Special Meeting of the:
Pampa City Commission
August 29, 2022
4:00 p.m.

Lance DeFever, Mayor
Paul Searl, Commissioner Ward 1
Brian Doughty, Commissioner Ward 2
Jimmy Keough, Commissioner Ward 3
Bryan Fisher, Commissioner Ward 4

Shane Stokes, City Manager
Barbara Stucker, City Secretary
Bryan J. Guymon, City Attorney

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

INVOCATION

PLEDGE OF ALLEGIANCE

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

PUBLIC COMMENTS:
Citizens who have signed a card to speak to the City Commission will be heard at this time. In 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.

The City Commission reserves the right to adjourn into Executive Session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

PUBLIC HEARING:

The City Commission of the City of Pampa will conduct a Public Hearing at 4:00 p.m. at City Hall, 201 W. Kingsmill St., 3rd Floor Commission Chambers. This will be a Public Hearing for the purpose of receiving public comments concerning the City’s proposed Operating Budget for the 2022-2023 fiscal year.

This budget will raise more total property taxes than last year’s budget by $90,874.00 or 1.92% and of that amount, $2,651.00 is tax revenue to be raised from new property added to the tax roll this year.

A copy of the 2022-2023 Proposed Operating Budget is on file in the office of the City Secretary and on our website at www.cityofpampa.org for public review. Citizens are encouraged to attend the Public Hearing to express their views.

AUTHORIZATIONS BY CITY COMMISSION:

1. Consider approving the minutes of the August 24, 2022, Regular Commission Meeting.


3. Consider adopting on second and final reading Ordinance No. 1771, an Ordinance by the City Commission providing regulations and requirements relating to special events, block parties, and parades.
4. Consider adopting on second and final reading Ordinance No. 1772, an Ordinance by the City Commission amending the water tapping rates within and outside the city limits of the City of Pampa.

5. Consider adopting on second and final reading Ordinance No. 1773, an Ordinance by the City Commission repealing Article 9.02 of the Code of Ordinances.

6. Consider approving on first reading Ordinance No. 1774, an Ordinance by the City Commission adopting the City of Pampa’s 2022-2023 Operating Budget.

7. Consider authorizing the City Manager to enter into amended Solid Waste Agreements with the following cities, counties, and businesses: Allied Waste, City of Canadian, City of Clarendon, Hemphill County, City of Higgins, City of Lefors, City of McLean, City of Skellytown, Wasteco. Inc., City of Wheeler, City of White Deer, and Waste Wranglers, Inc.

ADJOURN

CERTIFICATION

I certify that the above Agenda was posted on the officially designated bulletin board of City Hall, a place convenient and readily accessible to the public at all times and said Agenda was posted on August 26, 2022, BEFORE 4:00 P.M. and remained so posted continuously for 72 hours proceeding the scheduled time of the said meeting.

Barbara Stucker, City Secretary

ACCESSABILITY 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 Barbara Stucker, City Secretary, at (806) 669-5750. City Hall is wheelchair accessible. Entry is on the West side of the building.
PUBLIC HEARING

ITEM/PROJECT: 2022-2023 PROPOSED OPERATING BUDGET

MEETING DATE: August 29, 2022

DESCRIPTION: The City Commission of the City of Pampa will conduct a Public Hearing at 4:00 p.m. at City Hall, 201 W. Kingsmill St., 3rd Floor Commission Chambers. This will be a Public Hearing for the purpose of receiving public comments concerning the City’s proposed Operating Budget for the 2022-2023 fiscal year. This budget will raise more total property taxes than last year’s budget by $90,874.00 or 1.92% and of that amount, $2,651.00 is tax revenue to be raised from new property added to the tax roll this year.
A copy of the 2022-2023 Proposed Operating Budget is on file in the office of the City Secretary and on our website at www.cityofpampa.org for public review. Citizens are encouraged to attend the Public Hearing to express their views.

STAFF CONTACT: Commission Members
Theresa Daniels, Finance Director
Shane Stokes, City Manager

FINANCIAL IMPACT: $14,995,531.00
CITY OF PAMPA
AGENDA INFORMATION SHEET

AGENDA ITEM: 1

ITEM/PROJECT: MINUTES

MEETING DATE: August 29, 2022

DESCRIPTION: Consider approving the minutes of the August 24, 2022, Regular Meeting.

STAFF CONTACT: Barbara Stucker, City Secretary

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Minutes take effect after Commission approves.

RECOMMENDED ACTION: Staff recommends Commission approve the minutes of the August 24, 2022, Regular Commission Meeting.

RECOMMENDED MOTION: I make a motion to approve the minutes of the August 24, 2022, Regular Commission Meeting as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Minutes of the August 24, 2022, meeting attached.
CALL TO ORDER: Mayor Lance DeFever at 4:00 p.m.

PRESENT: Lance DeFever Mayor
Paul Searl Commissioner
Brian Doughy Commissioner
Jimmy Keough Commissioner

ABSENT: Bryan Fisher Commissioner

STAFF: Shane Stokes City Manager
Bryan Guymon City Attorney
Dustin Miller Community Services Director
Theresa Daniels Finance Director
Lance Richburg Chief of Police
Gary Turley Director of Public Works
Kasey Presson Fire Chief
Leroy Cox Assistant Fire Chief
Mike Day Assistant Fire Chief
Jason Roberts Fire Marshal
Jasmine Chaney Assistant Finance Director
Kimberlee Hughes Administrative Assistant
Kenneth Hopson Assistant Chief of Police
Troy Schwiegerath Emergency Management
Brian Massey Lieutenant

MEDIA: None

VISITORS: Dale Garner Phylis Garner
Cortnie Patterson Clay Rice
Lynne Moore Josh Worther
Patricia Duggar Ann Franklin
Byron Williamson

INVOCATION: Byron Williamson, Commission Chaplain

PUBLIC COMMENTS: None

DISCUSSION ITEMS:
- Budget & Tax Rate – Theresa Daniels, Finance Director

AUTHORIZATIONS BY CITY COMMISSION:

22-094

1. Consider approving the minutes of the August 8, 2022, Regular Commission Meeting, as presented.

A motion was made by Commissioner Searl and seconded by Commissioner Doughty to approve the minutes of the August 8, 2022, Regular Commission Meeting, as presented. With each Commission Member voting AYE, the motion carried.

22-095

2. Excuse the absence of Commissioner Fisher from the August 8, 2022, Regular Commission Meeting.

A motion was made by Commissioner Doughty and seconded by Commissioner Keough to excuse the absence of Commissioner Fisher from the August 8, 2022, Regular Commission Meeting. With each Commission Member voting AYE, the motion carried.
3. Consider approving the List of Disbursements dated July 2022.

A motion was made by Commissioner Keough and seconded by Commissioner Searl to approve the List of Disbursements dated July 2022 as presented. With each Commission Member voting AYE, the motion carried.

4. Consider adopting on second and final reading Ordinance No 1765, an Ordinance by the City Commission amending tonnage fees at the City of Pampa Landfill.

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.

A motion was made by Commissioner Doughty and seconded by Commissioner Searl adopt on second and final reading Ordinance No 1765 as presented. With each Commission Member voting AYE, the motion carried.

5. Consider adopting on second and final reading Ordinance No. 1766, an Ordinance by the City commission amending monthly water rates to be charged for water within and outside the corporate limits of the City of Pampa.

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

A motion was made by Commissioner Searl and seconded by Commissioner Keough to adopt on second and final reading Ordinance No. 1766 as presented. With each Commission Member voting AYE, the motion carried.

6. Consider adopting on second and final reading Ordinance No. 1767, an Ordinance by the City Commission amending sewer rates to be charged for sewer service within and outside the corporate limits of the City of Pampa.

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

A motion was made by Commissioner Keough and seconded by Commissioner Searl to adopt on second and final reading Ordinance No. 1767 as presented. With each Commission Member voting AYE, the motion carried.

7. Consider adopting on second and final reading Ordinance No. 1768, an Ordinance by the City Commission amending the solid waste disposal rates for residential and other customers within and outside the corporate limits of the City of Pampa.

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES, BE AMENDED BY REVISIGN CHAPTER 6, SECTION 6.05.010, PROVIDING FOR RATES FOR SOLID WASTE DISPOSAL FOR RESIDENTIAL AND
OTHER CUSTOMERS WITHIN AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF PAMPA, TEXAS, RESPECTIVELY, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Doughty and seconded by Commissioner Keough to adopt on second and final reading Ordinance No. 1768 as presented. With each Commission Member voting AYE, the motion carried.

22-101

8. Consider adopting on second and final reading Ordinance No. 1769, an ordinance by the City Commission 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 2022 Rate Review Mechanism.

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 2022 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 ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHMENT 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.

A motion was made by Commissioner Doughty and seconded by Commissioner Searl to adopt on second and final reading Ordinance No. 1769 as presented. With each Commission Member voting AYE, the motion carried.

22-102

9. Consider adopting on second and final reading Ordinance No. 1770, an Ordinance by the City Commission amending the school zone at Austin Elementary to 18th Avenue and Duncan Street.

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY REVisING SEcTION 12.05.002(1) AMENDING THE SCHOOL ZONE TO 18TH AVENUE AND DUNCAN STREET; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Keough and seconded by Commissioner Searl to adopt on second and final reading Ordinance No. 1770 as presented. With each Commission Member voting AYE, the motion carried.

22-103

10. Consider adopting Resolution No. 22-013, a Resolution by the City Commission to evidence the City Commission’s intention to adopt a Tax Rate of $0.73 per $100.00 of valuation on taxable property to fund the Proposed Budget for the 2022-2023 fiscal year and set the date, time, and place of the Tax Rate Public Hearing.

A RESOLUTION TO EVIDENCE THE CITY COMMISSION’S INTENTION TO ADOPT A TAX RATE OF $0.73 PER $100.00 OF VALUATION ON TAXABLE PROPERTY TO FUND THE PROPOSED BUDGET FOR THE 2022-2023 FISCAL YEAR; AND SETTING THE DATE, TIME AND PLACE OF THE PUBLIC HEARING TO BE HELD BY THE CITY COMMISSION ON THE PROPOSED TAX RATE.
A motion was made by Commissioner Searl and seconded by Commissioner Keough to adopt Resolution No. R22-013 as presented. With each Commission Member voting AYE, the motion carried.

22-104

11. Consider approving on first reading Ordinance No. 1771, an Ordinance by the City Commission providing regulations and requirements relating to special events, block parties, and parades.

AN ORDINANCE OF THE CITY OF PAMPA ADDING A NEW DIVISION, DIVISION 5, UNDER ARTICLE 1.05; SPECIAL EVENTS, BLOCK PARTIES, AND PARADES; ADDING SECTIONS 1.05.065 TO 1.05.084 PROVIDING REGULATIONS AND REQUIREMENTS RELATING TO SPECIAL EVENTS, BLOCK PARTIES, AND PARADES; PROVIDING FOR A PENALTY, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE.

A motion was made by Commissioner Doughty and seconded by Commissioner Searl to approve on first reading Ordinance No. 1771 as presented. With each Commission Member voting AYE, the motion carried.

22-105

12. Consider approving on first reading Ordinance No. 1772, an Ordinance by the City Commission amending fees to be charged and collected for tapping the water mains of the City to provide water connections.

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF PAMPA, TEXAS, BE AMENDED BY REVISING SECTION 13.02.037 OF SAID CODE PROVIDING FOR THE FEES TO BE CHARGED AND COLLECTED FOR TAPPING THE WATER MAINS OF THE CITY TO PROVIDE WATER SERVICE CONNECTIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Keough and seconded by Commissioner Doughty to approve on first reading Ordinance No. 1772 as presented. With each Commission Member voting AYE, the motion carried.

22-106

13. Consider approving on first reading Ordinance No. 1773, and Ordinance by the City Commission repealing Article 9.02 of the Code of Ordinances.

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, REPEALING ARTICLE 9.02 OF THE CODE OF ORDINANCES, HEALTH BENEFITS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Searl and seconded by Commissioner Keough to approve on first reading Ordinance No. 1773 as presented. With each Commissioner Member voting AYE, the motion carried.

ADJOURNED:

There being no further business on the agenda, the meeting was adjourned at 4:37 p.m. by Mayor Lance DeFever.

Kimberlee Hughes, Administrative Assistant     Lance DeFever, Mayor
AGENDA ITEM: 2

ITEM/PROJECT: COMMISSIONER WARD 4 RESIGNATION

MEETING DATE: August 29, 2022

DESCRIPTION: Consider accepting the resignation of Bryan Fisher, Commissioner - Ward 4.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Effective after Commission accepts resignation.

RECOMMENDED ACTION: Staff recommends Commission accept the resignation of Commissioner Bryan Fisher.

RECOMMENDED MOTION: I make a motion to accept the resignation of Bryan Fisher, Commissioner – Ward 4.
AGENDA ITEM: 3

ITEM/PROJECT: ORDINANCE NO. 1771 – SPECIAL EVENT REGULATIONS AND REQUIREMENTS

MEETING DATE: August 29, 2022

DESCRIPTION: Consider adopting on second and final reading Ordinance No. 1771, an Ordinance by the City Commission providing regulations and requirements relating to special events, block parties, and parades.

STAFF CONTACT: Troy Schwiegerath, Emergency Management Coordinator

FINANCIAL IMPACT: $25.00 Application fee

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Ordinance No. 1771 is effective after Commission adopts on second and final reading and enforceable ten days after publication

RECOMMENDED ACTION: Staff recommends Commission adopts on second and final reading Ordinance No. 1771.

RECOMMENDED MOTION: I make a motion to adopt on second and final reading Ordinance No. 1771 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1771 attached.
ORDINANCE NO. 1771

AN ORDINANCE OF THE CITY OF PAMPA ADDING A NEW DIVISION, DIVISION 5, UNDER ARTICLE 1.05; SPECIAL EVENTS, BLOCK PARTIES, AND PARADES; ADDING SECTIONS 1.05.065 TO 1.05.084 PROVIDING REGULATIONS AND REQUIREMENTS RELATING TO SPECIAL EVENTS, BLOCK PARTIES, AND PARADES; PROVIDING FOR A PENALTY, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE.

WHEREAS, the City Commission of the City of Pampa finds the passage, promulgation, and enforcement of the provisions herein contained are determined necessary and advisable for the promotion of the general welfare of the community to carry out the governmental powers and police powers delegated to and possessed by the City of Pampa.

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

SECTION 1: That the Code of Ordinances shall be and hereby is amended by adding Chapter 8.06, Special Events, Block Parties and Parades.

Sec. 1.05.065 Definitions:

The following words and terms, when used in this ordinance, have the following meanings, unless the context clearly indicates otherwise.

“APPLICANT” a person who has filed a written application for an event permit.

“BLOCK PARTY” a small social or recreational gathering for which a public street, alley or sidewalk is temporary closed to vehicular traffic within a residential district and the participants either reside within the area of the street closing or are guest of such a resident.

“EVENT” a cumulative term that means and refers to any or all of a Block Party, Special Event, Motorcade, Race, Parade, or any combination thereof.

“EVENT PERMIT” a written authorization from the Chief of Police or designee to hold the requested event.

“PARADE” any march or procession consisting of people, animals, vehicles of any type, or a combination thereof, upon any public street, sidewalk, or alley or combination thereof, which does not comply with normal and usual traffic regulations or controls.

“PERMITEE” person to whom an event permit is granted.
“SPECIAL EVENT” a preplanned, single gathering event or series of related gatherings of people or attractions for a common purpose, including but not limited to, street fairs, arts and crafts shows, carnivals, circuses, rallies, public entertainments, or other similar events. Special Events are conducted primarily outdoors in public locations and may interfere with normal flow or regulation of pedestrian or vehicular traffic, and may require special city services, including but not limited to, street closure, provisions of barricades, special parking arrangements, special electrical services or special police or emergency services. The term does not include events held in residential structures, licensed premises, buildings not owned or controlled by the City, gatherings for athletic events that are held in facilities designed for athletic events.

“RACE” a competition or series of competitions of speed or endurance between humans, motorized or other vehicles, or animals over a specified course or distance.

“MOTORCADE” any organized procession of vehicles, upon any public street, sidewalk or alley that would need to disregard normal traffic control devise to proceed but would not require the closing of the street, sidewalk, or alley to other traffic.

Sec. 1.05.066 Exception to Permit Requirements

The following events are exempt from the permitting process:

(a) An event conducted entirely on the property of an educational institution;
(b) An event wholly contained on property specifically designed or suited for the event and which holds a certificate of occupancy for such use including adequate parking;
(c) Funeral or dignitary processions;
(d) Athletic events that are held in facilities designed for athletic events;
(e) City sponsored events;
(f) First Amendment Activity conducted entirely on sidewalks, in public parks or on private property.

Sec. 1.05.067 Permit Application and Fee Requirements

Applicant seeking a permit shall file an application with the City upon forms provided by the City, which shall be accompanied with an application fee as currently established or as hereafter adopted by the City Commission from time to time.

Sec. 1.05.068 Timeframes and Deadlines

Applications shall be filed with the City of Pampa Police Department according to the following timeframes and deadlines:

(a) Application shall be filed not more than 365 days before the commencement of the proposed event
(b) Applications for a parade event permit shall be filed not less than forty-five (45) days prior to the event.
(c) Applicants for special event, race, or motorcade permits shall be filed not less than thirty (30) days prior to the event.
(d) Applications for block party event permits shall be filed not less than fifteen (15) days prior to the event.
(e) The Chief of Police may consider event applications submitted after filing deadlines where good and compelling cause is shown.

Sec. 1.05.069 Standards for Issuance of Event Permit

An event permit will be required and approved by the Chief of Police and other City officials, including, but not limited to, the Public Works Director, Fire Department Chief, Director of Code Enforcement, Director of Parks, and City Manager. Permits are issued in accordance with said standards and Section 8.06.005 of the Code of Ordinances.

(a) The event will not necessarily interrupt the safe and orderly movement of traffic near its location or route.
(b) The event will not require the diversion of a number of regular on-duty police officers to properly police the event locale or line of movement and the adjacent areas as to prevent adequate police protection for the City.
(c) The concentration of people, animals, and vehicles at assembly points will not unduly interfere with proper fire and police protection or ambulance service to areas near such assembly points or the City.
(d) A parade or motorcade is scheduled to move from its point of origin to its point of termination without unreasonable delays in route.
(e) It is not likely to cause injury to person or property.
(f) There will be adequate sanitation facilities and parking spaces available in or adjacent to any public assembly area for the estimate number of event attendees.
(g) Other licenses and permits, restrictions, regulations, safeguards or other conditions deemed necessary by individual City departments, County officials, or State or Federal agencies, for the safe and orderly conduct of the event are requested, submitted, and approved (i.e. health permit applications, agreement with police department for police coverage, and agreement with public works, etc.).
(h) Compliance with all applicable local, state, or Federal requirements is demonstrated.

Sec. 1.05.070 Denial or Revocation of a Permit

(a) The Chief of Police or designee shall deny issuance of an event permit if:
   (1) The event will conflict in time or location with another previously permitted event;
   (2) The applicant fails to comply with, or the event will violate, any City ordinance or any other applicable law;
   (3) The applicant makes or allows the making of a false or misleading statement or omission of material fact on an application;
   (4) The applicant has violated this ordinance or has had an event permit revoked within the preceding twelve (12) months;
   (5) The applicant fails to provide proof of a license or permit required by any City ordinance or by other applicable law for the event;
(6) The event would severely hinder the delivery of normal or emergency public services or constitutes of public threat;
(7) The sole purpose of the parade or motorcade is the advertising of any products, goods, wares, or merchandise and is designed to be held purely for profit;
(8) City officials make a finding contrary to the findings required to be made for issuance of a permit;
(9) The applicant refuses to agree to, abide by, or to comply with all conditions of the permit and refuses to pay any additional costs as may be required by the City.

(b) An event permit shall be revoked upon the following conditions:
(1) If any city official finds that any of the provisions of this ordinance, another City ordinance, or other applicable law is being violated;
(2) When, in the judgment of any of the above named City officials, a violation exists which requires immediate abatement, the City official shall have authority to revoke a special event permit in the absence or unavailability of the Chief of Police or designee;
(3) The applicant made or allowed to be made a false or misleading statement or omission of material fact on an application that was not discovered until after the permit was issued;
(4) Any permit issued pursuant to this ordinance may be summarily revoked by the City any time when by reason of disaster, public calamity, riot or other emergency, City officials determine that the safety of the public or property requires such revocation.

(c) No event permit shall be denied nor shall the applicant be given less favorable consideration as to time, manner, or place based upon:

1. Any protected class as defined by State or Federal Government
2. The message of the event, or the identity or associational relationships of the applicant and/or participants; or
3. Any assumption or predictions as to the amount of hostility which may be aroused in the public by the content of speech or message conveyed by the event, provided that reasonable accommodation as to time, manner, and place may be required in order for the City to provide the resources necessary for police, fire and emergency services to preserve and protect public health, safety, and welfare.

Sec. 1.05.071 Denial and Appellate Review

The Chief of Police shall act upon a complete event application within ten (10) working days after the filing thereof. If the application is not approved, applicant will be notified via mailed letter and/or electronic communication notification, of the reasons for the permit denial. Applicants may appeal denied permit application to the City Manager within five (5) days of receipt of denial notification. Upon such appeal, the City Manager may reverse, affirm, or modify in any regard the determination of the Chief of Police. The City Manager will respond to applicant with the appeal result within five (5) working days of appeal receipt.
**Sec. 1.05.072 Posting of Permit**

The event permit shall be always maintained on the premises and shall be made available to any City official.

**Sec. 1.05.073 Notice of Event to Abutting Property Owners**

The City has the authority to require that applicant send notices, and provide documentation of notification, of the event to abutting property owners when in City officials’ judgment, that special event is on scope and nature that will impact those owners.

**Sec. 1.05.074 Interference with Events**

No person shall knowingly join or participate in any event conducted under permit from the City in violation of any terms of said permit, not knowingly join or participate in any permitted event without to consent and over the objection of the permittee, nor in any manner interfere with its progress orderly conduct.

**Sec. 1.05.075 Additional City Services**

If the City department, upon a review of the application, determines that an event may require the involvement of City personnel or facilities, the applicant shall be notified of the associated cost.

(a) The Chief of Police shall determine whether and to what extent additional police services are reasonably necessary for events for traffic control and public safety. The decision will be based on:
   1. Size, location, duration, time, and date of the event;
   2. History of the particular event;
   3. Need to detour or preempt citizen travel and use of street and sidewalks;
   4. Presence of alcohol at the event

(b) If possible, without disruption or ordinary police services or compromise public safety, regularly scheduled on-duty personnel will police the event.

(c) In the event it is determined, upon review of the application that an event may require the special attention and involvement of City personnel or facilities which cause the City to incur additional expenses, the applicant shall be notified. Prior to the issuance of an event permit, the applicant shall pay the estimated charges associated with the additional City expenses to the City and shall agree to pay any additional costs, which may arise, to the City as a result of the event within five working days of the date upon which the City informs the applicant of the amount of such additional charges. Should the applicant not pay such additional cost, no future event permits shall be issued to the same applicant, organization, or group for a period not to exceed a period of two years. Nothing herein shall preclude the City from enforcing any legal or equitable remedy against the applicant for recovery of such additional costs.
Sec. 1.05.076 Events with Alcohol

Any event providing for alcohol sales shall have a valid permit or license to sell alcoholic beverages issued by the Texas Alcoholic Beverage Commission and shall follow all TABC rules and regulations associated with the permit.

Sec. 1.05.077 Conditions of Permit

In addition to other requirements set forth herein, the applicant shall furnish suitable evidence of his intention and ability to comply with all conditions included in the event application and this chapter.

Sec. 1.05.078 Insurance

No event permit shall be issued for a special event, parade, or race, until the applicant has filed a certificate of insurance, indicating that the required insurance to repair or replace any damage to publicly owned property within or adjacent to the event. The insurance policy shall be in force and effect during the period of the event and lists the City as an Additional Insured. Such insurance policy must be in the face amount of not less than ten thousand dollars ($10,000.00) and issued by a company licensed to issue such policy in Texas. This provision may be satisfied by either a special policy issued solely for the event or, by a standing liability policy maintained by the applicant year-round, so long as it meets the requirements of this subsection. Applicants have the right to show cause when the insurance requirements should be reduced or waived, and to attach such request with the submitted permit application. The City Manager will review requests and may increase, lower, or drop the insurance requirement based upon review of the event application.

An applicant may be required to furnish additional liability insurance based upon the type of event, equipment, machinery, location, alcohol related exposures, number of people involved, and other pertinent factors or risks associated with the event. Final determination of the amount of additional insurance necessary will be made by the City Manager.

Sec. 1.05.079 Amusement Rides

Rides and/or attractions with special events shall conform to all associated local, State and Federal statutory rules and regulations.

Sec. 1.05.080 Hours of Operation

An event may be conducted only between the hours of 7:00 a.m. and 10:00 p.m. daily. The police department shall be responsible for enforcing this provision. The City Manager may waive the time limitations on certain special events when good cause is demonstrated by the applicant and the request is made prior to the awarding of the event permit.
Sec. 1.05.081 Tents and Temporary Structures

Any permitted event which includes the use of a stage, seating, tent, canopy, or other temporary structure shall meet the requirements of the City’s Fire Code and Building Code except that a separate permit is not required with a permitted event. Fire lanes for emergency equipment must be provided and the site prepared in a manner so as not to be a fire hazard as determined by the Fire Chief. Staking tents on City property is not permitted without prior approval.

Sec 1.05.082 Food and Beverage Service

Where food or beverage service is provided or sold, said operators shall comply with all provisions of the food and beverage establishment ordinances of the City, as well as all other applicable state and local laws.

Sec. 1.05.083 Duration of Permit

No event shall be operated under a permit authorized herein for more than three calendar days or forty-five (45) hours during a calendar year. City-sponsored events are exempt from the length of permit restrictions. Another permit shall not be granted to the same permittee for the same location until at least 90 days have elapsed from the expiration of the previous permit. The City Manager may waive the time limits on certain events when good cause is demonstrated.

Sec. 1.05.084 City Inspection Policy

It is the policy of the City that immediately upon arriving at the premises to be inspected, the City official, will ordinarily identify himself to an event employee/worker/volunteer. If there is no employee/worker/volunteer at the scene, the City Official may enter any area that is open to the public at that time to perform an inspection.

SECTION 2: Severability, if any provision, section, subsection, sentence, clause, or the application of the same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid, or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Pampa, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reason of unconstitutionality of any other portion or provision.

SECTION 3: Repealer. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 4: Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1.01.009 of the Code of Ordinances of the City of Pampa, Texas.

SECTION 5: Publishing and effective Date. This ordinance shall be effective upon its final passage and enforceable ten (10) days after its publication.
PASSED AND APPROVED on its first reading this 24th day of August, 2022.

PASSED AND ADOPTED on its second and final reading this 29th day of August, 2022.

CITY OF PAMPA, TEXAS

By: ______________________________
    Lance DeFever, Mayor

ATTEST:

______________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

______________________________
Bryan J. Guymon, City Attorney
SPECIAL COMMUNITY EVENT APPLICATION

A permit is required for Special Community Events taking place on city property or streets, utilizing city services, or affecting municipal polices and affairs. Applications must be submitted a minimum of thirty (30) working days prior to the event to the City of Pampa administration Department. There is a $25 non-refundable permit fee. Fees for city facilities and services may also apply. City assistance must be finalized fourteen (14) days prior to the event. All Special Community Event Permit applications will be reviewed by the City and notification of application status will be provided to the applicant within five working days of receiving the application. Incomplete applications will not be considered. Based on the details of this application, additional permits and inspections may be required by the City and other agencies. Applicants are encouraged to read Ordinance No. 1771, the ordinance associated with this permit, prior to submitting an application. Ordinance No. 1771 will be codified as Division 5 Under Article 1.05 in the Code of Ordinances of the City of Pampa.

Return completed application to the City of Pampa administrations office.

Name of Event:______________________________________________________________________________

Date(s) of Event:_____________________________________________________________________________

Type of Event: Run/Walk Street Fair Other

Arts and Crafts show; Carnival; Circus; Rally; Public Entertainment; Motorcade (circle event)

Applicant Information

Applicant Name:_____________________________________________________ Date:___________________

Address:___________________________________________________________________________________

Email:_____________________________________________________________________________________

Organization:_______________________________________________________________________________

Organization Address:___________________________________ Organization Phone:____________________

If the event is to be held by or for any person/organization other than the applicant, the applicant shall attach a written statement from that other person/organization showing authority to make this application.
**Event Information** – A site plan must be submitted providing the information requested in this application. Site Plan can be found on pages on 6 and 7 of this application.

Event Location/Address: ____________________________________________________________

Is this address private or public property?  ○ Private  ○ Public

Event Location: ○ Indoor  ○ Outdoor

Event Start Time: ________________________  Event End Time: __________________________

Event Set-up Time: ________________________  Event Tear-down Time: ____________________

Started and Completed

Projected number of persons attending event: ____________________________________________

Please describe in detail the activities planned:

---

**Traffic/Police/Utility Needs**

Will your event require the following? *Fees may be required for City services and use of City facilities.*

**Parking Arrangements**  ○ Yes  ○ No

What type of parking will be utilized by this event?  ○ Onsite  ○ Off Site  ○ Both

If off site and parking is on private property; applicant must submit a letter of permission from property owner.

Parking Attendants:  ○ Yes  ○ No  If yes, how many? _______________________

How will attendees be transferred from off-site parking to the event area and returned?

**Electricity**  ○ Yes  ○ No  Electrical Plugs?  Electrical Panel and/or generator? How many?
Locations? Company providing generators?

**Police Security**  ○ Yes  ○ No
If the applicant expects more than 1,000 people in attendance or alcohol is being served; you will be required to provide police officers for security from the Pampa Police Department for crowd and traffic control at the event. The total number of police officers working at the event is determined by the Pampa Chief of Police.

**Traffic Control**  ○ Yes  ○ No
Identify locations on site plan where requesting road closures and possible directing off traffic by officers.

**Trash Receptacles**  ○ Yes  ○ No
Identify the types of trash your event will create and provide suggested locations for trash receptacles. Applicants are responsible for the removal of all trash and litter on the day of the event. The number of trash receptacles needed: ______________ (Note location on site plan)

**Fresh Water Connections**  ○ Yes  ○ No
Identify locations requested on site plan.

**Disposal of Wastewater**
Describe plans to dispose of any wastewater in connection with the event.

**Amplified Sound**  ○ Yes  ○ No
Include specific details on the type of amplified sound. Site plan should show location and orientation of the systems. Speakers should not be positioned so as to adversely affect any adjacent residential area between the hours of 10 p.m. and 7 a.m.

Provide a site plan including parking, booths, and emergency entrance and exits. All items checked “Yes” below must also be identified on the site plan and provide descriptive information where necessary. Check all items below that apply to your event. Items marked with ** may require additional permits and/or inspections.

○ Yes  ○ No  Will there be a petting zoo or any type of animals at the event?**

○ Yes  ○ No  Will there be any inflatables’?

○ Yes  ○ No  Will there be portable restrooms? How many? _______
Company providing restrooms: ______________
*Adequate numbers of accessible units are required*

○ Yes  ○ No  Will any of the following be used: stage, stage/trailer, grandstand or bleachers?

○ Yes  ○ No  Will there be a first aid station? If so by whom? ________________________________

○ Yes  ○ No  Will there be amusement rides?** ________________________________
Will alcoholic beverages be sold at the event? May require fencing and controlled entrances** (Must contact Texas Alcoholic Beverage Commission)

Will food be sold at event? ** (Must contact Environmental Health Department at 806-669-5740)

Will there be merchandise sales?

Will there be use of liquid propane or BBQ pits?

Will fencing be utilized to secure the event?

Will there be fireworks? Must be approved by Fire Chief and administered by a licensed technician.

Will there be tents (top with sides)? A Certificate of Fire Retardant and inspection may be required.

Will there be canopies (top with no sides)?

Public Notification

City may require that applicant deliver written notice to all owners or occupants of real property abutting the boundaries of the area in which the event will be conducted. The notice must include the following information: event date, time, location, and a statement that an application for a Special Event Permit has been filed.

Other Permits & Fees

Attach copies of any required insurance, surety bonds, permits or other documents described in Chapter 8.06 of the Code of Ordinances of the City of Pampa or in this application.

Cleanliness

Applicant shall return public spaces to a clean and orderly condition and replace all City property to its original location. Applicant shall pay for the cost of replacement or repair of any damage to the facility or equipment within that public space caused from the use thereof. Applicant shall refrain from applying any permanent or semi-permanent markings to roads and pedestrian pathways without prior approval.

Damage or Loss of Materials

When events are not operated or sponsored by the City, the City shall not be responsible for damage or loss of materials used or left in any public spaces and does not assume liability on groups or individuals attending an event within said public spaces.

Insurance

No event permit shall be issued for a special event, parade, or race, until the applicant has filed a certificate of insurance, indicating that the required insurance to repair or replace any damage to publicly owned property within or adjacent to the event. Insurance policy shall be in force and effect during the period of the events and list the City as an Additional Insured. Such insurance policy must be in the face amount of not less than ten thousand dollars ($10,000) and issued by a company licensed to issue such policy in Texas. This provision may be satisfied by either a
special policy issued solely for the event or, by a standing liability policy maintained by the applicant year-round, so long as it meets the requirements of this subsection. Applicants have the right to show cause when the insurance requirement should be reduced or waived, and to attach such request with the submitted permit application. The City Manager will review requests and may increase, lower, or drop the insurance requirement based upon review of the event application.

An applicant may be required to furnish additional liability insurance based upon the type of event, equipment, machinery, location, alcohol related exposures, number of people involved, and other pertinent factors or risks associated with the event. Final determination of the amount of additional insurance necessary will be made by the City Manager.

**Indemnity Agreement**

1) As a condition of a Special Event Permit being issued, the applicant agrees to protect, indemnify and hold harmless, the City of Pampa, its officers, agents and employees, from and against suit, actions, claims, losses, liability or damage of any character, and from and against cost and expenses including attorney fees incidental to the defense of such suits, actions, claims, losses, damage or liability on account of injury, death or otherwise, to any person or damage to any property, arising from any negligent act, error or omission of the undersigned, its officers, employees or agents, arising out of, resulting from, or caused by any act occurring as a result of the exercise of the privileges granted by this permit.

2) Applicant agrees that this indemnify agreement is intended to be as broad and inclusive as is permitted by the laws of the state of Texas, and that if any portion is held invalid, the remainder shall; notwithstanding, continue in full legal force and effect.

3) This indemnity agreement contains the entire agreement of the undersigned and the City of Pampa and may not be modified or altered without the express written consent of the City of Pampa.

4) This indemnity agreement shall be construed in accordance with Texas law and is preferable for all purposes in the County of Gray, City of Pampa, State of Texas.

I do solemnly swear (or affirm) that all answers given, and statement made on this application are, true and correct to the best of my knowledge and beliefs. I am aware of Ordinance No. 1771 and agree to comply with the requirements associated with it and those described in this application.

Applicant Signature: ___________________________________________ Date: _____________________________

If the event will be held on private property, please have this portion signed by the owner of the private property where the Special Event is going to be held.

I hereby grant the applicant and any affiliated organization permission to use my property in connection with the Special Event above described. I am aware of Ordinance No. 1771 and agree to comply with the requirements associated with it.
Map or Sketch of Event, Equipment, and Parking Plan

Place a check next to each item included in your event and map or sketch out their locations on page 7.

___ Identify all streets to be used or blocked and indicate whether all or only a portion of the street is used.

___ Assembly area

___ Plan of evacuation and proposed fire lanes

___ Barricades

___ Tent(s) Size(s)

___ Portable Restrooms #Regular #Handicapped

___ Parking Arrangements

Will there be any proposed parking along a street or highway?   ___ Yes   ___ No

Will there be any off-site parking?   ___ Yes   ___ No

How will participants and attendees be transferred to the event and returned to the parking areas?

Map/Sketch on Next Page
Map or Sketch

Directions for completing this map/sketch are on a previous page.

Suggested Map Symbols:

<table>
<thead>
<tr>
<th>Routes</th>
<th>Assembly Area</th>
<th>Disbanding Area</th>
<th>Loudspeaker Placement</th>
<th>Barricade/Cones</th>
<th>First Aid Station</th>
</tr>
</thead>
<tbody>
<tr>
<td>![Route Symbol]</td>
<td>![Assembly Area Symbol]</td>
<td>![Disbanding Area Symbol]</td>
<td>![Loudspeaker Placement Symbol]</td>
<td>![Barricade/Cones Symbol]</td>
<td>![First Aid Station Symbol]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tent</th>
<th>Dumpster</th>
<th>Portable Restrooms</th>
<th>Parking</th>
<th>Food Vending</th>
<th>Alcohol Beverage Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>![Tent Symbol]</td>
<td>D</td>
<td>RR</td>
<td>P</td>
<td>FV</td>
<td>AB</td>
</tr>
</tbody>
</table>
Special Event Permit Signature Sheet

Application #: _______________  Permit Fee: _______________/ _______________  _______________  
Check #  Amount  Cash Amount

Credit Card Amount _______________  Receipt #: _______________  Date: _______________

Comments: ____________________________________________________________________________________

Special Event Permit # _____________________________________________________________________________
1. **Police Department**
   - Approved
   - Denied
   - Date: _______________________________
   - Signature: ___________________________________________________________
   - City Support requirements if any: ________________________________________
   - # Staff _______ x _______ # Hours x $_________ Hourly Wage = $_________ Cost
   - Comments:_________________________________________________________________________________

2. **Fire Department**
   - Approved
   - Denied
   - Date: _______________________________
   - Signature: ___________________________________________________________
   - City Support requirements if any: ________________________________________
   - # Staff _______ x _______ # Hours x $_________ Hourly Wage = $_________ Cost
   - Comments:_________________________________________________________________________________

3. **Public Works Department**
   - Approved
   - Denied
   - Date: _______________________________
   - Signature: ___________________________________________________________
   - City Support requirements if any: ________________________________________
   - # Staff _______ x _______ # Hours x $_________ Hourly Wage = $_________ Cost
   - Comments:_________________________________________________________________________________

4. **Emergency Management**
   - Approved
   - Denied
   - Date: _______________________________
   - Signature: ___________________________________________________________
   - City Support requirements if any: ________________________________________
   - # Staff _______ x _______ # Hours x $_________ Hourly Wage = $_________ Cost
   - Comments:_________________________________________________________________________________
5. **City Manager**

   Approved  Denied  Date: _______________________________

   Signature: __________________________________________________________________________

   City Support requirements if any: __________________________________________________________________________

   # Staff ______ x ______ # Hours x $__________ Hourly Wage = $__________ Cost

   Comments: _______________________________________________________________________________

_______________________________________________________________________________

   Form should be completed and forwarded to next office on day received. City Manager will forward application to Police Department.

Other Additional Charges:

   Nature of Cost____________________  # of Units__________x $__________ Unit Cost = $__________ Cost

   Nature of Cost____________________  # of Units__________x $__________ Unit Cost = $__________ Cost

   Nature of Cost____________________  # of Units__________x $__________ Unit Cost = $__________ Cost

   Nature of Cost____________________  # of Units__________x $__________ Unit Cost = $__________ Cost

   TOTAL ADDITIONAL COSTS = $ ________________
AGENDA ITEM: 4

ITEM/PROJECT: ORDINANCE NO. 1772 – AMENDING WATER TAPPING RATES

MEETING DATE: August 29, 2022

DESCRIPTION: Consider adopting on second and final reading Ordinance No. 1772, an ordinance by the City Commission amending fees to be charged and collected for tapping the water mains of the City to provide water connections.

STAFF CONTACT: Theresa Daniels, Finance Director

FINANCIAL IMPACT: Rate information provided in ordinance

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE: Rate change will be effective October 1, 2022.

RECOMMENDED ACTION: Staff recommends Commission adopt on second and final reading Ordinance No. 1772, amending water tapping fees.

RECOMMENDED MOTION: I make a motion to adopt on second and final reading Ordinance No. 1772 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance 1772 attached.
ORDINANCE NO. 1772

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF PAMPA, TEXAS, BE AMENDED BY REVISING SECTION 13.02.037 OF SAID CODE PROVIDING FOR THE FEES TO BE CHARGED AND COLLECTED FOR TAPPING THE WATER MAINS OF THE CITY TO PROVIDE WATER SERVICE CONNECTIONS, AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

That Section 13.02.037 of the Code of Ordinances of the City of Pampa be amended so that such section shall read as follows:

“(a) The following fees are hereby established to be charged and collected for tapping the water mains of the city to provide water service connections:

<table>
<thead>
<tr>
<th>Size</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>¾-inch tap</td>
<td>$900.00</td>
</tr>
<tr>
<td>1-inch tap</td>
<td>$1,100.00</td>
</tr>
<tr>
<td>1½-inch tap</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>2-inch tap or larger</td>
<td>Actual Cost</td>
</tr>
</tbody>
</table>

Section 2.

The rates provided for under this Ordinance shall become effective on the first billing date after September 30, 2022. Nothing in this Ordinance, however, shall be construed to repeal or affect the rates currently in effect to the effective date of this Ordinance for charges which will be billed on the billing date as hereinabove provided. Further, nothing in this Ordinance shall affect the City’s rights and remedies to enforce any rates in effect prior to the passage of this Ordinance.

Section 3.

This Ordinance shall be effective upon its final passage and rates will become effective as provided above.

INTRODUCED, PASSED, AND APPROVED on its first reading this 24th day of August 2022.

PASSED AND APPROVED on its second and final reading this 29th day of August 2022.
CITY OF PAMPA TEXAS

By: ______________________________
Lance DeFever, Mayor

ATTEST:

________________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

________________________________
Bryan J. Guymon, City Attorney
### AGENDA ITEM: 5

<table>
<thead>
<tr>
<th>ITEM/PROJECT:</th>
<th>ORDINANCE NO. 1773 – REPEALING ARTICLE 9.02 OF THE CODE OF ORDINANCE, HEALTH BENEFITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>August 29, 2022</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
<td>Consider adopting on second and final reading Ordinance No. 1773, an Ordinance by the City Commission repealing Article No. 9.02 of the Code of Ordinances.</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Shane Stokes, City Manager</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 1773 will be effective when Commission adopts after second and final reading.</td>
</tr>
<tr>
<td>RECOMMENDED ACTION:</td>
<td>Staff recommends Commission adopt on second and final reading Ordinance No. 1773, Repealing Article 9.02 of the Code of Ordinances.</td>
</tr>
<tr>
<td>RECOMMENDED MOTION:</td>
<td>I make a motion to adopt on second and final reading Ordinance No. 1773 as presented.</td>
</tr>
<tr>
<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
<td>Ordinance No. 1773 attached.</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 1773

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, REPEALING ARTICLE 9.02 OF THE CODE OF ORDINANCES, HEALTH BENEFITS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Pampa, Texas has previously passed Ordinance No. 1324, codified as Article 9.02, Health Benefits, including Sections 9.02.001 through 9.02.005 of the Pampa Code of Ordinances which regulates health benefits; and

WHEREAS, said Article is outdated and should be repealed to conform to current practice; and

WHEREAS, the City Commission believes it is in the best interest of the citizens of Pampa to repeal and delete Article 9.02, Health Benefits, including Sections 9.02.001 through 9.02.005 of the Pampa Code of Ordinances;

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

SECTION I

A. Article 9.02, Health Benefits, including Sections 9.02.001 through 9.02.005, of the Pampa Code of Ordinances is hereby repealed and deleted.

SECTION II

Repealer. All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

SECTION III

Severability. The provisions of this ordinance are declared to be severable. If any section, sentence, clause or phrase of the ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance, but they shall remain in full force and effect; it being the legislative intent that this ordinance shall remain in effect notwithstanding the validity of any part.

SECTION IV

Effective Date. This Ordinance shall take effect immediately upon its adoption by the City Commission and publication as may be required by governing law.
SECTION V

Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Gov't. Code.

Section 2.

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

PASSED AND APPROVED on its first reading this 24th day of August, 2022.

PASSED AND ADOPTED on its second and final reading this 29th day of August, 2022.

CITY OF PAMPA, TEXAS

By: ___________________________________
    Lance DeFever, Mayor

ATTEST:

________________________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

________________________________________
Bryan J. Guymon, City Attorney
AGENDA ITEM: 6

ITEM/PROJECT: ORDINANCE NO. 1774 – ADOPTING THE CITY OF PAMPA’S 2022-2023 OPERATING BUDGET

MEETING DATE: August 29, 2022

DESCRIPTION: Consider approving on first reading Ordinance No. 1774, an Ordinance by the City Commission adopting the City of Pampa 2022-2023 Operating Budget.

STAFF CONTACT: Theresa Daniels, Finance Director
Shane Stokes, City Manager

FINANCIAL IMPACT: $14,995,531.00

SOURCE OF FUNDS: Various funding sources

START/COMPLETION SCHEDULE: Budget will take effect on October 1, 2022

RECOMMENDED ACTION: Staff recommends Commission approve on first reading Ordinance No. 1774, adopting the 2022-2023 Operating Budget

RECOMMENDED MOTION: I make a motion to approve on first reading Ordinance No. 1774, adopting the City of Pampa’s 2022-2023 Operating Budget.

BACKGROUND/ADDITIONAL INFORMATION: NOTE: Roll Call Vote required for this item
Copy of Ordinance No. 1774 attached
ORDINANCE NO. 1774

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF PAMPA FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, 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 2022-2023 FISCAL YEAR.

WHEREAS, the budget, for the fiscal year beginning October 1, 2022, and ending September 30, 2023, was duly filed with the City Secretary Office on August 10, 2022 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, 2022, and ending September 30, 2023, 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 2022-2023 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, 2022 and ending September 30, 2023.

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 29th day of August 2022, upon a voice roll call vote as follows:

Mayor Lance DeFever
Commissioner Ward 1 Paul Searl
Commissioner Ward 2 Brian Doughty
Commissioner Ward 3 Jimmy Keough
Commissioner Ward 4 - Vacant

PASSED, APPROVED AND ADOPTED on second and final reading this 6th day of September 2022, upon a voice roll call vote as follows:

Mayor Lance DeFever
Commissioner Ward 1 Paul Searl
Commissioner Ward 2 Brian Doughty
Commissioner Ward 3 Jimmy Keough
Commissioner Ward 4 - Vacant
CITY OF PAMPA, TEXAS

By: ____________________________

Lance DeFever, Mayor

ATTEST:

______________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

______________________________
Bryan J. Guymon, City Attorney
AGENDA ITEM: 7

ITEM/PROJECT: SOLID WASTE AGREEMENTS WITH OTHER CITIES, COUNTIES AND BUSINESSES

MEETING DATE: August 29, 2022

DESCRIPTION: Consider authorizing the City Manager to enter into amended Solid Waste Agreements with the following cities, counties, and businesses: Allied Waste, City of Canadian, City of Clarendon, Hemphill County, City of Higgins, City of Lefors, City of McLean, City of Skellytown, Wasteco, Inc., City of Wheeler, City of White Deer and Waste Wranglers, Inc.

STAFF CONTACT: Gary Turley, Director of Public Works

FINANCIAL IMPACT: $44.00 new tonnage rate

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Agreements with each entity will be effective October 1, 2022

RECOMMENDED ACTION: Staff recommends Commission authorize the City Manager to enter into Solid Waste Agreements with the entities listed above.

RECOMMENDED MOTION: I make a motion to authorize the City Manager to enter into amended Solid Waste Agreements as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Solid Waste Agreement attached.
CONTRACT AMENDMENT

THIS AMENDMENT is made and entered into by and between the CITY OF PAMPA, TEXAS (“Pampa”) and REPUBLIC SERVICES dba ALLIED WASTE (“Allied Waste”).

Reference is here made to that certain “Solid Waste Disposal Agreement” dated September 19, 2000 made and entered into by and between Pampa and Allied Waste.

It is hereby AGREED that the rate set out in Paragraph 4 of said Agreement is amended to read $44.00. Said rate shall be effective on October 1, 2022.

It is further AGREED that all of the other terms and provisions of said Agreement are hereby ratified and confirmed.

EXECUTED in duplicate originals this 29th day of August 2022 by the duly authorized official of the undersigned.

CITY OF PAMPA, TEXAS

By: ________________________________ By: ________________________________
Shane Stokes, City Manager Title: ________________________________

ATTEST: ATTEST:

___________________________________ ________________________________
Barbara Stucker, City Secretary Secretary

APPROVED AS TO FORM:

___________________________________
Bryan J. Guymon, City Attorney