Special Meeting of the:

Pampa City Commission
September 6, 2022
4:00 p.m.

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

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

PLEDGES TO THE FLAGS

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 – 2022-2023 PROPOSED TAX RATE:

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 on a proposal to increase total tax revenue from properties on the tax roll in the proceeding tax year by 7.81% (percent by which proposed tax rate exceeds lower of the no-new-revenue tax rate and the voter approval tax rate calculated under Chapter 26 of the Tax Code.) Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in the taxable value of all other property and the tax rate that is adopted.

If the governing body adopts the proposed tax rate of $0.73 per $100 of taxable value, the amount of taxes imposed this year on a $100,000 home will be $730.

AUTHORIZATIONS BY CITY COMMISSION:

1. Consider approving the minutes of the August 29, 2022, Public Hearing/ Special Commission Meeting.

2. Consider adopting on second and final reading Ordinance No. 1774, an Ordinance by the City Commission adopting the City of Pampa’s 2022-2023 Operating Budget.

3. Consider approving on first reading Ordinance No. 1775, an Ordinance by the City Commission setting a tax rate of $0.73 per $100 valuation on a taxable property for the 2022-2023 fiscal year and levying an Ad Valorem Tax on all properties subject to taxation within the corporate limits of the City of Pampa.
4. Consider authorizing the City Manager to submit an official ballot for the election of Places 6 – 9 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

5. Consider authorizing the City Manager to enter into a Professional Services Agreement with JAKAJONA, LLC for labor, equipment, and materials for the Red Deer Creek Reclamation Project.

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 September 2, 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

ACCESSIBILITY 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

PUBLIC HEARING

ITEM/PROJECT: 2022-2023 PROPOSED TAX RATE

MEETING DATE: September 6, 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 on a proposal to increase total tax revenue from properties on the tax roll in the proceeding tax year by 7.81% (percent by which proposed tax rate exceeds lower of the no-new-revenue tax rate and the voter approval tax rate calculated under Chapter 26 of the Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease depending on the change in the taxable value of your property in relation to the change in the taxable value of all other property and the tax rate that is adopted.

If the governing body adopts the proposed tax rate of $0.73 per $100 of taxable value, the amount of taxed imposed this year on a $100,000.00 home will be $730.00

STAFF CONTACT: Commission Members
Theresa Daniels, Finance Director
Shane Stokes, City Manager
AGENDA ITEM: 1

ITEM/PROJECT: MINUTES

MEETING DATE: September 6, 2022

DESCRIPTION: Consider approving the minutes of the August 29, 2022, Public Hearing and Special 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 29, 2022, Public Hearing/Special Commission Meeting.

RECOMMENDED MOTION: I make a motion to approve the minutes of the August 29, 2022, Public Hearing and Special Commission Meeting as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Minutes of the August 29, 2022, meeting attached.
MINUTES OF THE
CITY COMMISSION OF THE CITY OF PAMPA, TEXAS
PUBLIC HEARING/SPECIAL MEETING
MONDAY, AUGUST 29, 2022

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: None

STAFF: Shane Stokes City Manager
Bryan Guymon City Attorney
Barbara Stucker City Secretary
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
Jasmine Chaney Assistant Finance Director
Troy Schwiegerath Emergency Management

MEDIA: None

VISITORS: Byron Williamson

INVOCATION: Byron Williamson, Commission Chaplain

PUBLIC COMMENTS: None

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.

Mayor DeFever called for a motion to close the Public Hearing for the 2022-2023 Proposed Operating Budget, a motion was made by Commissioner Keough and seconded by Commissioner Searl to close the Public Hearing at 4:03 p.m., with each Commission Member voting AYE, the motion carried.

AUTHORIZATIONS BY CITY COMMISSION:

1. Consider approving the minutes of the August 24, 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 24, 2022, Regular Commission Meeting, as presented. With each Commission Member voting AYE, the motion carried.

22-109


A motion was made by Commissioner Doughty and seconded by Commissioner Keough to accept the resignation of Bryan Fisher, Commissioner Ward 4. With each Commission Member voting AYE, the motion carried.

22-110

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.

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.

A motion was made by Commissioner Keough and seconded by Commissioner Doughty to adopt on second and final reading Ordinance No. 1771 as presented. With each Commission Member voting AYE, the motion carried.

22-111

4. 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.

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 REVISIONING 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 Searl and seconded by Commissioner Doughty to adopt on second and final reading Ordinance No. 1772 as presented. With each Commission Member voting AYE, the motion carried.

22-112

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

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.

A motion was made by Commissioner Doughty and Seconded by Commissioner Keough to adopt on second and final reading Ordinance No. 1773 as presented. With each Commissioner Member voting AYE, the motion carried.
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.

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.

A motion was made by Commissioner Keough and seconded by Commissioner Searl to approve on first reading Ordinance No. 1774 as presented. With each Commission Member voting AYE, the motion carried.

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.

A motion was made by Commissioner Doughty and seconded by Commissioner Searl authorizing the City Manager to enter into amended Solid Waste Agreements 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 4:13 p.m. by Mayor Lance DeFever.

Barbara Stucker, City Secretary

Lance DeFever, Mayor
AGENDA ITEM: 2

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

MEETING DATE: September 6, 2022

DESCRIPTION: Consider adopting on second and final 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 adopt on second and final reading Ordinance No. 1774, adopting the 2022-2023 Operating Budget

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

BACKGROUND/ADDITIONAL INFORMATION: NOTE: Roll Call Vote is 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.

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: 3

ITEM/PROJECT: ORDINANCE NO. 1775 – ADOPTING A TAX RATE FOR THE 2022-2023 FISCAL YEAR

MEETING DATE: September 6, 2022

DESCRIPTION: Consider approving on first reading Ordinance No. 1775, an Ordinance by the City Commission setting a tax rate of $0.73 per $100 valuation on a taxable property for the 2022-2023 fiscal year and levying an Ad Valorem Tax on all properties subject to taxation within the corporate limits of the City of Pampa.

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

FINANCIAL IMPACT: Information provided at the meeting

SOURCE OF FUNDS: Property Tax

START/COMPLETION SCHEDULE: Ordinance No. 1775 will be effective upon its adoption and shall be enforceable ten (10) days after its publication as provided by law.

RECOMMENDED ACTION: Staff recommends Commission approve on first reading Ordinance No. 1775 setting a tax rate for the 2022-2023 fiscal year.

RECOMMENDED MOTION: I make a motion to approve on first reading, Ordinance No. 1775, setting tax rate for the 2022-2023 fiscal year.

BACKGROUND/ADDITIONAL INFORMATION: NOTE: Roll Call Vote is required for this item

Ordinance No. 1775 attached.
ORDINANCE NO. 1775

AN ORDINANCE SETTING A TAX RATE OF $0.73 ON EACH $100.00 VALUATION OF PROPERTY AND LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF PAMPA FOR THE FISCAL YEAR OF 2022-2023; PROVIDING FOR APPORTIONING OF EACH LEVY FOR SPECIFIC PURPOSES; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SUCH TAXES SHALL BECOME DELINQUENT IF NOT PAID AND FOR PENALTY AND INTEREST; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Commission of the City of Pampa approved its budget for the fiscal year beginning October 1, 2022, through September 30, 2023, under Ordinance No. 1774, adopted on its second and final reading on September 6, 2022; and

WHEREAS, the City Commission of the City of Pampa FINDS that a tax in the amount of $0.73 on each $100.00 valuation of property based upon the tax roll provided by the chief appraiser of the Gray County Appraisal District must be levied to provide the required revenue for the budget as approved; and

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

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

Section 1.
Findings

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

Section 2.
Tax Rate and Levy

There is hereby fixed and levied, and there shall be collected, for the use and support of the municipal government of the City of Pampa and to provide an Interest and Sinking Fund for the 2022-2023 fiscal year, upon all property, real, personal and mixed, within the corporate limits of the City of Pampa, subject to taxation, a tax of $0.73 on each $100.00 valuation of property, said tax being so levied and apportioned to the specific purposes as follows:

(1) For the maintenance and operation of the general government ("General Fund"), $0.517708 on each $100.00 valuation of property; and
(2) For the maintenance and support of the Lovett Memorial Library (“Special Revenue Fund”), $0.03 on each $100.00 valuation of property, and

(3) For the Interest and Sinking Funds, $0.182292 on each $100.00 of valuation of property.

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

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.81 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $6.05.

Section 3.
Due Date and Delinquency

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

Section 4.
Penalty and Interest

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

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

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

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

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

Section 6.
Lien and Collection

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

Section 7.
Age and Disability Exemption

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

Section 8.
Savings/Repealing Provision

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

Section 9.
Severability

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

**Section 10. Effective Date**

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

INTRODUCED, PASSED AND APPROVED on its first reading this the 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

PASSED, APPROVED, ADOPTED AND ORDERED PUBLISHED on its second and final reading this the 12th 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 PAMPÁ, TEXAS

By: ____________________________
    Lance DeFever, Mayor

ATTEST:

_____________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

_____________________________
Bryan J. Guymon, City Attorney
AGENDA ITEM: 4

ITEM/PROJECT: TML INTERGOVERNMENTAL RISK POOL BOARD ELECTION

MEETING DATE: September 6, 2022

DESCRIPTION: Consider authorizing the City Manager to submit an official ballot for the election of Places 6 – 9 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Ballots should be submitted no later than September 30, 2022

RECOMMENDED ACTION: Staff recommends that Commission authorize the City Manager to submit Election Ballot.

RECOMMENDED MOTION: I make a motion to authorize the City Manager to submit an election ballot for the TML Intergovernmental Risk Pool Board of Trustees.

BACKGROUND/ADDITIONAL INFORMATION: Copy of TML Election Ballot attached.
OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool
Board of Trustees Election

This is the official ballot for the election of Places 6 – 9 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an “X” in the square beside the candidate’s name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers’ Compensation, Property and Liability) Board of Trustees. The names of the candidates for each Place on the Board of Trustees are listed in alphabetical order on this ballot.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2022. Ballots received after September 30, 2022, cannot be counted. The ballot must be properly signed and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P.O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.
PLACE 6

☐ **Allison Heyward.** Councilmember for the City of Schertz (Region 7) since 2018. She also serves as the Mayor Pro Tem. Mrs. Heyward was appointed to represent the Texas Municipal League Board of Directors as an ex-officio non-voting member of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool. She earned a Bachelor’s Degree in Accounting from Texas Southern University in 1990 and is a 2020 graduate of the Chamber Leadership Core Program. She is a TML Leadership Fellow, a Certified Municipal Officer (CMO), as well as a member of the TMRS Advisory Board on Benefit Design.

☐ **Kimberly Meismer.** Assistant City Manager for the City of Kerrville (Region 7). Ms. Meismer has over 25 years of public service, which includes serving Kerrville and La Porte. She earned a Master’s Degree in Public Administration from the University of Texas at Arlington and a Bachelor’s Degree in Human Resource Management from Columbia Southern University. She is a member of TCMA and serves on the Ethics Committee as the Region 8 Representative. She is also serving a second year as the Chair of the Ethics and Integrity Award subcommittee.

WRITE IN CANDIDATE:
PLACE 7

☐ **Mary Dennis** (Incumbent). Mayor for the City of Live Oak (Region 7) since 2010. Mayor Dennis has served on the TML Risk Pool Board since 2018. She is currently Vice-Chair of the TML Risk Pool Board, and on October 1, 2022, will begin a two-year term as Chair. Among her numerous civic activities are serving as 2016/2017 President for the Texas Municipal League, 2021-2023 NLC Board Director, Treasurer of the Greater Bexar County Council of Governments, Chair of the Judson ISD Facilities Committee, Chair of the Bexar County Suburban Cities Committee, and President of the Live Oak Economic Development Corporation. She is also a 2019 Inductee of the San Antonio Women’s Hall of Fame and the 2019 San Antonio Women’s Chamber of Commerce “Comet Award.”

☐ **James A. Douglas, Ph.D.** City Councilmember for the City of Kenedy (Region 7). Dr. Douglas is a current criminal justice instructor at Kenedy ISD. He is a national Law and Public Safety Education Network (LAPSEN) Honor Teacher who, along with some of his students, recently participated in the Washington, D.C. National Academy of Law and Justice. The LAPSEN Honor Teachers were identified from a national application process to identify educators with a passion for law and justice, excellence in leadership and teaching.

☐ **Rebecca (Becky) Haas.** Mayor of Richmond (Region 14). Mayor Haas is a business-owner in the historic downtown district of Richmond. She is a direct descendant of one of Stephen F. Austin’s first settlers in Texas who are known as the Old Three Hundred. She is Chaplain for and a charter board member of the Descendants of Austin’s Old Three Hundred organization. She is passionate about Texas history, a member of the Fort Bend County Historical Commission, a former member of the Richmond Historical Commission, a member of the Fort Bend County Museum, a board member of the Black Cowboy Museum, member of Historic Richmond Association, and is a Fort Bend Docent.

☐ **James Hotopp.** City Manager for Weatherford (Region 8) since 2019. Mr. Hotopp joined the City in 2007 as its Director of Water/Wastewater and Engineering and served the City in several capacities, including Utility Engineer, Director of Planning and Development, and Assistant City Manager. He serves as a voting member of Region C Water Planning Group for Texas, which prepares a regional water plan for a 16-county group in North Texas. Mr. Hotopp is a member of the North Texas City Manager’s Association, the North Texas Commission, and a board member of the Texas Public Power Association. Previously, he worked in consulting engineering where he designed water treatment plants, wastewater treatment plants, water pump stations, wastewater lift stations, and distribution/collection lines.

**WRITE IN CANDIDATE:**
PLATE 8

☒ Chris Coffman. City Manager of Granbury (Region 8). Mr. Coffman has 24 years in public management. He has served as City Manager for Sealy, Borger, the Village of Timbercreek Canyon, and Panhandle. He has also served as the Director of Local Government Services of the Panhandle Regional Planning Commission and served as Interim City Manager for the Cities of Fritch and Stratford. During his time at the Panhandle Regional Planning Commission, he served 26 counties and 62 cities in the Panhandle. He is a past President of the TCMA. Mr. Coffman holds a Bachelor of Science Degree in Public Administration from West Texas A&M University and has a Certified Public Manager designation through Texas Tech University.

☒ Brett Haney. City Administrator for the City of Cockrell Hill (Region 13) since 2015. Mr. Haney has been with Cockrell Hill since 2006 and was promoted to Assistant City Administrator in 2011. He is originally from Southern California and moved to North Texas in 2000. Mr. Haney earned Bachelor of Applied Arts and Sciences and Master of Public Administration degrees from the University of North Texas. He is a member of TCMA and currently serves on the Public Policy Committee and has served on the TCMA Advocacy Committee in recent years. He is very active as Cubmaster and Den Leader for Cub Scout Pack 717 in Keller, Texas.

☒ Mike Land. City Manager for the City of Coppell (Region 13) since 2017, and Deputy City Manager from 2012-2017. Previously, he was Town Manager for Prosper, City Manager for Gainsville, and Executive Director for the Southwestern Diabetic Foundation. Mr. Land has served on the International City/County Management (ICMA) Board of Directors, ICMA’s Advisory Board on Graduate Education, Texas A&M University’s Development Industry Advisory Council, School Board Trustee for Gainesville Independent School District, and President of TCMA. Currently, he serves on the Texas Women’s Leadership Institute Advisory Board and the UTA MPA Advisory Board.

☒ Marian Mendoza. City Administrator for the City of Helotes (Region 7) since 2020. Ms. Mendoza has held positions with the City of Alamo Heights, as Assistant to the City Manager (2005-2020), and with the City of San Antonio as a Management Analyst (2003-2005). Previously she served as a Director overseeing homeless transition housing programs for the Salvation Army. She also serves as the Ex-Officio Board Member of the Helotes Economic Development Corporation. Ms. Mendoza earned a Bachelor’s Degree from St. Mary’s University and is part of the Certified Public Management program at Texas State University. She is a member of the ICMA, TCMA, and the International Hispanic Network.

☒ Louis R. Rigby. Mayor of the City of La Porte (Region 14) since 2010. Mayor Rigby previously served as the District 5 Councilperson from 2004 until 2010, before being elected Mayor. He is a member and past Director of the La Porte-Bayshore Chamber of Commerce and has held the offices of Treasurer, Vice-President, and President of the Harris County Mayors and Councils Association. He graduated from San Jacinto College and the University of Houston before earning an MPA from the University of Houston-Clear Lake. Mayor Rigby served in the U.S. Airforce from 1968-1972. He has actively advocated for the La Porte region on issues including heavy haul and solutions for hurricane damage and management.

WRITE IN CANDIDATE:
PLACE 9

☐ **Barry Beard.** Commissioner for the City of Richmond (Region 14) since 2016. Mr. Beard retired from Moody National Bank where he was the Senior Vice President. He has served on many civic and community boards. He was President of the Board for Oak Bend Hospital, past Chair of the Central Fort Bend Chamber Alliance, past Chair of Arc of Fort Bend, Congressman Olson’s Service Academy Interview Committee and Fort Bend Partnership for Youth. He also served on the original Richmond Charter Commission, Richmond Parks Commission, Richmond Development Corporation, Richmond Historical Commission, Richmond Comprehensive Planning Advisory Committee, and the Richmond Rosenberg Local Government Corporation.

☐ **Stephanie Fisher.** Councilmember for Johnson City (Region 7). In 2021, she was appointed as the Johnson City representative to the General Assembly of the Capital Area Council of Governments. The Executive Committee of the Capital Area COG appointed her to represent the COG on the Unified Scoring Committee of the Texas Department of Agriculture’s Community Block Grant program. She serves on the Board of Directors for the Hill Country 100 Club and the Johnson City Community Education Foundation. She also is the Commissioner for the Johnson City Youth Football program and sits on an advisory committee for the Johnson City Youth Sports Association. She is active in her church, as well as multiple activities within Johnson City ISD, and is a member of the Blanco County Eclipse Task Force.

☐ **Carl Joiner.** Mayor for the City of Kemah (Region 14) since 2015. Prior to that, he served as a Kemah City Councilmember for three years. He has served as President of the Kemah Community Development Corporation, Chairman of the Bay Area Houston Transportation Partnership, member of the Convention and Visitors Bureau Board, Chairman of the Clear Creek Education Foundation, board member of the Chris Reed Foundation, Chairman of the Clear Lake Area Chamber, and Treasurer of the League City Regional Chamber of Commerce. He has received awards such as the Chairman’s Award in 2020 for the League City Regional Chamber of Commerce and the Sam Walton Award for Integrity in Business.

☐ **Opal Mauldin-Jones (Incumbent).** City Manager for the City of Lancaster (Region 13) since 2011, and in various other roles for Lancaster since 2003. Under her leadership, the City has experienced two consecutive bond rating increases without issuing debt. The City has been designated a 2019 All-America City and received the CiCi Award. It is one of less than 25 communities with all five Transparency Stars awarded by the Texas Comptroller. Ms. Mauldin-Jones earned her Bachelor Business Administration and Master Public Administration degrees from the University of Texas at Arlington. She currently serves on the TCMA Board as Director-at-Large and as Vice President-Elect, and on the Board of the TML Intergovernmental Risk Pool.

☐ **William Linn.** City Manager of Kenedy (Region 7). Mr. Linn is a member of TCMA and ICMA. He earned a Bachelor of Science Degree in Business from Indiana University’s Southeast campus. Thereafter, he was accepted to several law schools where he intended to specialize in business and intellectual property law. However, Mr. Linn opted to enroll in Southern New Hampshire University where he earned a Master of Business Administration and Master of Science in Organizational Leadership concurrently. He is a Certified Fraud Examiner and a Certified Public Manager. He is working to complete the Lean Six Sigma Black Belt and Project Manager Professional Certifications.

WRITE IN CANDIDATE:
Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness my hand, this _____ day of _______________________, 2022.

________________________________________________________
Signature of Authorized Official

________________________________________________________
Printed Name of Authorized Official

________________________________________________________
Printed Name of Political Entity
AGENDA ITEM: 5

ITEM/PROJECT: PROFESSIONAL SERVICES AGREEMENT FOR RED DEER CREEK RECLAMATION PROJECT.

MEETING DATE: September 6, 2022

DESCRIPTION: Consider authorizing the City Manager to enter into a Professional Services Agreement with JAKAJONA, LLC for labor, equipment and materials for the Red Deer Creek Reclamation Project.

STAFF CONTACT: Gary Turley, Public Works Director

FINANCIAL IMPACT: $241,000.00

SOURCE OF FUNDS: Information Provided at the meeting

START/COMPLETION SCHEDULE: Information Provided at the meeting

RECOMMENDED ACTION: Staff recommends Commission authorize the City Manager to enter into the agreement with JAKAJONA, LLC.

RECOMMENDED MOTION: I make a motion to authorize the City Manager to enter into a Professional Services Agreement with JAKAJONA as presented

BACKGROUND/ADDITIONAL INFORMATION: Copy of the Agreement attached.
JAKAJONA, LLC

119 West Kingsmill Ave
Pampa, Texas 79065
806-663-1133

City of Pampa
Office of the City Secretary
PO Box 2499
Pampa, Tx 79066-2499

Attention: Shane Stokes, City Manager

September 1, 2022

Subject: Red Deer Creek Remediation/West Site (C1)/revised for additional Gabion

Shane,

I submit to you this revised proposal regarding Site ORE C1 based on the following job scope and the 8/30/2022 ORE request for additional Gabions:

Work will be confined to the site on the west side of the Andrews property and will include:

1. Establishing entries/exits on two points to perform work on both sides of the sewer line. This work will include building a temporary road across a concrete drainage immediately west of the residents’ property, removing a split rail fence and removing some trees. The second entry will be on the south side of Red Deer Creek via city property through an existing gate onto the residents’ property. The latter entry should not require the removal of any trees with regards to construction activity.

2. Removing flood debris in the areas that will receive either Gabion baskets or Flexamat. It was undecided if trees along the north side of sewer line along the residents fence would be removed, the estimate includes the removal, though there is some evidence that would compel the city to leave the existing trees for stabilization purposes. On the south side of the sewer line, there may be some tree removal necessary.

3. Dirt work for the placement of baskets and/or matting; dirt work to remove excess soil that has been naturally deposited over time on the north side of the creek opposite the sewer line and on the side adjacent to sewer line. During the last site visit with city officials and ORE representatives it was agreed that removing soil in these two locations would be beneficial and also noted that if the soil being removed is sound, it may be used for backfill material behind the Gabion Baskets, this will account for approximately 10% volume of the backfill material.

4. Construction and placement of Gabion baskets and Flexamat in locations as noted on ORE dwg C1.1 and the August 30th, 2022 email from Luke Raber regarding an additional
40 feet of Gabion baskets along and adjacent to sewer line and removing approximately 225sf of Flexamat. (Copy of email is enclosed.)

5. Entries will be graded and wooden split rail fence will be reinstalled to residents’ satisfaction.

JAKAJONA, LLC will work on a Time & Material basis and make every effort to not exceed the estimated cost of $241,000.00. Tickets will be signed weekly on a minimum basis and invoiced weekly.

A Project Manager, Site Supervisor, Skilled and Unskilled workers will be on payroll for the project from start to finish. Equipment deemed required by Project Manager for the project will be on time tickets. A Certified Arborist will be retained as needed and will provide estimates for any desirable trees to be replaced. The estimate does not include rework due to flooding, work stoppage due to weather, and other unexpected work.

We will make every reasonable effort to perform the job to meet and exceed your expectations as well as the expectations of the property resident.

_____________________________ Dated 09/01/2022
James L. Bagley
Vice President
JAKAJONA, LLC

_____________________________ Dated _______________
Name & Title
From: Luke Raber <luke.raber@openrangeeng.com>
Sent: Tuesday, August 30, 2022 2:08 PM
To: jamesbagley.lineagellc.com <jamesbagley@lineagellc.com>
Cc: Bryant Noble <bryant.noble@openrangeeng.com>; Gary Turley <gturley@cityofpampa.org>; Sharod Harris <sharris@cityofpampa.org>; Tim Dudley <tim.dudley@openrangeeng.com>
Subject: Red Deer Creek Revisions

James,

Per the discussions with the City of Pampa and at their request, could you please provide a addition to your estimate for the work at Red Deer Creek, the cost to add an additional 40 ft of gabion basket wall on the south side of the creek. This wall system would start at the sewer manhole and go west 40 ft. This will also remove approximately 225 SF of Flexamat from this area of the project. The cross section of the gabion wall system in this area would match that of the wall on the east side of the creek. It would be four layers of gabion baskets, making it approximately 9-10 ft above the bottom of the creek bed, 12 ft total from the bottom to the top of the wall system.

Please let myself or Bryant know if you have any further questions.

Thanks,

Luke Raber, EIT
Civil / Structural
Open Range Engineering Services, PLLC
217 N. Cuyler, Suite 300, Pampa, TX 79066-2179
Email: luke.raber@openrangeeng.com
Phone: 806-665-1115 ext. 324
Cell: 806-663-1988
JAKAJONA, LLC
Construction Division
Pampa, Texas

We are pleased to submit the following hourly rates for furnishing Labor, Equipment and Materials for the miscellaneous projects.

**Labor Rates:**
- Project Manager................................................. $ 70.00
- Construction Superintendent............................... $ 65.00
- Certified Arborist.............................................. $ 45.00
- Foreman................................................................ $ 55.00
- Safety Coordinator............................................... $ 55.00
- Skilled Labor......................................................... $ 38.00
- Equipment Operator............................................. $ 38.00
- *Welder*................................................................ $ 59.00
- Welder Helper....................................................... $ 26.00
- Unskilled Labor.................................................... $ 26.00

*Does not include test. Add $20.00 per hour for Stainless or similar welding, does not include Argon and other welding expendables.

**Materials:** Construction Materials or Services purchased by contractor are charged at cost plus fifteen percent (15%) handling fee.

**Notes:**

a) Labor Rates are actual time on site plus travel.
b) Time Charge, rounded to nearest hour.
c) Due to work stoppage for any reason, minimum time charge for labor, four (4) hours after work commences.
d) Two (2) hour show up time paid for employees and equipment reporting to work but unable to work due to weather as determined by customer.
e) Call out, nights, weekends and/or holidays all hours over 10 hours per day at time plus one half. Otherwise, rates are based on a 50 hour work week.
f) Per Diem of $95.00 per day, regardless of the weather. (Per Diem rate varies per location)
g) Equipment rates do not include operator or transportation.
h) These rates do not include sales tax that apply to some activities. Customer must provide a sales tax exempt certificate when applicable.
i) Invoices are Net 30 days.
j) Consumables (i.e. drill bits, saw blades, tape, etc.) not included in tool rates.
k) Safety, OQ and environmental training, equipment and certifications are at customer expense.
l) Fuel surcharge will be charged for all rental equipment.
m) Blast sand, fine/med silica sand $15.00 per bag; Black Beauty $25.00 per bag.
n) Paint coveralls, $15.00/ea

Revised 08/01/2022. Prices are subject to change without notice.
JAKAJONA, LLC rates are Confidential and are for the exclusive use of JAKAJONA, LLC customers. This rate sheet may not be duplicated and/or distributed without the written consent of JAKAJONA, LLC management. With acceptance of this rate sheet, you agree to the Confidentiality of this rate sheet.
We are pleased to submit the following rates for furnishing Labor, Equipment and Materials for the miscellaneous projects.

<table>
<thead>
<tr>
<th>Equipment Rates:</th>
<th>Rate ($) per Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manlifts</td>
<td>43.00</td>
</tr>
<tr>
<td>Rubber Tire Backhoe</td>
<td>45.00</td>
</tr>
<tr>
<td>Mini-Excavator</td>
<td>42.00</td>
</tr>
<tr>
<td>Mini-Excavator with Auger</td>
<td>55.00</td>
</tr>
<tr>
<td>308 Series Excavator</td>
<td>51.00</td>
</tr>
<tr>
<td>308 Excavator with Auger</td>
<td>75.00</td>
</tr>
<tr>
<td>312-321 Series Excavator</td>
<td>82.00</td>
</tr>
<tr>
<td>Skid Steer (rubber or tracked)</td>
<td>35.00</td>
</tr>
<tr>
<td>Forklift (Conventional 6000-8000lb and Material Handler)</td>
<td>40.00</td>
</tr>
<tr>
<td>Welding Rig (Plus Test)</td>
<td>35.00</td>
</tr>
<tr>
<td>Welding Rig Stainless (Plus Test)</td>
<td>48.00</td>
</tr>
<tr>
<td>Plasma Cutter</td>
<td>13.00</td>
</tr>
<tr>
<td>Haul Truck &amp; 3-axel lowboy style trailer (permits extra)</td>
<td>85.00</td>
</tr>
<tr>
<td>Utility Trailer (24' or less) (10,000 lb)</td>
<td>12.00</td>
</tr>
<tr>
<td>Spray Chemical Equipment Trailer</td>
<td>30.00</td>
</tr>
<tr>
<td>185 CFM Air Compressor</td>
<td>25.00</td>
</tr>
<tr>
<td>Sandblaster, Hose, PPE (PLUS SAND)</td>
<td>30.00</td>
</tr>
<tr>
<td>Pickup (includes basic tools)</td>
<td>20.00</td>
</tr>
<tr>
<td>Ridgid 1224 Threader (4&quot;)</td>
<td>18.00</td>
</tr>
<tr>
<td>AC Generator... (1000-5000 watt)</td>
<td>11.00</td>
</tr>
<tr>
<td>Fabrication Shop</td>
<td>70.00</td>
</tr>
<tr>
<td>Light Tower</td>
<td>25.00</td>
</tr>
<tr>
<td>Tools &amp; Equipment Costing $1,000 to $2,000</td>
<td>8.00</td>
</tr>
<tr>
<td>Tools &amp; Equipment Costing $1,000 to $2,000</td>
<td>9.00</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Tools &amp; Equipment Per Day ($/Day)</th>
<th>Rate ($/Day)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pressure Testing Equipment</td>
<td>500.00</td>
</tr>
<tr>
<td>Instrument Certification (per Certification)</td>
<td>200.00</td>
</tr>
<tr>
<td>Water Tank on Trailer</td>
<td>100.00</td>
</tr>
<tr>
<td>Fire Wagon</td>
<td>300.00</td>
</tr>
<tr>
<td>Paint Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td>Wachs Cold Cutter</td>
<td>1000.00</td>
</tr>
<tr>
<td>Weld Coupon Test Equipment</td>
<td>500.00</td>
</tr>
<tr>
<td>Oxy &amp; Acetylene Cutting Torch</td>
<td>150.00</td>
</tr>
<tr>
<td>Propane Preheat</td>
<td>45.00</td>
</tr>
<tr>
<td>Personal Gas Monitor Single Gas (per employee)</td>
<td>8.00</td>
</tr>
<tr>
<td>Personal Gas Monitor 4-Gas (per employee)</td>
<td>25.00</td>
</tr>
<tr>
<td>Respirators (Painting) (per employee)</td>
<td>10.00</td>
</tr>
<tr>
<td>Tool Van (50' plus)</td>
<td>100.00</td>
</tr>
<tr>
<td>Small Tool Van</td>
<td>75.00</td>
</tr>
<tr>
<td>Job Site Office Module</td>
<td>50.00</td>
</tr>
<tr>
<td>Materials Container (Conex)</td>
<td>35.00</td>
</tr>
<tr>
<td>Hytorc A-1 Thrill Gun (pneumatic certified torqueing gun)</td>
<td>225.00</td>
</tr>
<tr>
<td>Fall Protection Equipment</td>
<td>20.00</td>
</tr>
<tr>
<td>Rock Dump Bin</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Other:
- Hot Tap. On Request
- Fire Extinguisher (per activation) | 130.00 |
- Grcout Pump. | 300.00 |

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