Regular Meeting of the:

Pampa City Commission
August 8, 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.

DISCUSSION ITEMS:

- Tax Rate

AUTHORIZATIONS BY CITY COMMISSION:

1. Consider approving the minutes of the July 25, 2022, Regular Commission Meeting.

2. Excuse the absence of Commissioner Fisher the July 25, 2022, Regular Commission Meeting.

3. Consider awarding the bid for the Armory Renovation Project, Finishing Section to Kacy Davis Construction, the lowest responsive bidder, in the amount of $68,180.40.

4. Consider awarding the bid for the Red Deer Creek Reclamation Project to Lineage, LLC.

5. Consider approving on first reading Ordinance No. 1765, an Ordinance by the City Commission amending tonnage fees at the City of Pampa’s Landfill.

6. Consider approving on first reading Ordinance No. 1766, an Ordinance by the City Commission amending the monthly Water Rates to be charged for water within and outside the corporate limits of the City of Pampa.

7. Consider approving on first reading Ordinance No. 1767, an Ordinance by the City Commission amending the Sewer Rates to be charged for sewer service within and outside the corporate limits of the City of Pampa.
8. Consider approving on first reading Ordinance No. 1768, an Ordinance by the City Commission amending the Solid Waste Disposal rates for residential and other customers within and outside corporate limits of the City of Pampa.

9. Consider approving on first 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 Filing.

10. Consider approving on first reading Ordinance No. 1770, an Ordinance by the City Commission amending the School Zone at Austin Elementary to 18th Avenue and Duncan Street.

11. Consider adopting Resolution No. R22-012, a Resolution by the City Commission denying Southwestern Public Service Company’s proposed increase in rates and authorizing the City’s continued participation with other cities in the Alliance of Xcel Municipalities.

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 5, 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.
CITY OF PAMPA
AGENDA INFORMATION SHEET

DISCUSSION ITEM:

ITEM/PROJECT: TAX RATE

MEETING DATE: August 8, 2022

STAFF CONTACT: Theresa Daniels, Finance Director
<table>
<thead>
<tr>
<th><strong>AGENDA ITEM:</strong> 1</th>
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<tbody>
<tr>
<td><strong>ITEM/PROJECT:</strong></td>
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<tr>
<td><strong>MEETING DATE:</strong></td>
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<td><strong>DESCRIPTION:</strong></td>
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<td><strong>STAFF CONTACT:</strong></td>
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<td><strong>FINANCIAL IMPACT:</strong></td>
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<td><strong>SOURCE OF FUNDS:</strong></td>
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<td><strong>START/COMPLETION SCHEDULE:</strong></td>
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<td><strong>RECOMMENDED ACTION:</strong></td>
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<td><strong>RECOMMENDED MOTION</strong></td>
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<tr>
<td><strong>BACKGROUND/ADDITIONAL INFORMATION:</strong></td>
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</tbody>
</table>
CALL TO ORDER: Mayor Lance DeFever at 4:00 p.m.

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

ABSENT: Bryan Fisher Commissioner

STAFF: Shane Stokes City Manager
Barbara Stucker City Secretary
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
Kenneth Hopson Assistant Chief of Police
Stephanie Willoughby CID Lieutenant
Debbie McDonald Dispatch Supervisor
Kimberlee Hughes Administrative Assistant
Chris Didway Solid Waste Supt.
Kirk Reed Code Enforcement Officer
Elaine Johnson Municipal Court Judge
Sharod Harris Engineer in Training
Tim Smith Water/Wastewater Supt.
Monty Montgomery Animal Control Supervisor

MEDIA: John Lee Pampa News
Caleb Dorn Pampa News

VISITORS: Clay Rice Cortnie Patterson
Donna Brown Dale Garner
Phylis Garner Chad Dietz
Kurtis Murray Warren Chabrier
Lynne Moore

INVOCATION: Paul Searl, Commissioner

PUBLIC COMMENTS:
Donna Brown, 907 Varnon Dr. - Ms. Brown shared with the Commission her ideas for a City Cleanup and Restoration project.

RECOGNITION:

- Shane Stokes, City Manager, recognized staff who worked the water main leak during the week of July 18, 2022- July 22, 2022. He also recognized those who donated to our employees on scene.
- Gary Turley, Public Works Director, shared with the Commission the process of getting the waterline fixed and recognized the following employees for their efforts:
  
  Tim Smith    Joe Palma    Dug Johnson    Ryan Romero
  Ron Gaite    Terry Davis  Tracy Stroud  Samuel Garcia
  Chris Didway Robert Harding Gary Franks Jay Weeden
  Ty Payne     Nathan Stawarski.

Director Turley also recognized the efforts of the Fire and Emergency Management Departments.
CODE ENFORCEMENT PROCESSES

- Kirk Reed, Code Enforcement Officer and Jason Roberts, Fire Marshal, went through the processes of junk & debris and high weeds & grass complaints.

DISCUSSION ITEMS:

- Downtown Revitalization Project update - Chad dietz, Parkhill Engineering
- Budget: General Fund and other Governmental Funds – Theresa Daniels, Finance Director

AUTHORIZATIONS BY CITY COMMISSION:

**22-077**

1. Consider approving the minutes of the July 11, 2022, Public Hearing/Regular Commission Meeting, as presented.

A motion was made by Commissioner Searl and seconded by Commissioner Keough to approve the minutes of the July 11, 2022, Regular Commission Meeting, as presented. With each Commission Member voting AYE, the motion carried.

**22-078**

2. Excuse the absence of Commissioner Fisher and Commissioner Doughty from the July 11, 2022, Public Hearing/Regular Commission Meeting.

A motion was made by Commissioner Keough and seconded by Commissioner Searl to excuse the absence of Commissioner Fisher and Commissioner Doughty the June 13, 2022, Public Hearing/Regular Commission Meeting. With each Commission Member voting AYE, the motion carried.

**22-079**

3. Consider approving the List of Disbursements dated June 2022.

A motion was made by Commissioner Doughty and seconded by Commissioner Searl to allow Commissioner Keough to abstain from voting on the June 2022 List of Disbursements because he provided a paid business service to the City of Pampa, with each Commission Member voting AYE and Commissioner Keough abstaining, the motion carried.

**22-080**

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

**22-081**


A motion was made by Commissioner Searl and seconded by Commissioner Doughty to approve the Interlocal Agreement with Pampa Independent School District as presented. With each Commission Member voting AYE, the motion carried.

**22-082**

5. Consider awarding the bid for the Utility/Construction Building roof to LBK Roofing, the lowest bidder, in the amount of $349,962.35.
A motion was made by Commissioner Keough and seconded by Commissioner Doughty to award the bid for the Utility/Construction Building roof to LBK Roofing as presented. With each Commission Member voting AYE, the motion carried.

**ADJOURNED:**

There being no further business on the agenda, the meeting was adjourned at 5:37 p.m. by Mayor Lance DeFever.

Barbara Stucker, City Secretary  
Lance DeFever, Mayor
AGENDA ITEM: 2

ITEM/PROJECT: COMMISSION ABSENCE

MEETING DATE: August 8, 2022

DESCRIPTION: Excuse the absence of Commissioner Fisher from the July 25, 2022, Regular Commission Meeting.

STAFF CONTACT: Commission Members

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: N/A

RECOMMENDED ACTION: Staff recommends the Commission excuse the absence of Commissioner Fisher from the July 25, 2022, Regular Commission Meeting.

RECOMMENDED MOTION: I make a motion to excuse the absence of Commissioner Fisher from the July 25, 2022, Regular Commission Meeting.

BACKGROUND/ADDITIONAL INFORMATION: N/A
AGENDA ITEM: 3

ITEM/PROJECT: ARMORY RENOVATION BID

MEETING DATE: August 8, 2022

DESCRIPTION: Consider awarding the bid for the Armory Renovation Finishing Section to Kacy Davis Construction, the lowest respective bidder, in the amount of $68,180.40.

STAFF CONTACT: Dustin Miller, Community Services Director

FINANCIAL IMPACT: $68,180.40

SOURCE OF FUNDS: Information given at meeting.

SCHEDULE:

RECOMMENDED ACTION:

Staff recommends Commission award the Armory Renovation bid, Finishing Section, to Kacy Davis Construction.

RECOMMENDED MOTION: I make a motion to award the bid for the Armory Renovation Project – Finishing Section to Kacy Davis Construction as presented.

BACKGROUND/ADDITIONAL INFORMATION:

Bid Tabulation Form attached.
<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Item 1</th>
<th>Bid Item 2</th>
<th>Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addendum #1</td>
<td>Finish Contractors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kacy Davis Construction</td>
<td></td>
<td></td>
<td>$68,180.40</td>
</tr>
</tbody>
</table>
AGENDA ITEM: 4

ITEM/PROJECT: AWARD BID – RED DEER CREEK RECLAMATION PROJECT

MEETING DATE: August 8, 2022

DESCRIPTION: Consider awarding bid for Red Deer Creek Reclamation Project to Lineage, LLC.

STAFF CONTACT: Gary Turley, Public Works Director

FINANCIAL IMPACT: Information provided during meeting

SOURCE OF FUNDS:

START/COMPLETION SCHEDULE: Information provided during meeting

RECOMMENDED ACTION: Staff recommends Commission reject the bid from Lineage, LLC for the Red Deer Creek Reclamation Project.

RECOMMENDED MOTION: I make a motion to reject the bid from Lineage, LLC for the Red Deer Creek Reclamation Project.

BACKGROUND/ADDITIONAL INFORMATION: Bid Tabulation Form attached.
<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Items: Unit Price</th>
<th>Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lineage, LLC</td>
<td></td>
<td>$518,146.00</td>
</tr>
</tbody>
</table>
AGENDA ITEM: 5

ITEM/PROJECT: ORDINANCE NO. 1765 – AMENDING TONNAGE RATES

MEETING DATE: August 8, 2022

DESCRIPTION: Consider approving on first reading Ordinance No. 1765, an Ordinance by the City Commission amending tonnage fees at the City of Pampa Landfill.

STAFF CONTACT: Gary Turley, Public Works Director

FINANCIAL IMPACT: Tonnage fees will increase from $43.00/ton to $44.00/ton

SOURCE OF FUNDS: Non-residential customers/ businesses using landfill

START/COMPLETION SCHEDULE: Effective October 1, 2022

RECOMMENDED ACTION: Staff recommends Commission approve on first reading Ordinance No. 1765 – amending tonnage fees at the City Landfill

RECOMMENDED MOTION: I make a motion to approve on first reading Ordinance No. 1765 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1765 attached
ORDINANCE NO. 1765

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 $44.00 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: $44.00 per ton

(3) Soils: $44.00 per ton

(4) Sewer sludge: $44.00 per ton

(5) Trees/Tree Limbs: $44.00 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): $44.00 per ton with a $30.00 minimum
(9) Concrete: $44.00 per ton
(10) Metal: $44.00 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, 2022.

PASSED AND APPROVED on its first reading this 8th day of August 2022.

PASSED AND ADOPTED on its second and final reading this 22nd 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. 1766 – AMENDING WATER RATES

MEETING DATE: August 8, 2022

DESCRIPTION: Consider approving on first 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.

STAFF CONTACT: Gary Turley, Public Works Director

FINANCIAL IMPACT: Rate information provided in Ordinance

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Water rates effective on October 1, 2022

RECOMMENDED ACTION: Staff recommends Commission approve on first reading Ordinance No. 1766 – amending water rates.

RECOMMENDED MOTION: I make a motion to approve on first reading Ordinance No. 1766 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1766 attached
ORDINANCE NO. 1766

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.

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

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

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

(1) Minimum bill – 1,000 gallons.

<table>
<thead>
<tr>
<th>Water meter (inches)</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8</td>
<td>$24.01</td>
</tr>
<tr>
<td>1</td>
<td>$27.35</td>
</tr>
<tr>
<td>1 ½</td>
<td>$32.87</td>
</tr>
<tr>
<td>2</td>
<td>$39.53</td>
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<tr>
<td>2 ½</td>
<td>$39.53</td>
</tr>
<tr>
<td>3</td>
<td>$39.53</td>
</tr>
<tr>
<td>4</td>
<td>$39.53</td>
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<tr>
<td>6</td>
<td>$39.53</td>
</tr>
<tr>
<td>8</td>
<td>$39.53</td>
</tr>
</tbody>
</table>

(2) Volume charge, per 1,000 or more gallons over minimum.

<table>
<thead>
<tr>
<th>Gallons or part thereof</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 to 4,999</td>
<td>$3.98</td>
</tr>
<tr>
<td>5,000 to 9,999</td>
<td>$4.07</td>
</tr>
<tr>
<td>10,000 to 29,999</td>
<td>$4.12</td>
</tr>
<tr>
<td>30,000 to 49,999</td>
<td>$4.23</td>
</tr>
<tr>
<td>50,000 gallons and over</td>
<td>$4.52</td>
</tr>
</tbody>
</table>
Section 2.

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

Sec. 13.02.039 Rates outside city limits

(a) The water rates to be charged and collected from all state correctional institutions located outside the corporate limits of the city obtaining service from the system shall be and are fixed as follows: Three and 03/100ths Dollars ($3.03) per one thousand (1,000) gallons or part thereof.

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

(1) Minimum bill – 1,000 gallons.

<table>
<thead>
<tr>
<th>Water meter (inches)</th>
<th>Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8</td>
<td>$36.02</td>
</tr>
<tr>
<td>1</td>
<td>$41.01</td>
</tr>
<tr>
<td>1 ½</td>
<td>$49.32</td>
</tr>
<tr>
<td>2</td>
<td>$59.28</td>
</tr>
<tr>
<td>2 ½</td>
<td>$59.28</td>
</tr>
<tr>
<td>3</td>
<td>$59.28</td>
</tr>
<tr>
<td>4</td>
<td>$59.28</td>
</tr>
<tr>
<td>6</td>
<td>$59.28</td>
</tr>
<tr>
<td>8</td>
<td>$59.28</td>
</tr>
</tbody>
</table>

(2) Volume charge, per 1,000 or more gallons over minimum.

<table>
<thead>
<tr>
<th>Gallons or part thereof</th>
<th>Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 to 4,999</td>
<td>$5.97</td>
</tr>
<tr>
<td>5,000 to 9,999</td>
<td>$6.11</td>
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<tr>
<td>10,000 to 29,999</td>
<td>$6.18</td>
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<tr>
<td>30,000 to 49,999</td>
<td>$6.35</td>
</tr>
<tr>
<td>50,000 and over</td>
<td>$6.78</td>
</tr>
</tbody>
</table>

Section 3.
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 4.

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

PASSED AND APPROVED on its first reading this 8th day of August 2022.

PASSED, APPROVED, AND ADOPTED on its second and final reading this 24th 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: 7

ITEM/PROJECT: ORDINANCE NO. 1767 – AMENDING SEWER RATES

MEETING DATE: August 8, 2022

DESCRIPTION: Consider approving on first 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.

STAFF CONTACT: Gary Turley, Public Works Director

FINANCIAL IMPACT: Rate information provided in Ordinance

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Sewer rates effective October 1, 2022

RECOMMENDED ACTION: Staff recommends Commission approve on first reading Ordinance No. 1767 – amending sewer rates.

RECOMMENDED MOTION: I make a motion to approve on first reading Ordinance No. 1767 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1767 attached
ORDINANCE NO. 1767

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

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

That Section 13.03.002 of the Code of Ordinances of the City of Pampa be amended so that said Section shall read as follows:

Sec. 13.03.002 Rates

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

Sewer Rates
(1) Residential (Minimum bill)—1,000 gallons .......... $15.81
    Each 1,000 gallons or part thereof over 1,000 to 8,000 gallon cap at the volume charge hereinafter set forth
    ($0.10 of said minimum shall be allocated to fund household hazardous waste projects.)
(2) Commercial (minimum bill) – 1,000 gallons........ $15.81
    Each 1,000 gallons or part thereof over 1,000 gallons at the volume charge hereinafter set forth
(3) Volume charge, per 1,000 or more gallons over minimum,
    1,000 gallons to 2,999 gallons or part thereof (residential only)............ $2.01
    3,000 gallons and over or part thereof (residential only)................. $2.06
    1,000 gallons and over or part thereof (commercial only) ............... $2.06

“In addition, a Surcharge of $5.00 per month will be charged to each customer for Treatment Plant improvements”.

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

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

Sewer Rates
(1) Residential (Minimum bill)—1,000 gallons .......... $23.72
    Each 1,000 gallon or part thereof over 1,000 to 8,000 gallon cap at the volume charge hereinafter set forth
    ($0.10 of said minimum shall be allocated to fund household
hazardous waste projects.)

(2) Commercial (minimum bill) – 1,000 gallons…….. $23.25

Each 1,000 gallons or part thereof over 1,000 gallons at the volume charge hereinafter set forth

(3) Volume charge, per 1,000 or more gallons over minimum,
1,000 gallons to 2,999 gallons or part thereof (Residential Only)……………$3.02
3,000 gallons and over or part thereof (Residential Only)…………………$3.09
1,000 gallons and over or part thereof (Commercial Only) …………… …$3.09

“In addition a Surcharge of $5.00 per meter, per month will be charged to each customer for Treatment Plant improvements”.

“(c) The sewer rates to be charged and collected from all state correctional institutions located outside the corporate limits of the city obtaining service from the system shall be and are fixed as follows: One and 44/100ths Dollars ($1.44) per one thousand (1,000) gallons or part thereof.”

Section 2.

The rates provided for under this Ordinance shall become effective on the first billing date after September 30, 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 enforceable ten (10) days after its publication.

PASSED AND APPROVED on its first reading this 8th day of August 2022.

PASSED AND APPROVED on its second and final reading this 24th 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: 8

ITEM/PROJECT: ORDINANCE NO. 1768 – AMENDING SOLID WASTE DISPOSAL RATES

MEETING DATE: August 8, 2022

DESCRIPTION: Consider approving on first 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.

STAFF CONTACT: Gary Turley, Public Works Director

FINANCIAL IMPACT: Rate information provided in Ordinance

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Solid Waste Disposal rates effective October 1, 2022

RECOMMENDED ACTION: Staff recommends Commission approve on first reading Ordinance No. 1768 – amending solid waste disposal rates.

RECOMMENDED MOTION: I make a motion to approve on first reading Ordinance No. 1768 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1768 attached
AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE
CODE OF ORDINANCES, BE AMENDED BY REVISING 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.

BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:

Section 1.

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

(a) Rates within the corporate limits. The monthly rate to be charged and
collected for solid waste removal services for each single-family dwelling is fixed at the
rate of Twenty-Four and 56/100ths Dollars ($24.56) per month per single-family
dwelling, whether any dumpster is shared by one (1) or more residential, single-family
dwellings or a combination of residential and commercial customers. Residential
collections and removals shall be made only once a week. The rate is hereby fixed at
Twenty-Four and 56/100ths Dollars ($24.56) per container for each pickup over and
above the number of pickups for which a customer ordering said pickup is being
charged."

Section 2.

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

(b) Rates outside the corporate limits.

(1) The monthly rate to be charged and collected for solid waste
removal services for each single-family dwelling is fixed at the rate of Thirty-Six
and 84/100ths Dollars ($36.84) per month per single-family dwelling, whether
any dumpster is shared by one (1) or more residential, single-family dwellings or
a combination of residential and commercial customers. Residential collections
and removals shall be made only once a week. The rate is hereby fixed at Thirty-
Six and 84/100ths Dollars ($36.84) per container for each pickup over and above
the number of pickups for which a customer ordering said pickup is being
charged.

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

Section 3.

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

(d) Rates for other customers.

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

\[
\text{Number of Dumpsters} \times \text{Number of pickups per week} \times $45.25 = \text{Monthly Charge}\*
\]

*If more than one (1) customer uses a dumpster (or dumpsters), the monthly charge shall be divided by the number of customers using said dumpster (or dumpsters); provided, however, that in no event shall the minimum monthly charge per customer be less than Twenty-Four and 56/100ths Dollars ($24.56) per month per customer.

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

\[
\text{Number of Dumpsters} \times \text{Number of pickups per week} \times $67.88 = \text{Monthly Charge}\*
\]

*If more than one (1) customer uses a dumpster (or dumpsters), the monthly charge shall be divided by the number of customers using said dumpster (or dumpsters); provided, however, that in no event shall the minimum monthly charge per customer be less than Thirty-Six and 84/100ths Dollars ($36.184) per month per customer.

Services to such other customers, as provided above, who are outside the corporate limits of Pampa, shall be subject to the approval of the director of public works or his designated agent. In the event the director of public works or his designated agent should determine that such service requires excessive mileage or tonnage, the fee to be charged will be negotiated on an individual contract basis.
Section 4.

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

(f) **Dumpster replacement fee.** The monthly rate to be charged and collected for the Dumpster replacement fund is fixed at the rate of Two and 37/100ths Dollars ($2.37) per month per customer.

Section 5.

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 6.

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 8th day of August 2022.

PASSED, APPROVED, AND ADOPTED on its second and final reading this 24th 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: 9

ITEM/PROJECT: ORDINANCE NO. 1769 – NEGOTIATED SETTLEMENT WITH ATMOS WEST TEXAS

MEETING DATE: August 8, 2022

DESCRIPTION: Consider approving on first 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.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: Information provided during meeting

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Ordinance No. 1769 will be effective after Commission adopts on second and final reading.

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

RECOMMENDED MOTION: I make a motion to approve on first reading Ordinance No. 1769 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Tariffs, Average Bill, Pension Benchmark, and Copy of Ordinance No. 1769 attached
Availability

This schedule is applicable to general use by Residential customers for heating, cooking, refrigeration, water heating and other similar type uses. This schedule is not available for service to premises with an alternative supply of natural gas.

Monthly Rate

<table>
<thead>
<tr>
<th>Charge</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Charge</td>
<td>$ 18.27</td>
</tr>
<tr>
<td>Consumption Charge</td>
<td>$ 0.33076 per Ccf</td>
</tr>
</tbody>
</table>

The West Texas Division Gas Cost Adjustment Rider applies to this schedule.

The West Texas Division Weather Normalization Adjustment Rider applies to this schedule.

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).
**WEST TEXAS DIVISION**  
**ATMOS ENERGY CORPORATION**

<table>
<thead>
<tr>
<th>RATE SCHEDULE:</th>
<th>COMMERCIAL GAS SERVICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICABLE TO:</td>
<td>WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)</td>
</tr>
<tr>
<td>EFFECTIVE DATE:</td>
<td>Bills Rendered on and after 10/01/2022</td>
</tr>
</tbody>
</table>

**Availability**

This schedule is applicable to Commercial customers, including hospitals and churches, for heating, cooking, refrigeration, water heating and other similar type uses. This schedule is not available for service to premises with an alternative supply of natural gas.

**Monthly Rate**

<table>
<thead>
<tr>
<th>Charge</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Charge</td>
<td>$ 57.08</td>
</tr>
<tr>
<td>Consumption Charge</td>
<td>$ 0.18234 per Ccf</td>
</tr>
</tbody>
</table>

The West Texas Division Gas Cost Adjustment Rider applies to this schedule.

The West Texas Division Weather Normalization Adjustment Rider applies to this schedule.

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).
Availability

This schedule is applicable to the sales to any industrial or commercial customer whose predominant use of natural gas is other than space heating, cooking, water heating or other similar type uses. Service under this schedule is available to eligible customers following execution of a contract specifying the maximum hourly load. This schedule is not available for service to premises with an alternative supply of natural gas.

Monthly Rate

<table>
<thead>
<tr>
<th>Charge</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Charge</td>
<td>$ 616.30</td>
</tr>
<tr>
<td>Consumption Charge</td>
<td>$ 0.10802 per Ccf</td>
</tr>
</tbody>
</table>

The West Texas Division Gas Cost Adjustment Rider applies to this schedule.

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).
Availability

This schedule is applicable to general use by Public Authority type customers, including public schools, for heating, cooking, refrigeration, water heating and other similar type uses. This schedule is not available for service to premises with an alternative supply of natural gas.

Monthly Rate

<table>
<thead>
<tr>
<th>Charge</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Charge</td>
<td>$ 159.26</td>
</tr>
<tr>
<td>Consumption Charge</td>
<td>$ 0.15885 per Ccf</td>
</tr>
</tbody>
</table>

The West Texas Division Gas Cost Adjustment Rider applies to this schedule.

The West Texas Division Weather Normalization Adjustment Rider applies to this schedule.

The West Texas Division Rider TAX applies to this schedule.

The West Texas Division Rider FF applies to this schedule.

The West Texas Division Rider RRM applies to this schedule.

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).
Application
Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., West Texas Division Distribution System for the transportation of all natural gas supplied by Customer or Customer’s agent at one Point of Delivery for use in Customer’s facility with an estimated annual usage greater than 100,000 Ccf per meter.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's bill will be calculated by adding the following Customer and Ccf charges to the amounts and quantities due under the riders listed below:

<table>
<thead>
<tr>
<th>Charge</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Charge per Meter</td>
<td>$616.30 per month</td>
</tr>
<tr>
<td>Consumption Charge</td>
<td>$0.10802 per Ccf</td>
</tr>
</tbody>
</table>

Upstream Transportation Cost Recovery: The customer is responsible for all upstream transportation costs.

Retention Adjustment: Plus a quantity of gas equal to the Company’s most recently calculated financial L&U percentage for the twelve months ended September multiplied by the gas received into Atmos Energy Corporation's West Texas Division for transportation to the customer.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Miscellaneous Charges: Plus an amount for miscellaneous charges calculated in accordance with the applicable rider(s).

The West Texas Division Rider RRM applies to this schedule.

Conversions: Units may be converted from Ccf to Mcf or Mmbtu as necessary to comply with the underlying transportation agreement.
**RATE SCHEDULE:** TRANSPORTATION SERVICE  
**APPLICABLE TO:** WEST TEXAS CITIES SERVICE AREA – Inside City Limits (ICL)  
**EFFECTIVE DATE:** Bills Rendered on and after 10/01/2022

**Imbalance Fees**
All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

**Monthly Imbalance Fees**
Customer shall pay Company a monthly imbalance fee at the end of each month as defined in the applicable Transportation Agreement,

**Curtailment Overpull Fee**
Upon notification by Company of an event of curtailment or interruption of Customer’s deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the “Index” price reported for the month of delivery in Inside FERC’s Gas Market Report under the heading “West Texas Waha”.

**Replacement Index**
In the event the “Index” price reported for the month of delivery in Inside FERC’s Gas Market Report under the heading “West Texas Waha” is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Agreement**
A transportation agreement is required.

**Notice**
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company’s Tariff for Gas Service.

**Special Conditions**
In order to receive transportation service under this tariff, customer must have the type of meter, instrumentation, and communication required by Company. Customer must pay Company all costs associated with the acquisition and installation of the required equipment.
## ATMOS ENERGY CORPORATION
### WEST TEXAS CITIES ("WTX CITIES") RATE REVIEW MECHANISM
### AVERAGE BILL COMPARISON
### TEST YEAR ENDING DECEMBER 31, 2021

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Description</th>
<th>Current</th>
<th>Proposed</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(a)</td>
<td>(b)</td>
<td>(c)</td>
</tr>
<tr>
<td>1</td>
<td><strong>RESIDENTIAL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Customer Charge</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Consumption Charge</td>
<td>44.9 CCF X $ 0.27674 = 12.43</td>
<td>44.9 CCF X $ 0.27674 = 12.43</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Rider GCA</td>
<td>44.9 CCF X $ 0.47208 = 21.20</td>
<td>44.9 CCF X $ 0.47208 = 21.20</td>
<td></td>
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<tr>
<td>5</td>
<td>Subtotal</td>
<td>$ 51.14</td>
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<td></td>
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<tr>
<td>6</td>
<td>Rider FF &amp; Rider TAX</td>
<td>$ 51.14 X 5.84% = 2.99</td>
<td>$ 51.14 X 5.84% = 2.99</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Total</td>
<td>$ 54.13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Customer Charge</td>
<td></td>
<td>$ 18.27</td>
<td>14.85</td>
</tr>
<tr>
<td>10</td>
<td>Consumption Charge</td>
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<td>44.9 CCF X $ 0.33076 = 14.85</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Rider GCA</td>
<td>44.9 CCF X $ 0.47208 = 21.20</td>
<td>44.9 CCF X $ 0.47208 = 21.20</td>
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</tr>
<tr>
<td>12</td>
<td>Subtotal</td>
<td>$ 54.32</td>
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<td></td>
</tr>
<tr>
<td>13</td>
<td>Rider FF &amp; Rider TAX</td>
<td>$ 54.32 X 5.84% = 3.17</td>
<td>$ 54.32 X 5.84% = 3.17</td>
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<tr>
<td>14</td>
<td>Total</td>
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<td>$ 3.36</td>
<td>6.21%</td>
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<tr>
<td>16</td>
<td><strong>COMMERCIAL</strong></td>
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<tr>
<td>17</td>
<td>Customer Charge</td>
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<td>$ 51.61</td>
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</tr>
<tr>
<td>18</td>
<td>Consumption Charge</td>
<td>213.4 CCF X $ 0.16312 = 34.81</td>
<td>213.4 CCF X $ 0.16312 = 34.81</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Rider GCA</td>
<td>213.4 CCF X $ 0.47208 = 100.74</td>
<td>213.4 CCF X $ 0.47208 = 100.74</td>
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<tr>
<td>20</td>
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<tr>
<td>21</td>
<td>Rider FF &amp; Rider TAX</td>
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<td>$ 187.16 X 5.84% = 10.93</td>
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<tr>
<td>22</td>
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<td>Customer Charge</td>
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<td>$ 57.08</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Consumption Charge</td>
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<td>213.4 CCF X $ 0.18234 = 38.91</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Rider GCA</td>
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<td>213.4 CCF X $ 0.47208 = 100.74</td>
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<tr>
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<td>Rider FF &amp; Rider TAX</td>
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<td>$ 196.73 X 5.84% = 11.49</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Total</td>
<td>$ 208.23</td>
<td>$ 10.13</td>
<td>5.11%</td>
</tr>
<tr>
<td>30</td>
<td></td>
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</tr>
</tbody>
</table>
# ATMOS ENERGY CORPORATION
WEST TEXAS CITIES ("WTX CITIES") RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON
TEST YEAR ENDING DECEMBER 31, 2021

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Description</th>
<th>Current</th>
<th>Proposed</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(a)</td>
<td>(b)</td>
<td>(c)</td>
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<tr>
<td>31</td>
<td>INDUSTRIAL</td>
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<td>Customer Charge</td>
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<tr>
<td>33</td>
<td>Consumption Charge 3,835.8 CCF X $0.10081</td>
<td>=</td>
<td>386.69</td>
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<tr>
<td>34</td>
<td>Rider GCA 3,835.8 CCF X $0.47208</td>
<td>=</td>
<td>1,810.82</td>
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<tr>
<td>35</td>
<td>Subtotal</td>
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<td>$2,728.35</td>
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<tr>
<td>36</td>
<td>Rider FF &amp; Rider TAX $2,728.35 X 5.84%</td>
<td>=</td>
<td>159.37</td>
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<tr>
<td>37</td>
<td>Total</td>
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<tr>
<td>38</td>
<td>TRANSPORTATION</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>Customer Charge</td>
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<td>$616.30</td>
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</tr>
<tr>
<td>40</td>
<td>Consumption Charge 3,835.8 CCF X $0.10802</td>
<td>=</td>
<td>414.34</td>
<td></td>
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<tr>
<td>41</td>
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<tr>
<td>42</td>
<td>Subtotal</td>
<td></td>
<td>$2,841.46</td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>Rider FF &amp; Rider TAX $2,841.46 X 5.84%</td>
<td>=</td>
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</tr>
<tr>
<td>44</td>
<td>Total</td>
<td></td>
<td>$3,007.44</td>
<td>$119.71</td>
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<tr>
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<td>$119.71</td>
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<tr>
<td>46</td>
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<tr>
<td>47</td>
<td>Customer Charge</td>
<td></td>
<td>$530.85</td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Consumption Charge 22,773.5 CCF X $0.10081</td>
<td>=</td>
<td>2,295.80</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>Rider GCA (1) 22,773.5 CCF X $ -</td>
<td>=</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>Subtotal</td>
<td></td>
<td>$2,826.65</td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>Rider FF &amp; Rider TAX $2,826.65 X 5.84%</td>
<td>=</td>
<td>165.12</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>Total</td>
<td></td>
<td>$2,991.76</td>
<td></td>
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<tr>
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<td>Customer Charge</td>
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<tr>
<td>56</td>
<td>Consumption Charge 22,773.5 CCF X $0.10802</td>
<td>=</td>
<td>2,459.99</td>
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<tr>
<td>57</td>
<td>Rider GCA (1) 22,773.5 CCF X $ -</td>
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<td>-</td>
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<tr>
<td>58</td>
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<td></td>
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<tr>
<td>59</td>
<td>Rider FF &amp; Rider TAX $3,076.29 X 5.84%</td>
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<td>179.70</td>
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<td><strong>PUBLIC AUTHORITY</strong></td>
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<td>Customer Charge</td>
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<td>Consumption Charge</td>
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<td>64</td>
<td>Rider GCA</td>
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<tr>
<td>65</td>
<td>Subtotal</td>
<td>$ 510.28</td>
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<tr>
<td>66</td>
<td>Rider FF &amp; Rider TAX</td>
<td>$ 510.28</td>
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<td>Total</td>
<td>$ 540.09</td>
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<td>Customer Charge</td>
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<td>Consumption Charge</td>
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<td>71</td>
<td>Rider GCA</td>
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<td>Subtotal</td>
<td>$ 534.22</td>
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<td>73</td>
<td>Rider FF &amp; Rider TAX</td>
<td>$ 534.22</td>
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<td>Total</td>
<td>$ 565.43</td>
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<td>76</td>
<td>Note:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>1. Rider GCA does not apply to the Transportation Tariff. Therefore, the GCA Rate has been set to zero.</td>
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### Table: Proposed Benefits Benchmark Costs

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<th>Line No.</th>
<th>Description</th>
<th>Shared Services</th>
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<td></td>
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<td>(a)</td>
<td>(b)</td>
<td>(c)</td>
</tr>
<tr>
<td>1</td>
<td>Proposed Benefits Benchmark - Fiscal Year 2022 Willis Towers Watson Report</td>
<td>$1,706,906</td>
<td>$977,886</td>
<td>$617,568</td>
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<td>2</td>
<td>Allocation Factor</td>
<td>7.99%</td>
<td>7.99%</td>
<td>96.39%</td>
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<td>3</td>
<td>Proposed Benefits Benchmark Costs (Excluding Removed Cost Centers) Allocated to West Texas (Ln 1 x Ln 2)</td>
<td>$136,399</td>
<td>$78,143</td>
<td>$595,286</td>
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<td>4</td>
<td>O&amp;M and Capital Factor</td>
<td>100.00%</td>
<td>100.00%</td>
<td>100.00%</td>
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<td>5</td>
<td>Proposed Benefits Benchmark Costs To Approve</td>
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<td></td>
<td></td>
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<tr>
<td></td>
<td>(Excluding Removed Cost Centers) (Ln 3 x Ln 4)</td>
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<tr>
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<td></td>
<td>136,399</td>
<td>78,143</td>
<td>595,286</td>
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<td>8</td>
<td>Summary of Expense Costs to Approve:</td>
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<tr>
<td>10</td>
<td>O&amp;M Expense Factor (WP_F-2.3, Ln 2)</td>
<td>75.64%</td>
<td>75.64%</td>
<td>51.20%</td>
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<td>12</td>
<td>Total Pension Account Plan</td>
<td>$103,177</td>
<td>$304,774</td>
<td>$407,950</td>
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<td>13</td>
<td>Total Post-Employment Benefit Plan</td>
<td>$59,110</td>
<td>$239,060</td>
<td>60,475</td>
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<tr>
<td>14</td>
<td>Total Supplemental Executive Benefit Plan</td>
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</tr>
<tr>
<td>15</td>
<td>Total (Sum Ln 12 through Ln 14)</td>
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</tbody>
</table>

**Summary:**

- **Total Pension Account Plan:** $103,177
- **Total Post-Employment Benefit Plan:** $59,110
- **Total Supplemental Executive Benefit Plan:** $407,950
- **Total:** $288,476
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.

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
ORDINANCE NO. 1769

Legislature, and that will establish rates for Cities based on the system-wide cost of serving the Atmos West Texas service area; and

WHEREAS, the RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2022, Atmos West Texas filed its 2022 RRM rate request with Cities based on a test year ending December 31, 2021; and

WHEREAS, Cities coordinated its review of the Atmos West Texas 2022 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 $6.72 million with an Effective Date of October 1, 2022; and

WHEREAS, the attached tariffs (Attachment 1) 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 (Attachment 2) and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL 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 $6.72 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’ 2022 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 Attachment 1, are just and reasonable, and are designed to allow Atmos West Texas to recover annually an additional $6.72 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 Attachment 2, attached hereto and incorporated herein.

Section 5. That Atmos West Texas shall reimburse the reasonable ratemaking expenses of the Cities in processing the Company’s 2022 RRM filing.

Section 6. That to the extent any resolution or ordinance previously adopted by the Commission is inconsistent with this Ordinance, it is hereby repealed.

Section 7. 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 8. 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 9. 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 October 1, 2022.

Section 10. 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 Thomas Brocato, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

INTRODUCED, PASSED, AND APPROVED this 8th day of August 2022.

PASSED, APPROVED, AND ADOPTED this 24th day of August 2022.

Lance DeFever, Mayor

ATTEST:

Barbara Stucker, City Secretary

APPROVED AS TO FORM:

Bryan J. Guymon, City Attorney
AGENDA ITEM: 10

ITEM/PROJECT: ORDINANCE NO. 1770 – AMENDING AUSTIN ELEMENTARY SCHOOL ZONE

MEETING DATE: August 8, 2022

DESCRIPTION: Consider approving on first reading Ordinance No. 1770, an Ordinance by the City Commission amending the School Zone at Austin Elementary to 18th Avenue and Duncan Street.

STAFF CONTACT: Gary Turley, Public Works Director

FINANCIAL IMPACT: Information provided during meeting

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Ordinance No. 1769 will be effective after Commission adopts on second and final reading.

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

RECOMMENDED MOTION: I make a motion to approve on first reading Ordinance No. 1769 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1769 attached
ORDINANCE NO. 1770

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.

WHEREAS, there is a need to extend the school zone for Austin Elementary School; and

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

Section 1.

That Section 12.05.002(a)(1) of the Code of Ordinances of the City of Pampa be amended by adding additional street to the school zone thereto, so that Section 12.05.002(a)(1) reads as follows:

(1) Austin School:

Beginning on Duncan Street from the south north right-of-way line of 18th Avenue to the south right-of-way line of 21st Avenue.

Beginning on Beech Lane from 130 feet of the south right-of-way line of 19th Avenue to 375 feet north of the north right-of-way line of 19th Avenue.

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 8th day of August, 2022.

PASSED AND ADOPTED on its second and final reading this 24th 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: 11

ITEM/PROJECT: RESOLUTION NO. R22-012 – DENYING SPS PROPOSED RATE INCREASE

MEETING DATE: August 8, 2022

DESCRIPTION: Consider adopting Resolution No. R22-012, a Resolution by the City Commission denying Southwestern Public Service Company’s proposed increase in rates and authorizing the City’s continued participation with other cities in the Alliance of Xcel Municipalities.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: Information provided during meeting

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Resolution No. R22-012 will be effective after Commission adopts.

RECOMMENDED ACTION: Staff recommends Commission adopts Resolution No. R22-012 denying SPS’s proposed increase in rates.

RECOMMENDED MOTION: I make a motion to adopt Resolution No. R22-012 as presented

BACKGROUND/ADDITIONAL INFORMATION: Copy of Resolution and Agenda Information Sheet attached.
AGENDA INFORMATION SHEET
ITEM NO. 11

RESOLUTION BY THE CITY OF PAMPA (“CITY”) DENYING SOUTHWESTERN PUBLIC SERVICE COMPANY’S PROPOSED INCREASE IN RATES; AUTHORIZING THE CITY’S CONTINUED PARTICIPATION WITH OTHER CITIES IN THE ALLIANCE OF XCEL MUNICIPALITIES (“AXM”) TO DIRECT THE ACTIVITIES OF LAWYERS AND CONSULTANTS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; AUTHORIZING THE INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AND REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES.

BACKGROUND

On July 1, 2022, Southwestern Public Service Company (“SPS”) filed an application with the City seeking authority to implement a surcharge to recover the additional amount of revenue that SPS would have received during the period from March 15, 2021 through February 28, 2022, (“True-up Period”) if the rates approved in Docket No. 51802 had been in effect during that time.

Under state law SPS has the right to recover revenue for what is called the “Relate-Back Period.” The Relate-Back Period is the period of time from the 155th day after a utility files a rate case to the date of the PUCT’s final order in that rate case. Also, in SPS’s most recent general rate case, and based on a settlement reached in a prior general rate case for SPS, the PUCT approved recovery of revenue related to the increase the PUCT finally approved, reaching back to the 35th day after SPS filed its rate application in Docket No. 51802.

Docket No. 51802 is the case number the Public Utility Commission of Texas (“PUCT”) assigned to SPS’s most recent general rate case in which the PUCT issued its final order on May 20, 2022. In Docket No. 51802, SPS requested an increase of about $144.4 million. Ultimately the parties, including the Alliance of Xcel Municipalities (“AXM”), reached a settlement for an increase in base rates of about $88.5 million. The PUCT approved that settlement on May 20, 2022.

Additionally, SPS’s surcharge application requests authority to true-up revenues recovered through a surcharge associated with two prior rate cases, Docket Nos. 51644 and 52446. In those dockets the PUCT required SPS to true-up the surcharges in those dockets with the amount SPS actually collected and to refund or surcharge any over- or under-collection from those surcharges.

Finally, the net of SPS’s surcharge application related to Docket Nos. 51802, 51644, and 52446 is a surcharge of about $88.9 million, including interest of about $5.6 million. SPS also proposes to implement the net surcharge over a one-year period, from October 1, 2022 through September 30, 2023, and to true up the amounts actually surcharged or refunded against the amounts authorized by the Commission to be surcharged or refunded.
CITY ACTION REQUIRED

AXM’s Special Counsel recommends that the City, as part of AXM, deny SPS’s application for its proposed surcharge. A denial is the more expeditious process to address SPS’s application. A denial by the City means that SPS will appeal the City’s decision to the PUCT and the PUCT ultimately will issue an order on the amount of the final surcharge for SPS to implement.

INTERVENTION AT THE PUBLIC UTILITY COMMISSION OF TEXAS

SPS filed its surcharge application with the City and with the PUCT on the same date, July 1, 2022. It is important to participate in the proceedings before the PUCT because the PUCT’s decision will impact the surcharge SPS will charge customers within the City. Thus, the accompanying Resolution authorizes intervention in proceedings at the Commission as well as any appeals taken from the Commission’s decision.

REPRESENTATION AND PARTICIPATION IN AXM:

The law firm of Herrera Law and Associates, PLLC has previously represented the City and its participation in the coalition of cities named the Alliance of Xcel Municipalities (“AXM”) in rate matters involving SPS, including SPS’s most recent general rate case and its pending fuel-factor cases. The accompanying Resolution authorizes continued retention of Herrera Law & Associates, PLLC as Special Counsel and continued participation in the AXM coalition.

RATE CASE EXPENSES:

SPS’s application to implement a surcharge is a ratemaking proceeding. Thus, under state law, the Alliance of Xcel Municipalities’ reasonable rate case expenses are subject to reimbursement by the Company.

RECOMMENDATION: DENY SPS’S RATE INCREASE REQUEST

AXM’s Special Counsel recommends that the City deny SPS’s request for a surcharge. If the City denies SPS’s request, SPS will appeal that decision to the Public Utility Commission of Texas and the PUCT will issue a final decision on the amount of SPS’s surcharge.
RESOLUTION NO. R22-012

A RESOLUTION BY THE CITY OF PAMPA, TEXAS (“CITY”) DENYING SOUTHWESTERN PUBLIC SERVICE COMPANY’S PROPOSED SURCHARGE IN CONNECTION WITH FINAL RATES APPROVED RELATED TO ITS STATEMENT OF INTENT SUBMITTED ON ABOUT FEBRUARY 8, 2021; AUTHORIZING THE CITY’S CONTINUED PARTICIPATION WITH OTHER CITIES IN THE ALLIANCE OF XCEL MUNICIPALITIES (“AXM”) AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, Southwestern Public Service Company (“SPS” or the “Company”) filed a Statement of Intent with the City and with the Public Utility Commission of Texas (“PUCT”) on or about February 8, 2021, to increase its base revenues for its Texas retail service area by approximately $143.3 million; and

WHEREAS, the Public Utility Commission of Texas (“PUCT”) approved a settlement reached by SPS, the Alliance of Xcel Municipalities (“AXM”), and other parties granting SPS an increase of $88.5 million; and

WHEREAS, under state law and under the terms of the settlement reached in SPS’s general rate case, SPS filed its request for a net surcharge of about $88.9 million, including interest of about $5.6 million related to PUCT Docket Nos. 51802, 51644, and 52446; and

WHEREAS, SPS also proposes to implement the net surcharge over a one-year period, from October 1, 2022 through September 30, 2023, and to true up the amounts actually surcharged or refunded against the amounts authorized by the Commission to be surcharged or refunded; and
WHEREAS, the City is a regulatory authority under the Public Utility Regulatory Act (“PURA”) and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over SPS’s rates, operations, and services within the municipality; and

WHEREAS, under PURA § 33.025(a), the City has standing in each case before the Public Utility Commission of Texas that relates to an electric utility providing service in the City; and

WHEREAS, in order to maximize the efficient use of resources and expertise in reviewing, analyzing, and investigating SPS’s rate request and its changes in tariffs it is prudent to coordinate the City’s efforts with a coalition of similarly situated municipalities; and

WHEREAS, the City, in matters regarding applications by SPS to change rates, has in the past joined with other local regulatory authorities to form the Alliance of Xcel Municipalities (“AXM”) and hereby continues its participation in AXM; and

WHEREAS, SPS’s request for a surcharge consists of numerous complex calculations premised on various billing determinants and corresponding rates; and

WHEREAS, after review of SPS’s application for a surcharge, SPS failed to establish that its requested surcharge is just and reasonable.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/COMMISSION FOR THE CITY OF PAMPA, TEXAS THAT:

Section 1. The findings set out in the preamble are in all things hereby approved.

Section 2. SPS’s application fails to provide sufficient information to justify the adoption of SPS’s proposed surcharges and thus SPS failed to show that its proposed surcharges are just and reasonable.

Section 3. The City hereby DENIES SPS’s proposed surcharges.
Section 4. The City authorizes intervention in proceedings related to SPS’s application before the Public Utility Commission of Texas and any related proceedings in any courts of law.

Section 5. The City continues its participation with other cities in a coalition of cities known as the Alliance of Xcel Municipalities (“AXM”) with the understanding that the Steering Committee of AXM is to provide direction and guidance to Special Counsel representing AXM.

Section 6. The City, as part of AXM, hereby retains Herrera Law & Associates, PLLC as Special Counsel to represent the City with regard to SPS’s requested increase in rates and related proceedings before local and state regulatory authorities and any court of law and authorizes Special Counsel to employ such rate experts as may be necessary for review and evaluation of SPS’s rate application.

Section 7. The City, in coordination with the Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to SPS for reimbursement.

Section 8. SPS shall reimburse the City on a monthly basis, through AXM’s coordinating city, the City of Amarillo, Texas, for the reasonable costs of attorneys and consultants and expenses related thereto, upon the presentation of invoices reviewed by the City of Amarillo.

Section 9. The City Secretary or other appropriate city official shall provide a copy of this Resolution to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 4400 Medical Parkway, Austin, Texas 78756, and as a courtesy, provide SPS a copy of this Resolution by sending a copy of the Resolution to Jeremiah W. Cunningham, Rate Case Manager, Southwestern Public Service Company, 790 S. Buchanan St. Amarillo, Texas 79101.

Section 10. The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
Section 11. To the extent any Resolution previously adopted by the City is inconsistent with this Resolution, it is hereby superseded.

Section 12. The findings set out in the preamble are in all things hereby approved.

Section 13. This Resolution shall become effective from and after its passage.

PASSED AND APPROVED this 8th day of August 2022.

____________________________________
Lance DeFever, Mayor

ATTEST:

_________________________________
Barbara Stucker, City Secretary