Regular Meeting of the:
Pampa City Commission
February 13, 2023
4:00 p.m.

Lance DeFever, Mayor
Paul Searl, Commissioner Ward 1
Brian Doughty, Commissioner Ward 2
Jimmy Keough, Commissioner Ward 3
Jimmy Reed, 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

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.

PRESENTATION:

Quarterly Financial Dashboard - Theresa Daniels, Finance Director

AUTHORIZED BY CITY COMMISSION:

1. Consider approving the minutes of the January 23, 2023, Regular Commission Meeting.

2. Consider adopting on second and final reading Ordinance No. 1779, an Ordinance by the City Commission revising section 4.06 – Holiday leave, of the City of Pampa’s Personnel Policies and Procedures Manual.

3. Consider adopting Resolution No. R23-004, a Resolution by the City of Pampa, Texas authorizing refunding of Canadian River Municipal Water Authority Subordinate Lien.

4. Consider authorizing the City Manager to enter into a Professional Service Agreement with Biggs and Matthews Environmental Inc., for the engineering design, advertisement and award phase, construction phase services, construction quality assurance, and cell construction for Cell 5B/6B and excavation of Cells 7 and 8 of the City of Pampa’s Landfill.

5. Consider adopting Resolution No. R23-005, a Resolution of the City of Pampa ordering and providing notice of a General Election to be held on May 6, 2023, to elect Commissioners for Ward 2 and Ward 4.

Consider adoptar la Resolución No. R23-005, una Resolución de la Ciudad de Pampa que ordena y notifica una Elección General a realizarse el 6 de mayo de 2023 para elegir Comisionados para el Distrito 2 y el Distrito 4.
6. Consider entering into a Joint Election Agreement with the Pampa Independent School District for the May 6, 2023 General Election. 
   Considerar celebrar un Acuerdo de Elección Conjunta con el Distrito Escolar Independiente de Pampa para las Elecciones Generales del 6 de mayo de 2023.

7. Consider adopting Resolution No. R23-006, authorizing submission of grant application for the "Enhancing Investigations" project to The Office of the Governor, Public Safety.

8. **EXECUTIVE SESSION:** The City Commission will convene into closed session in accordance with Texas Government Code, Section 551.074 – Personnel Matters to discuss:
   - City Manager’s Annual Evaluation

**RECONVENE:** The City will reconvene into open session to act, if necessary, regarding matters discussed in Executive Session.

**ADJOURN**

**CERTIFICATION**
I certify that the above Agenda was posted on the officially designated bulletin board of City Hall during normal business hours and posted on the City of Pampa's website on **FEBRUARY 10, 2023, BEFORE 4:00 P.M.** and remained so posted continuously for 72 hours proceeding the scheduled time of the said meeting.

Kimberlee Hughes,  
Administrative Assistant

**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 PAMPAL
AGENDA INFORMATION SHEET

PRESENTATION:

ITEM/PROJECT: QUARTERLY FINANCIAL DASHBOARD

MEETING DATE: February 13, 2023

STAFF CONTACT: Theresa Daniels, Finance Director
AGENDA ITEM: 1

ITEM/PROJECT: MINUTES

MEETING DATE: February 13, 2023

DESCRIPTION: Consider approving the minutes of the January 23, 2023, Regular Commission Meeting.

STAFF CONTACT: Kimberlee Hughes, Administrative Assistant

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 January 23, 2023, Regular Commission Meeting.

RECOMMENDED MOTION: I make a motion to approve the minutes of the January 23, 2023, Regular Commission Meeting as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Minutes of the January 23, 2023, meeting attached.
CALL TO ORDER: Mayor Lance DeFever at 4:00 p.m.

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

ABSENT: None

STAFF: Shane Stokes City Manager
       Barbara Stucker City Secretary
       Theresa Daniels Finance Director
       Gary Turley Director of Public Works
       Dustin Miller Community Services Director
       Kasey Presson Fire Chief
       Lance Richburg Chief of Police
       Brian Massey Lieutenant
       Kevin Webb Information Technology
       Kimberlee Hughes Administrative Assistant
       Jasmine Chaney Assistant Finance Director
       Jessica Mann Dispatch Supervisor
       Jason Roberts Fire Marshall
       Monty Montgomery Animal Services Supervisor
       Cary Rushing Building Official
       Paul Brown Code Enforcement Officer

VISITORS: Dinah Reed Clay Rice Lynne Moore
          Chad Dietz Dale Garner Phillis Garner
          Cortnie Patterson Paige Goodell

NEWS MEDIA: None

INVOCATION: Byron Williamson, Commission Chaplain

PUBLIC COMMENTS: None

REPORT:

• 2022 Annual Police Report – Lance Richburg, Chief of Police presented the 2022 Police Report to the Commission.

AUTHORIZATIONS BY CITY COMMISSION:

23-007

1. Consider approving the minutes of the January 9, 2023, Regular Commission Meeting as presented.

A motion was made by Commissioner Doughty and Seconded by Commissioner Searl to approve the minutes of the January 9, 2023, Regular Commission Meeting as presented. With each Commission Member voting AYE, the motion carried.

23-008

2. Consider approving the List of Disbursements dated December 2022.

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

23-009
3. Consider approving a two (2) year Animal Service Agreement with the following cities: Clarendon, Groom, Howardwick, Lefors, McLean, Miami, and Skellytown.

A motion was made by Commissioner Keough and Seconded by Commissioner Doughty to approve the two-year Animal Service Agreements as presented. With each Commission Member voting AYE, the motion carried.

PRESENTATION: Presentation of section 3 goals and requirements as it relates to the City’s Texas Community Development Block Grant – Downtown Revitalization Project CDM21-0148 for sidewalk improvements to include information on employment opportunities of low and very low-income persons as well as residents residing in the community. - Paige Goodell

23-010

4. Consider approving Resolution No. R23-002, a Resolution of the City Commission authorizing the City Manager to enter into an Interlocal Agreement with the Panhandle Regional Planning Commission for application assistance and administration of the 2023 TXCDBG – Downtown Revitalization Project Grant.

A motion was made by Commissioner Searl and Seconded by Commissioner Doughty to adopt Resolution No. R23-002, as presented. With each Commission Member voting AYE, the motion carried.

23-011

5. Consider awarding the bid for the Downtown Revitalization Project to Plains Builders, Inc., in the amount of $561,034.50.

A motion was made by Commissioner Keough and seconded by Commissioner Searl to award the bid for the Downtown Revitalization Project to Plains Builders, Inc., in the amount of $561,034.50. With each Commission Member voting AYE, the motion carried.

23-012

6. Consider approving on first reading Ordinance no. 1779, an Ordinance by the City Commission revising section 4.06 – Holiday Leave, of the City of Pampa’s Personnel Policies and Procedures Manual.

ORDINANCE NO. 1779

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, REVISING SECTION 4.06 OF THE CITY OF PAMPA’S PERSONNEL POLICIES AND PROCEDURES, ALSO REFERRED TO AS THE POLICY MANUAL, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Doughty and seconded by Commissioner Keough to approve on first reading, Ordinance No. 1779, adding Martin Luther King Jr. Day, President’s Day, and Veterans Day to the Holiday Schedule. With each Commission Member voting AYE, the motion carried.

23-013

7. Consider approving the City of Pampa’s Infants at Work Pilot Program.

A motion was made by Commissioner Searl and seconded by Commissioner Doughty to approve the Infants at Work Pilot Program. With each Commissioner Member voting AYE, the motion carried.

23-014

8. Consider adopting Resolution No. 23-003, a Resolution of the City Commission designating the location of all public notices for the City of Pampa.
RESOLUTION NO. R23-003

A RESOLUTION DESIGNATING LOCATIONS FOR THE POSTING OF ALL PUBLIC NOTICES FOR THE CITY OF PAMPA

A motion was made by Commissioner Doughty and seconded by Commissioner Searl to adopt Resolution No. R23-003 as presented. With each Commissioner Member voting AYE, the motion carried.

ADJOURNED:

There being no further business on the agenda, the meeting was adjourned at 4:51 p.m. by Mayor Lance DeFever.

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

ITEM/PROJECT: ORDINANCE NO. 1779 – REVISING THE CITY OF PAMPA’S PERSONNEL POLICIES AND PROCEDURES MANUAL

MEETING DATE: February 13, 2023

DESCRIPTION: Consider adopting on second and final reading Ordinance No. 1779, an Ordinance by the City Commission revising section 4.06 - Holiday leave of the City of Pampa’s Personnel Policies and Procedures Manual.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Ordinance No. 1779, will be effective after the Commission adopts on second and final reading.

RECOMMENDED ACTION: Staff recommends Commission adopts on second and final reading Ordinance No. 1779, amending the City of Pampa’s Holiday Schedule.

RECOMMENDED MOTION I make a motion to adopt on second and final reading Ordinance No. 1779, adding Martin Luther King Jr. Day, Presidents Day, and Veterans Day to the City’s Holiday Schedule.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Ordinance No. 1779 attached.
ORDINANCE NO. 1779

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, REVISING SECTION 4.06 OF THE CITY OF PAMPA’S PERSONNEL POLICIES AND PROCEDURES, ALSO REFERRED TO AS THE POLICY MANUAL, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Pampa, Texas has previously passed an Ordinance adopting the City’s revised personnel policies and procedures; and

WHEREAS, it is necessary to amend Section 4.06 of the City’s personnel policies and procedures;

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

Section 1.

That Section 4.06 Holiday Leave, of the City of Pampa’s Personnel Policies and Procedures, also referred to as the Policy Manual, as revised and attached hereto and made a part hereof by reference as if set forth in full herein, is hereby adopted and approved.

Section 2.

Any personnel matter currently pending upon appeal shall not be affected by the adoption of these new policies and procedures but shall be determined under the policies and procedures existing at the date of inception of the appeal process.

Section 3.

This ordinance shall be effective upon its adoption.

INTRODUCED, PASSED, AND APPROVED on its first reading this 23rd day of January 2023.

PASSED, APPROVED, AND ADOPTED on its second and final reading this 13th day of February 2023.

CITY OF PAMPA, TEXAS

By: Lance DeFever, Mayor
ATTEST:

_____________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

_____________________________
Bryan J. Guymon, City Attorney
4.06 Holiday Leave

Date: 4/11/2022

-Effective Date: 2/1/2018
-Revision

PURPOSE:
To identify the City’s observed holidays and to establish the procedures used for holiday pay.

POLICY:
Holiday leave will be provided immediately upon assignment to the designated eligible employment classification. Paid time off for holidays will not be counted as time worked for the purposes of determining overtime.

Eligible employment classification for Holiday Leave:

- Full-time employees – accrued as holiday occurs
- Police Patrol Division and Fire Personnel – receive 120 hours January 1 or prorated according to hire date.

A. Observed Holidays
The City of Pampa observes ten (10) holidays during the year.

The holidays and dates observed are:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year’s Day</td>
<td>January 1</td>
</tr>
<tr>
<td>Martin Luther King, Jr. Day</td>
<td>Third Monday of January</td>
</tr>
<tr>
<td>Presidents Day</td>
<td>Third Monday of February</td>
</tr>
<tr>
<td>Good Friday</td>
<td>Friday before Easter</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Last Monday in May</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4</td>
</tr>
<tr>
<td>Labor Day</td>
<td>First Monday in September</td>
</tr>
<tr>
<td>Veterans Day</td>
<td>November 11</td>
</tr>
<tr>
<td>Thanksgiving</td>
<td>Fourth Thursday in November</td>
</tr>
<tr>
<td>Day after Thanksgiving</td>
<td>Fourth Friday in November</td>
</tr>
<tr>
<td>Christmas Eve</td>
<td>December 24</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>December 25</td>
</tr>
<tr>
<td>Floating Holiday</td>
<td>Selected by Employee</td>
</tr>
</tbody>
</table>
# AGENDA ITEM: 3

## ITEM/PROJECT:
RESOLUTION NO. R23-004, AUTHORIZING REFUNDING OF CANADIAN RIVER MUNICIPAL WATER AUTHORITY SUBORDINATE LIEN

## MEETING DATE:
February 13, 2023

## DESCRIPTION:
Consider adopting Resolution No. R23-004, a Resolution by the City of Pampa, Texas authorizing refunding of Canadian River Municipal Water Authority Subordinate lien contract revenue refunding bonds, series 2014.

## STAFF CONTACT:
Shane Stokes, City Manager

## FINANCIAL IMPACT:
N/A

## SOURCE OF FUNDS:
N/A

## START/COMPLETION SCHEDULE:
Resolution effective after Commission adopts.

## RECOMMENDED ACTION:
Staff recommends Commission adopt Resolution No. R23-004, authorizing refunding of Canadian River Municipal Water Authority Subordinate Lien.

## RECOMMENDED MOTION
I make a motion to adopt Resolution No. R23-004 as presented.

## BACKGROUND/ADDITIONAL INFORMATION:
Resolution No. R23-004 attached.
RESOLUTION NO. R23-004

A RESOLUTION BY THE CITY OF PAMPA, TEXAS, AUTHORIZING REFUNDING OF CANADIAN RIVER MUNICIPAL WATER AUTHORITY SUBORDINATE LIEN CONTRACT REVENUE REFUNDING BONDS, SERIES 2014 (CONJUNCTIVE USE GROUNDWATER SUPPLY PROJECT)

WHEREAS, the City of Pampa, Texas (the “City”) has entered into that certain Agreement for the Purchase and Acquisition of Conjunctive Use Groundwater Supply (the “Agreement”) entered into as of May 15, 1996, as amended, with the Canadian River Municipal Water Authority (the “Authority”); and

WHEREAS, the Authority has entered similar agreements with each of the other cities that are members of the Authority (the “Member Cities”); and

WHEREAS, the Authority issued and has outstanding its Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2014 (Conjunctive Use Groundwater Supply Project); Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2017 (Conjunctive Use Groundwater Supply Project); Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2020 (Conjunctive Use Groundwater Supply Project); and Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2021 (Conjunctive Use Groundwater Supply Project); and

WHEREAS, at the present time the Authority desires to issue refunding bonds to refund all or a part of the outstanding Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2014 (Conjunctive Use Groundwater Supply Project) (the “Series 2014 Bonds”) if market conditions justify refunding all, or a part of, the Series 2014 Bonds; and

WHEREAS, the Agreement provides for certain notice requirements before the Authority may issue Additional Bonds, as defined in the Agreement; and

WHEREAS, the refunding bonds are Additional Bonds under the Agreement; and

WHEREAS, timing constraints in the meeting schedules of the governing bodies of all Member Cities of the Authority to consider and approve refunding bonds may prevent the Authority from issuing refunding bonds in a timely manner to provide savings to the Member Cities; and

WHEREAS, if the market is such that the Series 2014 Bonds can be refunded, it is in the best interest of the City to waive certain notice requirements under the Agreement and consent to the issuance of the bonds to permit the Authority to refund all or a part of the outstanding Series 2014 Bonds if a present value savings of at least 3.00% can be achieved; and
WHEREAS, if the market conditions justify the refunding of the Series 2014 Bonds, then the Authority desires to issue by no later than July 12, 2023 refunding bonds in a principal amount not to exceed $13,350,000; and

WHEREAS, the City, on June 13, 2022 approved a resolution agreeing to the Authority’s desire to, within Calendar Year 2022, issue refunding bonds in a principal amount not to exceed $13,350,000 to refund all or a part of the outstanding Series 2014 Bonds; and

WHEREAS, the Authority has not issued such refunding bonds as of date; and

WHEREAS, the City, by this Resolution, agrees to the Authority’s desire to issue the Refunding Bonds by no later than July 12, 2023 to refund all or a part of the outstanding Series 2014 Bonds;

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS:

SECTION 1. Should market conditions at any time prior to July 12, 2023 justify the refunding of the Series 2014 Bonds, the City waives the notice requirements of Section 4.1(a) of the Agreement, and consents to the issuance of the Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2023 in a principal amount not to exceed $13,350,000 to refund all or a part of the outstanding Series 2014 Bonds, subject to the requirement that the refunding bonds for the Series 2014 Bonds provide a present value debt service savings of at least 3.00%.

SECTION 2. That the City Secretary be and is hereby authorized to deliver certified copies of this Resolution and minutes pertaining to its adoption to the Authority in such numbers as may be requested for the Authority’s records and proceedings.

[ The remainder of this page intentionally left blank. ]
PASSED, APPROVED AND ENACTED this 13th day of February 2023.

Mayor, City of Pampa, Texas

ATTEST:

City Secretary
City of Pampa, Texas

[City Seal]
AGENDA ITEM: 4

ITEM/PROJECT: PROFESSIONAL SERVICE AGREEMENT WITH BIGGS AND MATTHEWS ENVIRONMENTAL INC.

MEETING DATE: February 13, 2023

DESCRIPTION: Consider authorizing the City Manager to enter into a Professional Service Agreement with Biggs and Matthews Environmental Inc., for the engineering design, advertisement and award phase, construction phase services, construction quality assurance, and cell construction for Cell 5B/6B and excavation of Cells 7 and 8 of the City of Pampa’s Landfill.

STAFF CONTACT: Gary Turley, Public Works Director

FINANCIAL IMPACT: $166,540.00

SOURCE OF FUNDS: Enterprise Fund-Capital

START/COMPLETION SCHEDULE: June 1, 2023

RECOMMENDED ACTION: Staff recommends Commission authorize the City Manager to enter into a Professional Service Agreement with Biggs and Matthews Environmental Inc.

RECOMMENDED MOTION: I make a motion to authorize the City Manager to enter into a Professional Service Agreement with Biggs and Matthews Environmental Inc. as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Service Agreement attached.
CITY OF PAMPA
CITY OF PAMPA LANDFILL

TASK ORDER

CELL 5B/6B

Engineering Design, Construction Documents, Construction Phase Services, and Construction Quality Assurance Services

February 2023
SCOPE OF SERVICES

Project Understanding

This scope of services is for the engineering design, advertisement and award phase, construction phase services, construction quality assurance, and cell construction for Cell 5B/6B and the excavation of Cells 7 and 8.

Cell 5B/6B is an approximate 5.3-acre cell that will tie into existing Cells 5A/6A on the east. The liner system consists of a geosynthetic clay liner (gcl), 60-mil HDPE geomembrane liner, drainage geocomposite leachate collection system, and 24-inches of protective cover.

Two sets of construction documents will be prepared. One set of construction documents will address the general construction requirements and will be bid on by general contractors, bid items will include general earthwork, grading, leachate collection system piping installation, and placement of protective cover. The second set of construction documents will address the geosynthetic materials and installation, bid items will include the geosynthetic clay liner, geomembrane liner, and leachate collection system drainage geocomposite material.

Based on previous discussions and timing required for completion of the cell, a draft set of general construction documents will be provided to the City within approximately 2 months from the approval of this scope of services.

The detailed Scope of Services follows:

Project 1 Cell Design

Task 1 Topographic Survey

A baseline topographic survey of the proposed cell area conducted by aerial drone will be used for design and quantity estimates. (BME conducted a drone topographic survey in November of 2022.)

Task 2 Engineering Design

This task provides the cell layout and design of the cell excavation, liner system, leachate collection system, and stormwater drainage.

- **Cell Layout** - The cell layout will be based on the site grid and the vertical and horizontal control will be based on existing control monuments. The location of existing lined and fill areas will be shown on the site layout plans.

- **Cell Grading** - The cell grading plan will be based on the permitted grading plan. The subgrade will be designed to match the liner subgrade along the western edge of Cells 5A/6A. The north, south, and east edges of the Cell 5B/6B subgrade will be designed to provide a transition for future liners. Cells 7 and 8 will be excavated to drain to the north, extending the north stormwater ditch which drains to the existing north stormwater pond. The excavation
design and earthwork quantity estimates will be based on the topographic survey data. The grading plan will provide the control points, the limits of excavation, the grades at the limits, and all grade breaks.

- **Liner System** - The liner system will consist of a geosynthetic clay liner overlain by a 60-mil HDPE geomembrane liner. The leachate collection system and a 24-inch thick layer of protective soil will cover the liner system. The liner system will be designed to connect to the existing liner system in Cells 5A/6A.

- **Leachate Collection System** - The leachate collection system will consist of a double-sided drainage geocomposite over the geomembrane that will convey leachate to the Cell 5B/6B leachate collection trench. Leachate collection trenches are included in the construction of Cell 5B/6B. The leachate collection trenches will tie into the existing leachate collection trenches located within Cells 5A/6A.

- **Stormwater Drainage** - The stormwater drainage design will consist of evaluating the stormwater runoff potential and providing adequate controls to divert stormwater to the existing stormwater collection sump north and south of the existing fill area.

**Task 3 Construction Drawings**

This task provides for the preparation of construction drawings that will provide a level of detail suitable for bidding and constructing the project. Construction drawings may include but not be limited to:

- Cover Sheet
- Legend and Abbreviations
- Site Plan
- Excavation Plan
- Liner Plan
- Protective Cover and LCS Plan
- Borrow Area Plan
- Liner Details
- Leachate Collection System Details

We will submit electronic draft copies of the construction drawings (11"x17" sheets) to the City for review at an appropriate milestone in the design process (usually at 90 percent completion). Upon receipt of the City’s comments, the drawings will be finalized, and three copies of the construction drawings will be submitted to the City.

**Task 4 Specifications and Contract Documents**

We will prepare the contract documents and technical specifications for the project. The City’s standard contract documents will be used for Cell 5B/6B construction. Our technical specifications will be provided for:

- Safety
- Site Work
• Surveying
• Earthwork
• Geosynthetic Clay Liner
• Geomembrane Liner
• Geotextile and Geocomposite
• Protective Cover
• LCS Piping

We will submit electronic draft copies of the specifications and contract documents to the City for review at an appropriate milestone in the design process (usually at 90 percent completion). Upon receipt of the City’s comments, the specifications and contract documents will be finalized, and three copies will be submitted to the City.

Project 2 – Construction Phase Services

Task 5 Bid and Award Services

We will provide assistance to the City during the bidding and award phase of the project. We understand that BME will provide an advertisement of the project on two separate occasions. This task includes advertisement, attending/conducting the prebid meeting, responding to questions from potential bidders, reviewing bid packages, and assisting the City with bid evaluation and award.

Task 6 Construction Management

We will provide construction management services throughout the duration of the project. Construction management services include providing a construction manager, construction phase engineering, construction management, and contract administration.

Felipe A. Wescoup, P.E., will serve as the project manager and will act as the onsite representative for the City of Pampa. The scope of services assumes that the construction manager will be onsite one to two days a week during liner and protective cover installation and for key events for the duration of the project.

Construction phase engineering services will include:

• Review and approve contractors’ submittals.
• Respond to contractor’s requests for information.
• Review of requests for modifications and providing recommendations to the City.
• Field observations to verify that the construction is in substantial accordance with the project plans and specifications.
• Revise construction drawings, if necessary.

Construction management services will include:

• Make site visits to observe construction activity and progress.
• Provide coordination with the City, landfill personnel, contractor, and surveyor.
• Review and approve contractor’s schedule.
• Schedule CQA field work and field surveys.
- Conduct progress meetings and prepare and distribute meeting minutes.
- Take project photographs.
- Provide monthly progress reports to the City.
- Prepare record drawings.
- Prepare a final construction report. Three copies of the final construction report will be submitted to the City.

Contract administration services will include:

- Review and verify contractor’s monthly pay requests. Contractor will be required to submit backup justification of work completed for partial pay requests.
- Reconcile quantities for partial payment.
- Issue of change orders and field orders, as appropriate.
- Review and verify contractor’s final pay request.
- Prepare punch list for work to be completed for substantial completion.
- Perform the final walk-through with the City to verify work has been completed.
- Review and verify contract closeout documentation, such as the consent of surety, and reduction in retainage.

**Task 7 Construction Quality Assurance Services**

Construction quality assurance (CQA) services will be provided for the construction of the subgrade liner and leachate collection systems. Caleb R. Hollingshead, P.E., will serve as the Professional of Record (POR) for the construction quality assurance services. CQA services include construction observation and monitoring, field testing, laboratory testing, management of quality assurance activities, preparation of certification reports, and serving as the POR for certification reports.

Upon completion of the liner and leachate collection system construction, we will prepare a Geosynthetic Clay/Geomembrane Liner Evaluation Report (GC/GLER). The report will contain:

- Required TCEQ forms.
- Written narrative describing the project, tasks accomplished, and time frames.
- Results of tests performed during the CQA program, which will be provided by the third party testing firms.
- Appendices including daily inspection forms, material, testing and repair logs, and supporting test data.
- Field activity records and documentation including the plans showing the location of field tests.
- As-built drawings showing the subgrade elevations, geomembrane panel layout, destructive tests and repair locations, leachate collection system, protective cover thickness, and anchor trench locations.

The report will be prepared and submitted by the POR. Five copies of the certification report will be submitted to the City. Three of the copies will be signed and submitted to TCEQ.
The GC/GLER will be drafted during the construction phase of the project. This allows the reports to be submitted in an expeditious manner shortly after the completion of construction activities. The certification report will be finalized and submitted to the TCEQ within 15 days of the completion of the field and laboratory tests, and certification surveying. We will also coordinate with and respond to comments from the TCEQ regarding the certification report.

**Task 8 Record Survey Services**

We will provide the surveying services required to prepare record drawings, and to certify that the liner and leachate collection systems were installed in accordance with the specifications and the SLQCP. Surveying services are listed below.

- Establish horizontal and vertical control for the project.
- Survey the completed liner subgrade on a 1 per 5,000 s.f. grid to verify the subgrade elevations and to establish the bottom of clay liner elevations.
- Survey the completed protective cover on a 1 per 5,000 s.f. grid to verify the top of protective cover elevations and determine the protective cover thickness.
- Survey the locations of the geomembrane panels, destructive tests, repairs, tie-ins, and anchor trenches.

**PROJECT BUDGET**

Table 1 provides the estimated costs for the described scope of services. Refer to the attached 2023 Schedule of Charges.

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project 1 – Cell Design</strong></td>
<td></td>
</tr>
<tr>
<td>Task 1 Topographic Survey – Completed FY2022</td>
<td>-</td>
</tr>
<tr>
<td>Task 2 Engineering Design</td>
<td>$12,800</td>
</tr>
<tr>
<td>Task 3 Construction Drawings</td>
<td>$6,200</td>
</tr>
<tr>
<td>Task 4 Specifications &amp; Contract Documents</td>
<td>$3,300</td>
</tr>
<tr>
<td><strong>Project 1 - Total</strong></td>
<td><strong>$22,300</strong></td>
</tr>
<tr>
<td><strong>Project 2 - Construction Phase Services</strong></td>
<td></td>
</tr>
<tr>
<td>Task 5 Bid and Award Services</td>
<td>$16,240</td>
</tr>
<tr>
<td>Task 6 Construction Management+</td>
<td>$35,000</td>
</tr>
<tr>
<td>Task 7 Construction Quality Assurance</td>
<td>$80,000</td>
</tr>
<tr>
<td>Task 8 Record Survey Services</td>
<td>$13,000</td>
</tr>
<tr>
<td><strong>Project 2 - Total</strong></td>
<td><strong>$144,240</strong></td>
</tr>
<tr>
<td><strong>Total Estimated Cost:</strong></td>
<td><strong>$166,540</strong></td>
</tr>
</tbody>
</table>
Project Schedule

A preliminary milestone schedule is below. A detailed schedule can be developed for the project kickoff meeting.

- Cell 5B/6B Construction Documents: March 2023
- Advertisement Dates: April 8 and 15, 2023
- Prebid Conference: April 20, 2023
- Bid Opening: May 4, 2023
- Contract Award: May 15, 2023
- Begin Construction: June 1, 2023

Additional Services

It is not anticipated that additional services will be required for this project. However, should conditions change that require additional services we will inform the City of each specific requirement or additional service. We will not exceed the project budget identified in this scope of services without specific written authorization from the City.

Authorization

This AGREEMENT is entered into on the date of execution by and between Biggs and Mathews Environmental, Inc., a Texas corporation, hereinafter referred to as CONSULTANT and the City of Pampa, hereinafter referred to as OWNER. Services covered by this AGREEMENT will be performed in accordance with the MASTER AGREEMENT FOR PROFESSIONAL SERVICES dated June 27, 2000. This AGREEMENT may only be changed by written amendment executed by both parties.

City of Pampa

By: ____________________________
Title: ____________________________
Date: ____________________________

Biggs and Mathews Environmental, Inc.

By: [Signature]
Title: Principal
Date: 2/3/2023
## SCHEDULE OF CHARGES

### 2023

### PERSONNEL CHARGES

<table>
<thead>
<tr>
<th>Category</th>
<th>Billing Rate Range $ Per Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative/Project Assistant</td>
<td>60 - 80</td>
</tr>
<tr>
<td>Sr. Administrative/Project Assistant</td>
<td>75 - 100</td>
</tr>
<tr>
<td>Designer/Technician/Field Services Technician</td>
<td>60 - 100</td>
</tr>
<tr>
<td>Sr. Designer/Sr. Technician/ Sr. Field Services Technician</td>
<td>75 - 120</td>
</tr>
<tr>
<td>Engineer/Scientist</td>
<td>80 - 120</td>
</tr>
<tr>
<td>Project Engineer/Scientist</td>
<td>100 - 140</td>
</tr>
<tr>
<td>Senior Project Engineer/Scientist</td>
<td>120 - 180</td>
</tr>
<tr>
<td>Principal Engineer/Scientist</td>
<td>175 - 225</td>
</tr>
</tbody>
</table>

A multiplier of 1.15 will be applied to all direct expenses.

Depositions and expert witness testimony, including preparation time, will be billed at 1.5 times the above hourly rates.
OUTSIDE SERVICES

Charges for special outside services, equipment, and facilities not furnished by Biggs and Mathews will be billed at cost plus 15%. Such charges may include, but shall not be limited to the following services:

- Printing and photographic reproduction
- Rented vehicles
- Transportation on public carriers
- Subconsultants
- Special fees, permits, insurance, etc.
- Tolls
- Rented equipment
- Shipping charges
- Meals and lodging
- Consumable materials

COMMUNICATIONS

The cost of communications including telephone charges, facsimile, express mail, postage and routine copying costs will be charged at a flat rate of 3% of total gross labor charges.

DIRECT CHARGES

<table>
<thead>
<tr>
<th>Service</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reproduction – black and white, per 8.5x11” sheet (non-routine)</td>
<td>$0.15</td>
</tr>
<tr>
<td>Reproduction – color, per 8.5x11” sheet</td>
<td>$1.25</td>
</tr>
<tr>
<td>Reproduction – per 22x34” sheet</td>
<td>$3.00</td>
</tr>
<tr>
<td>Mylar, per square foot</td>
<td>$2.00</td>
</tr>
<tr>
<td>Auto/Truck per mile</td>
<td>$1.00</td>
</tr>
<tr>
<td>Storage of samples per month per container*</td>
<td>$5.00</td>
</tr>
<tr>
<td>Disposal per container*</td>
<td>$50.00</td>
</tr>
<tr>
<td>Survey Equipment per day</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

*A container is defined as a standard core box, a capped Shelby tube, or a sealed five-gallon bucket.

SUPPLEMENTAL SCHEDULES OF CHARGES (Schedules available upon request)

- Soils Laboratory
- Chemical Laboratory
- Chargeable Equipment Schedule

Rate Changes

Schedule of Charges and Standard Equipment Rates are subject to change without notice.

Payment

Monthly invoices are to be paid within 30 days from invoice date. Interest on late payments will be charged at a rate of 20% per annum.
NOTES:
1. EXISTING CONTOURS COLLECTED FROM AERIAL DATA COLLECTED BY BICKS AND MATHIESON ENVIRONMENTAL INC ON NOVEMBER 7, 2000. THE GRID SYSTEM SHOWN IS BASED ON TOWN PLANE COORDINATE SYSTEM, AND SS.
2. WASTE DISPOSAL FOOTPRINT AS PERMITTED.

INTERMEDIATE FILL
WEST SLOPE
CITY OF PAMP A LANDFILL
TCU PERMIT NO. MWS 2236

BICKS & MATHERS ENVIRONMENTAL
9000 CHANCEY ROAD, ANCHORAGE, AK 99518
206-985-7300

THESE DOCUMENTS ARE FOR INTERNAL USE ONLY AND ARE NOT INTENDED FOR CONSTRUCTION OR PERMIT PURPOSES

ISSUED FOR PERMITTING PURPOSES

BME

DESIGN

DATE
AGENDA ITEM: 5

ITEM/PROJECT: RESOLUTION NO. R23-005 – ORDERING A MAY 6, 2023, GENERAL ELECTION

MEETING DATE: February 13, 2023

DESCRIPTION: Consider adopting Resolution No. R23-005, a Resolution of the City of Pampa ordering and providing notice of a General Election to be held on May 6, 2023, to elect Commissioners for Ward 2 and Ward 4

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: Estimated cost of Election: $7,110.93

SOURCE OF FUNDS: Operating Budget

START/COMPLETION SCHEDULE: Resolution effective after Commission adopts.

RECOMMENDED ACTION: Staff recommends adopting Resolution No. R23-005, a Resolution of the City of Pampa ordering and providing notice of a General Election to be held on May 6, 2023, to elect Commissioners for Ward 2 and Ward 4

RECOMMENDED MOTION: I make a motion to adopt Resolution No. R23-005 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Resolution attached.
RESOLUTION NO. R23-005

A RESOLUTION OF THE CITY OF PAMPA, TEXAS ORDERING AND PROVIDING NOTICE OF A GENERAL ELECTION FOR THE CITY OF PAMPA, TEXAS, TO BE HELD ON THE 6TH DAY OF MAY, 2023, FOR THE PURPOSE OF ELECTING A COMMISSIONER FOR WARD 2 AND COMMISSIONER FOR WARD 4; PROVIDING EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING FOR THE ESTABLISHMENT OF POLLING PLACES; PROVIDING FOR A CONTRACT FOR ELECTION SERVICES WITH GRAY COUNTY PROVIDING FOR CERTAIN JOINT ELECTION ARRANGEMENTS; AND PROVIDING FOR A JOINT ELECTION AGREEMENT WITH THE PAMPA INDEPENDENT SCHOOL DISTRICT

WHEREAS, the City Commission (“Commission”) of the City of Pampa (“City”) seeks to proceed with the ordering of a general election for Saturday, May 6, 2023, the next uniform election date, and appointing election officials required for the conduct of the election, and has deemed it advisable to call the election hereinafter ordered; and

WHEREAS, the City’s next municipal election for Commissioners for Wards 2 and 4 shall be elected, is due to be held on the uniform election date occurring in May 2023, which is May 6, 2023; and

WHEREAS, the Commission has authority to pursuant to Chapter 31, Texas Election Code, to enter into an election services contract with Gray County to obtain certain election services; and

WHEREAS, the Commission has made provision to contact with Gray County to conduct the City General Election; and

WHEREAS, the Commission has the authority pursuant to Chapter 271, Texas Election Code and Chapter 31, Texas Election Code, to enter into joint election agreements with the other political subdivisions also holding a general election on the same date;

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

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the Commission and are hereby approved and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. There is hereby called a General Election to be participated in by the qualified voters of the City to be hold on the first Saturday in May, being the 6th day of May, 2023, between the hours of 7:00 a.m. and 7:00 p.m. (the “Election”), for the purpose of electing a City Commissioner for Ward 2, and a City Commissioner for Ward 4.
SECTION 3. Candidates for City Commissioner shall meet the qualifications as prescribed by law and by the Charter of the City.

SECTION 4. MK Brown Civic Auditorium, 1000 N Sumner, Pampa, Texas is designated as the polling place for the Election on May 6, 2023, between the hours of 7:00 a.m. and 7:00 p.m.

SECTION 5. Early voting by personal appearance will be conducted at Pampa Independent School District Central Office, 1233 N Hobart, Pampa, Texas, on April 24, 2023, through May 2, 2023, between the hours of 7:00 a.m. and 7:00 p.m., including Saturday, April 29, 2023, between the hours of 10:00 a.m. and 4:00 p.m.

SECTION 6. Applications for ballot by mail shall be mailed to Gray County Elections Administrator, P.O. Box 2493, Pampa, TX 79066-2493. Applications for ballot by mail must be received no later than 5:00 p.m. on April 25, 2023.

SECTION 7. Chapter 31 of the Texas Election Code authorizes county election officers to contract with the governing body of a political subdivision situated wholly or partly in the county served by the officer to perform certain election services. Pursuant to Chapter 31 of the Texas Election Code, the Commission is expressly providing the Election may be conducted in accordance with the terms and conditions of a contract for Election Services with Gray County, Texas, which shall be approved by a separate act of the Commission.

Chapter 271 of the Texas Election Code provides that the authorities of two or more political subdivisions that have ordered elections for the same day in all or part of the same territory, may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Commission is expressly authorizing this action, as may be set out and described in the Joint Election Agreement with Pampa Independent School District, which shall be approved by a separate act of the Commission.

SECTION 8. Notice of the Election shall be published in accordance with Chapter 4 of the Texas Election Code.

SECTION 9. The recitals contained in the preamble hereof are hereby found to be true and correct, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Commission.

SECTION 10. It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and the public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.
READ, APPROVED AND ADOPTED this 13th day of February 2023.

CITY OF PAMPA, TEXAS

By: ___________________________
    Lance DeFever, Mayor

ATTEST:

_______________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

_______________________________
Bryan J. Guymon, City Attorney
ORDER OF GENERAL ELECTION FOR MUNICIPALITIES

An election is hereby ordered to be held on May 6, 2023 for the purpose of: Electing a Commissioner for Wards 2 & 4.

Early voting by personal appearance will be conducted each weekday at the Pampa Independent School District Administration Building, 1233 N. Hobart, Pampa, Texas, 79065 between the hours of 7:00 a.m. and 7:00 p.m. beginning on April 24, 2023, and ending on May 2, 2023, including Saturday, April 29, 2023, between the hours of 10:00 a.m. and 4:00 p.m.

Applications for ballot by mail shall be mailed to:

Randa Hiett
Gray County Elections Administration
PO Box 2493
Pampa, TX 79066-2493

Applications for ballot by mail must be received no later than the close of business on April 26, 2023.

Applications for Place on Ballot must be received no later than February 17, 2023.

Issued this 13th day of February 2023

________________________________
Lance DeFever, Mayor
ORDEN DE ELECCIÓN GENERAL PARA MUNICIPIOS

Por la presente se ordena que se llevará a cabo una elección el 6 de mayo, 2023 con el propósito de elegir a un Comisionado de la Ciudad para Sala 2 & 4.

La votación anticipada en persona se llevará a cabo todos los días de la semana en el Edificio de Administración del Distrito Escolar Independiente de Pampa, 1233 N. Hobart, Pampa, Texas, 79065 entre las 7:00 a. m. y las 7:00 p. m. comenzando el 24 de abril de 2023 y terminando el 2 de mayo de 2023, incluido el sábado 29 de abril de 2023, entre las 10:00 a. m. y las 4:00 p. m.

Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:

Randa Hiett
Gray County Elections Administration
PO Box 2493
Pampa, TX 79066-2493

Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio el 26 de abril, 2023.

Las solicitudes para lugar en la boleta deben recibirse a más tardar el 17 de febrero de 2022

Emitida este día 13 de febrero, 2022.

______________________________
Lance DeFever, Alcalde
AGENDA ITEM: 6

ITEM/PROJECT: JOINT ELECTION AGREEMENT WITH PAMPA ISD

MEETING DATE: February 13, 2023

DESCRIPTION: Consider entering into a Joint Election Agreement with the Pampa Independent School District for the May 6, 2023 General Election.

STAFF CONTACT: Bryan Guymon, City Attorney

FINANCIAL IMPACT: Expenses are shared equally between the City and the Pampa ISD.

SOURCE OF FUNDS: Operating Budget

START/COMPLETION SCHEDULE: This Agreement will be effective after Commission approval and will terminate after the May 6, 2023 Election.

RECOMMENDED ACTION: Staff recommends the Commission approve entering into this Joint Election Agreement with Pampa ISD for the May 6, 2023 General Election.

RECOMMENDED MOTION: I make a motion to approve the Joint Election Agreement with Pampa ISD as presented.

BACKGROUND/ADDITIONAL INFORMATION: Joint Election Agreement attached.
Pursuant to Texas Election Code Chapter 271, the Pampa Independent School District (the "District") and the City of Pampa, Texas (the "City") (together the "Parties"), enter into the following agreement for the purpose of establishing the mutual responsibilities of the Parties for conducting joint elections on May 6, 2023:

**RECITALS**

WHEREAS, Texas Election Code § 271.002(a) authorizes the governing bodies of political subdivisions to enter into an agreement to hold joint elections in election precincts that can be served by common polling places; and,

WHEREAS, the Pampa Independent School District and the City of Pampa are political subdivisions of the State of Texas; and,

WHEREAS, Texas Education Code §11.0581(a) requires that an election for trustees of an independent school district be held on the same date as the election for the members of the governing body of a municipality located in the school district or the general election for state and City officers; and,

WHEREAS, Texas Education Code §11.0581(b) requires that District trustee elections under §11.0581(a) be conducted jointly, in accordance with Chapter 271 of the Election Code, with a municipality located in the school district or a county conducting its general election; and,

WHEREAS, the City is a municipality located at least partially within the District; and,

WHEREAS, May 6, 2023, is a uniform Election Date under Texas Election Code §41.001 ("Election Day"); and,

WHEREAS, the Pampa City Commission conducts its elections on the May Uniform Election Date; and,

WHEREAS, the Pampa Independent School District’s Board of Trustees conducts its Trustee elections on the May Uniform Election Date and intends to conduct a special bond election on the May 6, 2023 Uniform Election Date; and,
WHEREAS, the governing bodies of the District and the City desire to hold a joint election for their respective upcoming May elections as set forth in this Joint Election Agreement (“Agreement”) and in that certain Contract for Election Services With Gray County, Texas For All Joint Elections In Calendar Year 2023-2024 (“Contract for Election Services”); and,

WHEREAS, the City and the District serve electors within the same territory, and it would be to the benefit of the City, the District, and the citizens and voters thereof, to hold elections jointly in the election precincts that can be served by common polling places insofar as possible.

NOW, THEREFORE, in consideration of and subject to the following terms and provisions, the Joint Election Agreement set forth below is entered into by and between the City, acting by and through its City Commission, and the District, acting by and through its Board of Trustees:

1. **Scope**
   a. This Agreement covers the conduct of the City’s and the District’s general election and special bond election, to be held on May 6, 2023 jointly for the voters in City of Pampa and the Pampa Independent School District.

2. **Legal Documents**
   a. The Parties shall each be responsible for the preparation, adoption, and publication (including bilingual publications) of their respective required elections orders, notices, and any other pertinent documents required by law, unless otherwise set forth herein.
   b. If required, each Party shall each be responsible for preparation of their respective pre-clearance submissions to the Department of Justice, as required by the Civil Rights Act.

3. **Polling Places**
   a. Election Day voting shall be held at the following joint polling place: MK Brown Civic Auditorium, 1000 N. Sumner, Pampa, Texas 79065.
   b. Early voting by personal appearance shall be conducted jointly at: Pampa ISD Central Office, 1233 N. Hobart, Pampa, Texas 79065.
   c. It is the responsibility of the Gray County Elections Administrator to ensure that Early and Election Day polling places comply with current accessibility standards as set forth in the Americans with Disabilities Act and any state or local laws or ordinances.
4. **Early Voting**

   a. The Gray County Elections Administrator shall serve as the Early Voting Clerk for each of the Parties and each of the Parties shall designate the Pampa ISD Central Office, 1233 N. Hobart, Pampa, Texas as the main Early Voting polling place.
   
   b. Early voting by personal appearance shall be conducted jointly at the location identified in section 4(a) above.
   
   c. The Parties’ applications for early voting by mail shall be sent to the Gray County Elections Administrator, P. O. Box 2493, Pampa, Texas 79066.

5. **Canvassing, Recounts and Records Retention**

   a. Canvassing shall be conducted separately.
   
   b. Recounts, if needed, shall be conducted separately.
   
   c. Each Party will be responsible for the retention of their respective records, in accordance with the Texas Election Code.
   
   d. An executed copy of this Agreement shall be preserved by each party for the period for preserving the precinct election records, as required by Texas Election Code §271.002(e).

6. **Contract for Election Services with Gray County**

   The Parties have each authorized the Gray County Elections Administrator to conduct and supervise the joint election as set out in Contract for Election Services. Said Contract for Election Services shall take priority over this Agreement with respect to the matters set forth in said contract and nothing set forth herein shall be deemed to modify or amend any conflicting provisions in said Contract for Election Services.

7. **Miscellaneous Provisions**

   a. This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Gray County, Texas.

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

   c. The Parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
d. Either Party may terminate its participation in this agreement by tendering written notice to the other Party.

e. The waiver by any party of a breach of any provision of this Agreement shall not operate as or be construed as a waiver of any subsequent breach.

f. The Parties authorize the City Secretary and Superintendent to vary the terms of this agreement as may be necessary to conform to applicable law or for the proper conduct of the joint election without further action by the governing body of either Party. Any such amendment shall be of no effect unless in writing and signed by all Parties hereto.

g. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes.

EXECUTED in duplicate originals this _____ day of _________________, 2023.

CITY OF PAMPA, TEXAS

By: ________________________________
    Lance DeFever, Mayor

ATTEST:

_________________________________
Barbara Stucker, City Secretary

PAMPA INDEPENDENT SCHOOL DISTRICT

By: ________________________________
    Luis Nava, President, Board of Trustees

ATTEST:

_________________________________
Denise Intemann, Secretary, Board of Trustees
AGENDA ITEM: 7

ITEM/PROJECT: RESOLUTION NO. R23-006 – AUTHORIZING SUBMISSION OF GRANT APPLICATION FOR THE “ENHANCING INVESTIGATIONS” PROJECT.

MEETING DATE: February 13, 2023

DESCRIPTION: Consider adopting Resolution No. R23-006, authorizing submission of grant application for the “Enhancing Investigations” project to The Office of the Governor, Public Safety.

STAFF CONTACT: Lance Richburg, Chief of Police

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Resolution No. R23-006 will be effective after Commission adopts.

RECOMMENDED ACTION: Staff recommends the Commission approves the submission of grant application for the “Enhancing Investigations” project to The Office of the Governor, Public Safety.

RECOMMENDED MOTION I make a motion to adopt Resolution No. R23-006 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Resolution R23-006 attached.
RESOLUTION NO. R23-006

A RESOLUTION AUTHORIZING SUBMISSION OF GRANT APPLICATION FOR THE "ENHANCING INVESTIGATIONS" PROJECT TO THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE.

WHEREAS, the Pampa City Commission finds it in the best interest of the citizens of Pampa that the Enhancing Investigations project be operated for the 2023-2024 fiscal year; and

WHEREAS, the Pampa City Commission agrees to provide applicable matching funds for said project, as required by the Office of the Governor, Public Safety Office grant application; and

WHEREAS, the Pampa City Commission agrees that in the event of loss or misuse of the funds from the Office of the Governor, the Pampa City Commission assures that the funds will be returned to the Office of the Governor in full;

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

SECTION 1. The statements set forth in the recitals of this Resolution are true and correct, and the Commission hereby incorporates such recitals as a part of this Resolution.

SECTION 2. The submission of the grant application for the Enhancing Investigations project to the Office of the Governor, Public Safety Office is hereby approved.

SECTION 3. The Chief of Police is designated as the grantee's authorized official and is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

READ, APPROVED AND ADOPTED on this 13th day of February, 2023.

CITY OF PAMPA

By: ____________________________
    Lance DeFever, Mayor

ATTEST:

___________________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

___________________________________
Bryan J. Guymon, City Attorney
AGENDA ITEM: 8

ITEM/PROJECT: EXECUTIVE SESSION: City Manager’s Annual Evaluation

MEETING DATE: February 13, 2023

DESCRIPTION: EXECUTIVE SESSION: The City Commission will convene into closed session in accordance with Texas Government Code, Section 551.074 – Personnel Matters.

STAFF CONTACT: Commission Members
Shane Stokes, City Manager