordinance by the City Commission to consider approving a rezoning request from Chris and Jeremy Doucette to rezone from Office to Commercial, Lot 8 and the West 45 feet of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas commonly known as 100 E. 28th Avenue.

STAFF CONTACT: Cary Rushing, Asst. Public Works Director

FINANCIAL IMPACT: N/A
SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Ordinance No. 1738 will be effective after Commission adopts on second and final reading.

RECOMMENDED ACTION: Staff recommends Commission approve request for rezoning of 100 E. 28th Avenue from Office to Commercial.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1738, Aerial Map, Current Zoning Map and Protest Letter attached.
ORDINANCE NO. 1738

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, AMENDING SECTION 3 OF ORDINANCE NO. 690 (CHAPTER 14, EXHIBIT A TO THE CODE OF ORDINANCES, CITY OF PAMPA, TEXAS), PASSED AND APPROVED ON APRIL 8, 1969, CHANGING FROM AN OFFICE DISTRICT AND PLACING IN A COMMERCIAL DISTRICT LOT 8 AND THE WEST 45 FEET OF LOT 7, IN BLOCK 71 OF THE FRASER ANNEX NO. 3 ADDITION TO THE CITY OF PAMPA, GRAY COUNTY, TEXAS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission for the City of Pampa, Texas has jurisdiction under the constitution and laws of the State of Texas including, but not limited to, Article 11, Section 5 of the Texas Constitution as a home rule city and Texas Local Government Code Chapter 211, to set forth zoning ordinances and regulations for the public health, safety, morals, or general welfare, for protecting and preserving places and areas of historical, cultural, or architectural importance and significance and to promote a harmonious, convenient, workable relationship among land uses; and

WHEREAS, the City Commission of the City of Pampa, Texas has previously passed Ordinance 690, a comprehensive zoning ordinance, as amended and codified in Pampa Code of Ordinances Chapter 14, Exhibit A establishing, among other things, the zoning district boundaries including applicable definitions and the Zoning Map of the City of Pampa; and

WHEREAS, the owner of the following described parcel of land has requested that their property be changed from an Office District to a Commercial District:

Lots 8 and the West 45 Feet of Lot 7, in Block 71 of the Fraser Annex No. 3 Addition to the City of Pampa, Gray County, Texas, according to the duly recorded map or plat thereof, also known as 100 E 28th St, Pampa, Texas; and

WHEREAS, after giving proper notice the Planning and Zoning Commission conducted a public hearing on the respective property on September 3, 2020, to consider amending Pampa’s Zoning Ordinance and having determined that it met the general rezoning criteria of the Pampa Code of Ordinances, at the conclusion of such hearing voted to recommend to the City Commission to amend the Zoning Ordinance as outlined herein; and

WHEREAS, notice of the time and place of a public hearing on the proposal before the City Commission was published in The Pampa News not earlier than fifteen (15) days nor later than ten (10) days prior to the date of the public hearing; and

WHEREAS, on September 8, 2020, the City Commission of the City of Pampa conducted a public hearing on the recommended zoning change at a regular Commission meeting and all interested persons were given an opportunity to speak on such recommendation; and

WHEREAS, the City Commission of the City of Pampa finds that amending Ordinance 690 by changing the zoning from Office District to Commercial District Lots 8 and the West 45 Feet of Lot 7, in Block 71 of the Fraser Annex No. 3 Addition to the City of Pampa, Gray County, Texas, according to the duly recorded map or plat thereof, the same being 100 E 28th St, City of Pampa, Gray County, Texas, to be reasonable and beneficial for
the public health, safety, morals, general welfare and public interest of the citizens of Pampa and desires amend the ordinance and the Zoning Map of Pampa accordingly;

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF PAMPA HEREBY ORDAINS THAT:

Section 1.

That Section 3 of Ordinance No. 690 passed and approved by the City of Pampa, Texas, the 8th day of April, 1969 (Appendix A to the Code of Ordinances, City of Pampa, Texas) is hereby amended so that the following described property shall be, and it is hereby, changed from an Office District and placed in a Commercial District, to-wit:

Lots 8 and the West 45 Feet of Lot 7, in Block 71 of the Fraser Annex No. 3 Addition to the City of Pampa, Gray County, Texas, according to the duly recorded map or plat thereof.

Section 2.

The Zoning Map of the City of Pampa as set forth in Article 14.03 Exhibit A, Sec. 3 of the Code of Ordinances, City of Pampa, be amended to reflect the above referenced change in zoning.

Section 3.

This ordinance shall be effective upon its final reading and passage as provided by law.

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

PASSED, APPROVED and ADOPTED on its second and final reading this _____ day of September.

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
Rezone Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas

EXPLANATION
Chris and Jeremy Doucette, the owners and applicant, have submitted a request to rezone Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas. The rezone request is to go from Office to Commercial.

The applicant is requesting this rezone to increase the property’s viability in the marketplace.

BACKGROUND/EXISTING CONDITIONS
This property is a vacant lot located at the corner of 100 E. Twenty-Eight Avenue (intersection with Perryton Parkway). The applicant purchased this property several years ago with the intention of building a carwash there but has since scrapped that idea. They currently request the zoning change to meet the needs for a buyer and their intention to develop.

The subject property described above is currently zoned Office. The zoning of property adjacent to the subject is as follows: South and East – SF-2 Residential; North – Office; West – Commercial.

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 13 property owners within 200 feet of the subject property. To date, one 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 one present to protest the request, the protestor spoke regarding diminished value and trash as reasons for his protest.
Following the Public Hearing, the action item the vote was 5 to 1 in favor of said request. A decision on this zoning request has, thus, been relegated to the City Commission.

The proposed rezone meets the requirements of the City’s Zoning Ordinance and State Law. City Staff has researched the protest letter’s claims that this is spot zoning and find that this is not a spot zoning issue. The property located to the north across the street is the Smile Zone Dentistry. To the west there is a Toot ‘n Totum, as well as other businesses in the vicinity including Walmart and The Shoe Store. Zoning this property commercial is not a spot zone because it is consistent with, and it furthers the general plans in the area for business-related uses, and its use would be compatible and supportive with the adjacent properties.

Diminution of property values is not a valid consideration. The Supreme Court has ruled that claims of diminution of property values are irrelevant. [Lindsey Creek Area Civic Assoc. v. Columbus, 249 Ga. 488, 292 S.E.2d 61 (1982)]

Further, regarding the protest letter’s claims of increased traffic, the Supreme Court has ruled: “Such an inconvenience is a condition incident to urban living. It is merely the result of normal, urban growth and development. To hold that such an inconvenience would give to any resident or property holder of an urban area the right to override the decisions of boards of zoning appeals any time such property owner or resident disagreed with such decision would be a dangerous precedent to establish. It would result in materially slowing, if not completely stopping, the inevitable and necessary growth of large modern cities.” [Victoria Corp. v. Atlanta Merchandise Mart, 101 Ga. App. 163 (3)(4) (112 SE2d 793) (1960)]

Denying this rezone application would, therefore, deprive the property owners of their rights.

RECOMMENDATION
Approve the request rezone Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas, from Office to Commercial; and make recommendation to the City Commission.

ATTACHMENTS
1. Aerial Map
2. Current Zoning Map
3. Protest Letter
City of Pampa
Public Works Division
PO Box 2499
Pampa, TX 79066-2499

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:

Chris and Jeremy Doucette, the owners and applicant, have submitted a request to rezone Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision to the City of Pampa, Texas. The rezone request is to go from Office to Commercial.

After careful review, the P&Z voted _____ to _____ in favor of / against said request.

This vote came after careful consideration to ensure that the request was not unreasonable and would not negatively affect the health, safety, morals and general welfare of the surrounding area.

Sincerely,

[Signature]

Lance DeFever
Chairman
City of Pampa – Zoning Change Application

Request No. 2020-001

TO: City Commission

Date Received: 07-28-2020
Received by: D. Darling
Filing Fee: $125.00 Paid

ZONING CHANGE APPLICATION

Applicant: Chris and Jeremy Doucette
(Applicant must be all who have a proprietary interest in the property. If Applicant is not
the record owner, written proof of Applicant’s proprietary interest must accompany this
Application.)

Mailing Address: 1901 N. Hobart, Pampa, TX 79065

Telephone: Home: 806-662-4661 Office: __________________________

Legal Description of Property (Please include street address, if any): Lot 8 and West
45 Feet of Lot 7 Block 71 of Fraser Annex No. 3

Present Zoning Office

Zoning Change Request Commercial

Reason for Zoning Change: I have a buyer for the property
Pending zoning change to meet New Development

I (We) hereby certify that the above information is true to the best of my knowledge and belief. I
(We) also grant permission to the members of the Planning & Zoning Commission and any other
City official or representative to enter and inspect the property for purposes related to this
application.

Date: 7-28-2020

Signature of Applicant

(Capacity if Applicant a partnership
or corporation)
F. (Gerald Urban) am petitioning Bob Griffin to pursue properties located off HWY 70 and 28th St (properties #D: 3599 and 3600) on Gray Cad. Said properties will be used to construct a drive thru drink establishment that is soft drinks, coffee, etc. (No Alcohol Beverages). This will be a Drive Thru only, no inside service. Building size will be approx. 15 feet x 30 feet, therefore allowing ample room for vehicles to enter and exit safely. Combined physical property size is 14,392.50 (Gray Cad).

David Urban
RIP (806)-662-1561
Aerial Map

Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision

Subject Property
Current Zoning Map

Lot 8 and the west 45 ft of Lot 7, Block 71 of the Fraser Annex 3 Subdivision

Subject Property

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Pampa. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Pampa, its officials, or employees, for any discrepancies or errors which may exist.
ZONING AMENDMENT
REQUEST NO. 2020-001
DATE: 07/28/2020

ZONING ADMINISTRATION FORM B
NOTICE OF APPLICATION
FOR AMENDMENT TO ZONING ORDINANCE
CITY OF PAMPA, TEXAS

A REQUEST HAS BEEN RECEIVED FROM CHRIS AND JEREMY DOUCETTE REQUESTING TO RE-ZONE THE FOLLOWING DESCRIBED PROPERTY: LOT 8 AND THE WEST 45 FT OF LOT 7, BLOCK 71 OF THE FRASER ANNEX 3 SUBDIVISION TO THE CITY OF PAMPA, TEXAS, LOCATED AT 100 E. 28TH AVENUE, PAMPA, TEXAS.

THE APPLICANT PROPOSES TO REZONE FROM Office TO COMMERCIAL. THE APPLICANT IS REQUESTING THIS REZONE TO MAKE THE PROPERTY MORE MARKETABLE. 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 12065 E Frederick Pampa, Texas 79065. 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)

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

1) __________________________________________________________________________
2) __________________________________________________________________________
3) __________________________________________________________________________

(GIVE REASON FOR YOUR VIEWS)

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

SIGNED: Gayla Rigdon
PRINT NAME: Gayla Rigdon
ADDRESS: 111 E 28th Ave
DATE: 07/28/2020

Ref: DOUCETTE REZONE
AGENDA ITEM: 8

ITEM/PROJECT: ORDINANCE NO. 1739 – NEGOTIATED SETTLEMENT WITH ATMOS WEST TEXAS

MEETING DATE: September 8, 2020

DESCRIPTION: Consider and act on approving on first reading Ordinance No. 1739, an Ordinance by the City Commission to consider approving a negotiated settlement between the Executive Committee of Cities served by Atmos West Texas and Atmos Energy Corporation West Texas Division regarding the Company’s 2020 Rate Review Mechanism Filing.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: Information provided during meeting.

SOURCE OF FUNDS: 

START/COMPLETION SCHEDULE: Ordinance No. 1739 will be effective after Commission adopts on second and final reading.

RECOMMENDED ACTION: Staff recommends Commission approve negotiated settlement with Atmos Energy West Texas Division.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance 1739, Attachment 1 and Background and Summary Report.
ORDINANCE NO. 1739

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS (“CITIES”) AND ATMOS ENERGY CORP., WEST TEXAS DIVISION REGARDING THE COMPANY’S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE CITIES’ LEGAL COUNSEL.

WHEREAS, the City of Pampa, Texas (“City”) is a gas utility customer of Atmos Energy Corp., West Texas Division (“Atmos West Texas” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos West Texas; and

WHEREAS, the City is a member of Cities Served by Atmos West Texas (“Cities”), a coalition of similarly-situated cities served by Atmos West Texas that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos West Texas service area; and

WHEREAS, Cities and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the
WHEREAS, the RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about March 31, 2020, Atmos West Texas filed its 2020 RRM rate request with Cities based on a test year ending December 31, 2019; and

WHEREAS, Cities coordinated its review of the Atmos West Texas 2020 RRM filing through its Executive Committee, assisted by Cities’ attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

WHEREAS, the Executive Committee, as well as Cities’ counsel and consultants, recommends that Cities approve an increase in base rates for Atmos West Texas of $5.9 million with an Effective Date of December 1, 2020; and

WHEREAS, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the Cities’ Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B) and

WHEREAS, the settlement agreement establishes an amortization schedule for regulatory liability (Exhibit C); and

WHEREAS, the RRM Tariff contemplates reimbursement of Cities’ reasonable expenses associated with RRM applications;

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

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.
Section 2. That, without prejudice to future litigation of any issue identified by Cities, the City Commission finds that the settled amount of an increase in revenues of $5.9 million for Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos West Texas within the municipal limits arising from Atmos West Texas’ 2020 RRM filing, is in the public interest, and is consistent with the City’s authority under Section 103.001 of the Texas Utilities Code.

Section 3. That the existing rates for natural gas service provided by Atmos West Texas are unreasonable. The new tariffs, attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos West Texas to recover annually an additional $5.9 million in revenue from customers in Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 4. That the ratemaking treatment for pensions and retiree medical benefits in Atmos West Texas’ next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

Section 5. That subject to any future settlement or decision regarding the balance of Excess Deferred Income Tax to be refunded to ratepayers, the amortization of regulatory liability shall be consistent with the schedule found in Exhibit C, attached hereto and incorporated herein.

Section 6. That Atmos West Texas shall reimburse the reasonable ratemaking expenses of the Cities in processing the Company’s 2020 RRM filing.

Section 7. That to the extent any resolution or ordinance previously adopted by the Commission is inconsistent with this Ordinance, it is hereby repealed.
Section 8. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after December 1, 2020.

Section 11. That a copy of this Ordinance shall be sent to Atmos West Texas, care of Philip Littlejohn, Vice President of Rates and Regulatory Affairs, West Texas Division, 6606 66th Street, Lubbock, Texas 79424, and Geoffrey Gay, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

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

PASSED, APPROVED and ADOPTED on its second and final reading this _____ day of September 2020.

CITY OF PAMPA, TEXAS

By: _______________________________
Brad Pingel, Mayor

ATTEST:

__________________________________
Karen L. Price, City Secretary

APPROVED AS TO FORM:

__________________________________
Bryan J. Guymon, City Attorney
MODEL STAFF REPORT ORDINANCE

BACKGROUND AND SUMMARY

The City, along with 66 other West Texas cities served by Atmos Energy Corporation, West Texas Division (“Atmos West Texas” or “Company”), is a member of Cities Served by Atmos West Texas (“Cities”). In 2007, the Cities and Atmos West Texas settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by Cities in 2018. On or about March 31, 2020, the Company filed a rate request pursuant to the RRM Tariff adopted by Cities. The Company claimed that its cost of service in a test year ending December 31, 2019, entitled it to additional revenues system-wide of $7.1 million.

Application of the standards set forth in the Cities’ RRM Tariff reduces the Company’s request for additional revenues from Cities to $6.6 million. After a review of Cities’ consultants’ report and negotiations with Cities’ Executive Committee, Atmos agreed to a rate increase of $5.9 million, with an Effective Date of December 1, 2020. That Effective Date reflects two months’ delay beyond the October 1 date specified in your RRM Ordinance, which saves approximately $800,000 off the rates designed to yield $5.9 million. Since your consultants recommended an increase of $5.3 million, the settlement at $5.9 million with a two month delay in the Effective Date is functionally equivalent to or better than a best case scenario.
PROOF OF REVENUES

Atmos generated proof of revenues associated with the Resolution and attached rate tariffs. That proof is attached as Attachment 1 to this Staff Report. Cities’ consultants have confirmed the accuracy of the proof.

BILL IMPACT

The impact of this increase in revenues to an average residential customer’s bill is an increase of approximately $3.04 per month. A bill impact estimate for each customer class is attached as Attachment 2. Comparison of the new rates to rates in effect for areas not under the RRM process reveals that settling Cities will maintain a slight economic monthly advantage over rates in effect in Amarillo, Lubbock, and Environs. See Attachment 3.

CITIES’ OBJECTION TO THE SECTION 104.301 GRIP PROCESS

Cities strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues and rewarding the Company for increasing capital investment. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission’s review of annual GRIP filings or allow Cities to recover their rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing), and rate increases go into effect without any material adjustments. In the Executive Committee’s view, the GRIP process unfairly raises customers’ rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

EXPLANATION OF “BE IT RESOLVED” PARAGRAPHS

1. This section approves all findings in the Resolution.
2. This section adopts the attached RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.

3. This section finds that existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos West Texas to recover an additional $5.9 million over a 12-month period, but the new rates should only be effective for 10 months.

4. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate settings.

5. This section approves an exhibit to be used in future rate cases regarding recovery of regulatory liabilities, such as excess deferred income taxes.

6. This section requires the Company to reimburse the City for expenses associated with adoption of the Resolution.

7. This section repeals any resolution or ordinance that is inconsistent with this Resolution.

8. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

9. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Resolution. This section further directs that the remaining provisions of the Resolution are to be interpreted as if the offending section or clause never existed.

10. This section provides for an effective date upon passage.

11. This section directs that a copy of the signed Resolution be sent to a representative of the Company and legal counsel for the Executive Committee.
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<th>Proposed (c)</th>
<th>Bills (d)</th>
<th>Ccf (e)</th>
<th>Current Revenues (i)</th>
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Attachment 2
2020 RRM Settlement
Cities’ Model Staff Report

AVERAGE BILL COMPARISON
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### ATMOS ENERGY CORPORATION

**WEST TEXAS CITIES ("WTX CITIES") RATE REVIEW MECHANISM**

**AVERAGE BILL COMPARISON**

**TEST YEAR ENDING DECEMBER 31, 2019**

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<tr>
<td>65</td>
<td>Subtotal</td>
<td>$ 347.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>Rider FF &amp; Rider TAX</td>
<td>20.67</td>
<td></td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>Total</td>
<td>$ 368.43</td>
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<tr>
<td>68</td>
<td></td>
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<tr>
<td>69</td>
<td>Customer Charge</td>
<td>$ 144.75</td>
<td></td>
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</tr>
<tr>
<td>70</td>
<td>Consumption Charge</td>
<td>93.27</td>
<td></td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>Rider GCA</td>
<td>131.74</td>
<td></td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>Subtotal</td>
<td>$ 369.76</td>
<td></td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>Rider FF &amp; Rider TAX</td>
<td>21.97</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 74      | Total                             | $ 391.73| $ 23.30  | 6.32\
| 75      |                                   |         |          |        |
| 76      | Note:                             |         |          |        |
| 77      | 1. Rider GCA does not apply to the Transportation Tariff. Therefore, the GCA Rate has been set to zero. |         |          |        |
RESIDENTIAL AVERAGE RATE COMPARISON
WITH AMARILLO, LUBBOCK, AND ENVIRONS
<table>
<thead>
<tr>
<th></th>
<th>WT Cities</th>
<th>Amarillo</th>
<th>Lubbock</th>
<th>Environ Filing</th>
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<tr>
<td>Cust Charge</td>
<td>$17.50</td>
<td>$27.67</td>
<td>$27.67</td>
<td>$21.46</td>
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<td>Monthly Ccf</td>
<td>53.8</td>
<td>53.8</td>
<td>53.8</td>
<td>53.8</td>
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<tr>
<td>Cons Charge</td>
<td>$0.27574</td>
<td>$0.09205</td>
<td>$0.11738</td>
<td>$0.21224</td>
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<tr>
<td>Average Mo Bill</td>
<td>$32.33</td>
<td>$32.62</td>
<td>$33.99</td>
<td>$32.88</td>
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</table>

Average change:
- $0.29
- $1.65
- $0.54
AGENDA ITEM: 9

ITEM/PROJECT: REAL PROPERTY DONATION FROM PAMPA AREA FOUNDATION, INC.

MEETING DATE: September 8, 2020

DESCRIPTION: Discuss and consider accepting the donation of real property located at 200 N. Ballard St., Pampa, Texas from the Pampa Area Foundation, Inc.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: Information provided at meeting.

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Information provided at meeting.

RECOMMENDED ACTION: Staff recommends Commission accept the donation of real property from the Pampa Area Foundation, Inc. located at 200 N. Ballard, Pampa, Texas.

BACKGROUND/ADDITIONAL INFORMATION: Completed City of Pampa Real Estate Donation Data Sheet for Gifts of Real Estate attached.
Pampa Area Foundation, Inc.
August 17, 2020

The Foundation meeting was called to order at 2:30 p.m. in the offices of the Pampa Economic Development Corporation. Board members present were Charles Henry, Kerrick Horton, Clay Rice, and John Curry.

The board reviewed the minutes of the December 20, 2018 meeting and accepted them on a motion by Charles Henry and a second by Kerrick Horton.

The financials of the foundation were reviewed. The year end report of September 30, 2019 was presented. The 990 report had been submitted for the year by Tom Grantham, CPA. The board reviewed the current year through July, 2020. The financial report was approved on a motion by Kerrick Horton and a second by Clay Rice.

The Board had an extensive discussion regarding the Foundation’s Pampa Community Building. The current covid situation and the related financial problems have put our partner, Pampa Chamber of Commerce, in a financial crisis. The Foundation, at our last meeting, had discussed the possibility of gifting the building to the City of Pampa. President, John Curry, has discussed this possibility with both Brad Pingel, Mayor, and Shane Stokes, City Manager. After much discussion, the city is ready to accept the gift of our property and to give support to the Chamber.

Charles Henry made a motion and Kerrick Horton seconded the following motion:

The Pampa Area Foundation approves the gift of the building and contents of the Pampa Community Building and the adjacent parking lot to the City of Pampa. This officially is Lots 1-3, Block 25 of the original town of Pampa and Lots 19-24, Block 25 of the original town of Pampa. In return the City of Pampa will assume all responsibility for the property, take over management, and continue to support the Pampa Chamber of Commerce with office space into the future.

The motion was passed unanimously by the Board.

The board discussed the closing of the foundation, the use of remaining funds, and the reports that would be necessary for both the State of Texas and the federal government. The next meeting will address these issues and any other action required by the City of Pampa.

The meeting was adjourned at 3:06 p.m.
CITY OF PAMPA
REAL ESTATE DONATION DATA SHEET FOR GIFTS OF REAL ESTATE

To assist the City of Pampa in determining the potential benefit of proposed donations of real property, prospective donors shall provide the information requested below and sign in the space provided. Please use additional sheet(s) if additional space is required for any response(s).

PLEASE NOTE: The City of Pampa will only accept donations that meet all minimum criteria AND represent an extraordinary value to the City.

I. GENERAL PROPERTY INFORMATION

Name of Donor(s): Pampa Area Foundation, Inc.
Address: 200 N. Ballard St.
Telephone: 806-664-1617
Email: jenny@nts-online.net

1. Legal Description of Property, Geographic/Property ID #s:

Lots 1-3 B1K, 25, Original town 1-10-30 555 025 001 0000000
Lots 19-24 B1K, 25, Original town 1-10-30 555 025 019 0000000

2. Number of parcels and acreage:

2 parcels Lots 1-3 — 0.241 Acres
Lots 19-24 — 0.9821 Acres

3. List any covenants or zoning requirements associated with this property (list any zoning restrictions):

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

4. List improvements (type of building(s), condition, type and date of construction):

Lots 1-3 Large Office Building 1928

________________________________________________________________________
5. Utilities:
   a. Water service
      (List name of Provider)
      Yes ☑ No ☒
   b. Sewer service
      (List name of Provider)
      Yes ☑ No ☒
   c. Electrical Power
      Yes ☑ No ☒
   d. Telephone
      Yes ☑ No ☒

6. Date of last appraisal (attach copy):

7. Are there any unpaid taxes/attachments on the property? (If yes, please describe), provide copy of current tax status:

8. Is the property subject to a mortgage? Yes ☑ No ☒
   If yes, please list: the current mortgage holder, the current balance, and the loan origination date for each mortgage (including 2nd and 3rd lienholders):

9. Current yearly operating expenses are:
   Property Taxes $ 
   Insurance $ 
   Utilities $ 
   Homeowner/Association Fees $ 
   Other $ 

II. LEGAL STATUS OF PROPERTY

Has the property recently been offered for sale? Yes ☑ No ☒
If yes, how long has it been on the market? 

Any type of easements located on the property? Yes ☑ No ☒
If yes, please list:

Real Estate Donation Data Sheet
Potential or pending legal actions or claims? Yes ___ No X
If yes, please explain: ____________________________________________

III. ENVIRONMENTAL CONDITIONS

1. Has the property known or suspected to have been used as a dumping site, either legally or illegally, for disposal of solid or chemical waste? Yes ___ No X
If yes, explain: ____________________________________________

2. Any evidence or suspicion of asbestos-containing material or lead paint in the building(s)?
   a. Yes ___ No X
      If Yes, please describe:
         ____________________________________________

3. Are you aware of any known or suspected above ground or underground storage tanks on or near the property including fuel oil, heating oil, or gasoline? Yes ___ No X
   If yes, please describe including distance from property:
      ____________________________________________

4. Other structures and/or improvements on property: Yes X No ___
   If Yes, please describe:
   Lots 19 - 24 Small portable Bldg.

IV. DONOR CERTIFICATION

I/We certify that the information provided in the Real Estate Acquisition Data Sheet is true and correct to the best of my(our) knowledge. I/We further acknowledge that I/we have not relied on any information (written or verbal) provided by the City of Pampa, its officers, employees or agents with respect to any taxation or other legal issues with respect to this donation and that I/we understand and acknowledge that I/we have been given notice of our right to consult competent tax and/or legal counsel and encouraged to seek such advice or consultation prior to execution of any documents or any actions with respect to the donation of the subject real property to the City of Pampa. I/we understand that I/we will be responsible for all taxes which are due, or become due, prior to or during the donation process.
Please return the completed form along with a copy of the Deed and other pertinent information to: City Manager, City of Pampa, 200 W. Foster, Pampa, Texas 79065. **THANK YOU** for your assistance in helping us assess your generous donation offer.
<table>
<thead>
<tr>
<th>Property Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Account</strong></td>
</tr>
<tr>
<td>Property ID:</td>
</tr>
<tr>
<td>Legal Description:</td>
</tr>
<tr>
<td>Geographic ID:</td>
</tr>
<tr>
<td>Agent:</td>
</tr>
<tr>
<td>Type:</td>
</tr>
<tr>
<td><strong>Location</strong></td>
</tr>
<tr>
<td>Address:</td>
</tr>
<tr>
<td>Map ID:</td>
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<td><strong>Owner</strong></td>
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<td>Owner ID:</td>
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<td>Name:</td>
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<tr>
<td>Mailing Address:</td>
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<tr>
<td></td>
</tr>
<tr>
<td>% Ownership:</td>
</tr>
<tr>
<td>Exemptions:</td>
</tr>
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</table>
Property Taxing Jurisdiction

<table>
<thead>
<tr>
<th>Entity</th>
<th>Description</th>
<th>Tax Rate</th>
<th>Market Value</th>
<th>Taxable Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>CAD</td>
<td>0.000000</td>
<td>$314,370</td>
<td>$314,370</td>
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<tr>
<td>02</td>
<td>COUNTY</td>
<td>0.577350</td>
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<td>$314,370</td>
</tr>
<tr>
<td>03</td>
<td>ROAD</td>
<td>0.066900</td>
<td>$314,370</td>
<td>$314,370</td>
</tr>
<tr>
<td>10</td>
<td>WATER DISTRICT</td>
<td>0.009600</td>
<td>$314,370</td>
<td>$314,370</td>
</tr>
<tr>
<td>12</td>
<td>CITY OF PAMPA</td>
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<td>$314,370</td>
<td>$314,370</td>
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<tr>
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<td>32</td>
<td>CLARENDON COLLEGE</td>
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<td>$314,370</td>
<td>$314,370</td>
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</table>

Total Tax Rate: 2.688850

Property Improvement - Building

Living Area: 0.00sqft Value: $298,620

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Class CD</th>
<th>Year Built</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>OL C</td>
<td>LARGE OFFICE</td>
<td>A</td>
<td>1928</td>
<td>10,500.00</td>
</tr>
<tr>
<td></td>
<td>Details</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BUILT UP TAR &amp; G</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CENTRAL HEAT AND</td>
<td></td>
<td></td>
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<td></td>
<td>CONCRETE SLAB FO</td>
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<td></td>
<td>FLAT ROOF STRUCT</td>
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<td></td>
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<tr>
<td></td>
<td>MASONRY VENEER E</td>
<td></td>
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</table>

Property Land

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Acreage</th>
<th>Sqft</th>
<th>Eff Front</th>
<th>Eff Depth</th>
<th>Market Value</th>
<th>Prod.</th>
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<tbody>
<tr>
<td>0150SQ</td>
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<td>0.00</td>
<td>$15,750</td>
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</table>
## Property Details

### Account
- Property ID: 7007
- Legal Description: LOTS 19-24 BLK 25ORIGNAL TOWN
- Geographic ID: 1-10-305550250190000000

### Location
- Address: 211 N GILLESPIE , , TX
- Map ID: 1 010,
- Neighborhood CD: 0555

### Owner
- Owner ID: R698250
- Name: PAMPA AREA FOUNDATION INC
- Mailing Address: P O BOX 541
  - PAMPA, TX 79066

### % Ownership
- 100.0%

### Exemptions
- For privacy reasons not all exemptions are shown online.
### Property Taxing Jurisdiction

<table>
<thead>
<tr>
<th>Entity</th>
<th>Description</th>
<th>Tax Rate</th>
<th>Market Value</th>
<th>Taxable ()</th>
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<td>01</td>
<td>CAD</td>
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<td>02</td>
<td>COUNTY</td>
<td>0.577350</td>
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<td>$1$</td>
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<tr>
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<td>0.066900</td>
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<td>CLARENDON COLLEGE</td>
<td>0.050000</td>
<td>$16,130</td>
<td>$1$</td>
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Total Tax Rate: 2.888850

### Property Improvement - Building

**Living Area**: 0.00sqft  **Value**: $7,880

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<td>1926</td>
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<tr>
<td>ASPHALT</td>
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<td>1926</td>
<td>19,9$</td>
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### Property Land

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<th>Eff Front</th>
<th>Eff Depth</th>
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