



The City Of  
**Pampa**

**Public Hearing/Regular Meeting of the:**

**Pampa City Commission**

**April 12, 2021**

**4:00 p.m.**

**City of Pampa**

201 W. Kingsmill

P.O. Box 2499

Pampa, Texas 79066-2499

Phone: 806-669-5750

Fax: 806-669-5767



**CITY OF PAMPA  
CITY COMMISSION AGENDA  
PUBLIC HEARING/REGULAR MEETING**

Gary Winton, Commissioner Ward 1  
Vacant, Commissioner Ward 2  
Jimmy Keough, Commissioner Ward 3  
Karen McLain, Commissioner Ward 4

Brad Pingel, Mayor

Shane Stokes, City Manager  
Karen Price, City Secretary  
Bryan J. Guymon, City Attorney

Notice is hereby given of a **PUBLIC HEARING/REGULAR MEETING** of the City Commission of the City of Pampa, Texas to be held on **MONDAY, APRIL 12, 2021 AT 4:00 P.M., CITY HALL – CITY COMMISSION CHAMBER, 3<sup>RD</sup> FLOOR, 201 W. KINGSMILL, PAMPA, TEXAS**, for the purpose of considering the following agenda items.

All agenda items are subject to action. 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.

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PLEDGE OF ALLEGIANCE TO TEXAS FLAG**

**PUBLIC COMMENTS:**

Citizens who have signed a card to speak to the City Commission will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, Commission Members and City Staff are prevented from discussing the subject and may respond only with statements of factual information or existing City policy. Citizens are limited to three (3) minutes for their presentation to the City Commission.

**PUBLIC HEARING:**

**The City Commission will conduct a Public Hearing at 4:00 p.m. at City Hall, 201 W. Kingsmill on the 3<sup>rd</sup> Floor, Commission Chambers for the purpose of receiving public comments on the re-introduction and continuation of the City’s Nocturnal Curfew Ordinance for minors under the age of seventeen (17) years old.**

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

**RECOGNITION:**

4<sup>th</sup> Consecutive Texas Police Chief’s Association “Law Enforcement Agency Best Practices Recognition” - Shane Stokes, City Manager

**AUTHORIZATIONS BY CITY COMMISSION:**

1. Consider approving the minutes of the March 22, 2021 Regular Commission Meeting as presented.

2. Consider and act on approving on first reading Ordinance No.1744, an Ordinance by the City Commission re-introducing and continuing the Nocturnal Curfew for minors under the age of seventeen (17) years old.
3. Consider and act on approving on first reading Ordinance No.1745, an Ordinance by the City Commission amending the revenues and the appropriations for the fiscal years beginning October 1, 2020 and ending September 30, 2021.
4. Consider and act on adopting Resolution No. R21-013, a Resolution by the City Commission adopting Executive Order GA-34 and extending the City of Pampa's Declaration of Local Disaster until May 10, 2021.
5. Consider and act on adopting Resolution No. R21-014, a Resolution by the City Commission re-establishing Tax Abatement Guidelines and Criteria for Tax Abatement Agreements.
6. Consider and act on adopting Resolution No. R21-015, a Resolution by the City Commission authorizing the submission of a TxCDBG Program Application to the Texas Department of Agriculture for the 2021 Downtown Revitalization Project and authorizing the Mayor and City Manager to act as the City's Authorized Representatives.
7. Consider and act on adopting Resolution No. R21-016, a Resolution by the City Commission determining that an area of the City constitutes as a slum/blighted area for funding under the Downtown Revitalization Program.
8. Consider and act on awarding a bid for Real Property located at Lot 11, Block 1, John Bradley Addition, commonly known as 736 Sloan Street, to Robert K. Blalock for \$350.00 and authorize the Mayor to execute the Contract of Sale and Warranty Deed.
9. Consider and act on awarding a bid for Real Property located at the North 25 feet of Lot 4 and all of Lot 19-A, Block A, Talley Reserve Addition, commonly known as 413 Naida Street, to Chris Phillips for \$350.00 and authorize the Mayor to execute the Contract of Sale and Warranty Deed.
10. Consider and act on awarding a bid for Real Property located at Lots 24 and 25, Block A, Talley Reserve Addition, commonly known as 505 Naida Street, to Martha Palomares for \$477.00 and authorize the Mayor to execute the Contract of Sale and Warranty Deed.
11. Consider and act on awarding a bid for Real Property located at Lot 10, Block 2, Tulsa Addition, commonly known as 424 Dwight Street, to Robert K. Blalock for \$300.00 and authorize the Mayor to execute the Contract of Sale and Warranty Deed.
12. Consider and act on accepting a bid from Keith Kelley in the amount of \$300.00 for delinquent tax property located at Lots 7 and 8, Block 2, Cohen Second Addition, commonly known as 413 Harlem Street.
13. Consider and act on accepting a bid from Keith Kelley in the amount of \$300.00 for delinquent tax property located at Lot 10, Block 1, Cohen Second Addition, commonly known as Lot on Oklahoma Street.

14. EXECUTIVE SESSION: The City Commission will convene into closed session in accordance with Texas Government Code, Subchapter D, Section 551.087 – Economic Development to discuss:

- Economic Development Project – Tax Abatement

RECONVENE: The City Commission will reconvene into open session with or without action taken.

Discussion and possible action regarding Tax Abatement Agreement with 2 Bar S, LLC, pursuant to Chapter 312 of the Texas Tax Code.

- a. The following information is required by Texas Tax Code 312.207
  - i. 2 Bar S, LLC is the property owner and applicant for the tax abatement agreement.
  - ii. The property subject to the agreement is located in the North Reinvestment Zone #1, located at:

Lot 1, Re-Plat of Edwin Park Subdivision, an Addition to the City of Pampa, in Gray County, Texas, according to the map or plat thereof, recorded in Volume 993, Page 798, of the Deed Records of Gray County, Texas.
  - iii. The general description of the nature of the improvements included in the agreement is as follows: construction of a full-service optometrist practice.
  - iv. The estimated cost of the improvements being contemplated by 2 Bar S, LLC, is approximately \$2,000,000.00.

**ADJOURN**

**CERTIFICATION**

I certify that the above Agenda was posted on the outside officially designated bulletin board in front of City Hall, facing Kingsmill Street, a place convenient and readily accessible to the public at all times and said Agenda was posted on **FRIDAY, APRIL 9, 2021 BEFORE 4:00 P.M.** and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

*//s - Karen L. Price, City Secretary*

**ACCESSABILITY STATEMENT**

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

**AGENDA REMOVAL NOTICE**

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

Date: \_\_\_\_\_ Time: \_\_\_\_\_

By: \_\_\_\_\_



## **CITY OF PAMPA AGENDA INFORMATION SHEET**

### **PUBLIC HEARING:**

**ITEM/PROJECT:**

**NOCTURNAL CURFEW ORDINANCE**

**MEETING DATE:**

**April 12, 2021**

**DESCRIPTION**

**PUBLIC HEARING:** The City Commission will conduct a Public Hearing at 4:00 p.m. at City Hall, 201 W. Kingsmill on the 3<sup>rd</sup> Floor, Commission Chambers for the purpose of receiving public comment on the re-introduction and continuation of the City's Nocturnal Curfew Ordinance for minors under the age of seventeen (17) years old.

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

**STAFF CONTACT:**

**Lance Richburg, Chief of Police**



**CITY OF PAMPA  
AGENDA INFORMATION SHEET**

**RECOGNITION:**

**MEETING DATE:**

**April 12, 2021**

**DESCRIPTION**

**4<sup>th</sup> Consecutive Texas Police Chief's Association  
"Law Enforcement Agency Best Practices Recognition"**

**STAFF CONTACT:**

**Shane Stokes, City Manager**



## **CITY OF PAMPA AGENDA INFORMATION SHEET**

### **AGENDA ITEM: 1**

<b>ITEM/PROJECT:</b>	<b>MINUTES</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider approving the minutes of the March 22, 2021 Regular Commission Meeting as presented.</b>
<b>STAFF CONTACT:</b>	<b>Karen Price, City Secretary</b>
<b>FINANCIAL IMPACT:</b>	<b>N/A</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Minutes will be effective after Commission approval.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission approve the minutes of the March 22, 2021 Regular Commission Meeting as presented.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Minutes of the March 22, 2021 meeting attached.</b>

**MINUTES OF THE  
CITY COMMISSION OF THE CITY OF PAMPA, TEXAS  
REGULAR MEETING  
MONDAY, MARCH 22, 2021**

**CALL TO ORDER:** Mayor Brad Pingel at 4:00 p.m.

<b>PRESENT:</b>	Brad Pingel	Mayor
	Gary Winton	Commissioner
	Jimmy Keough	Commissioner
	Karen McLain	Commissioner

**ABSENT:** None

<b>STAFF:</b>	Shane Stokes	City Manager
	Bryan Guymon	City Attorney
	Karen Price	City Secretary
	Robin Bailey	Finance Director
	Dustin Miller	Community Services Director
	Gary Turley	Director Public Works
	Lance Richburg	Chief of Police
	Cary Rushing	Asst. Public Works Director
	Sharod Harris	Engineer-in-Training

<b>VISITORS:</b>	Ronnie Niccum	Paul Searl
	Lance DeFever	Treasa Heuston

**NEWS MEDIA:** John Lee, Pampa News

<b>INVOCATION:</b>	Shane Stokes	City Manager
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**PLEDGE OF ALLEGIANCE**

**PLEDGE ALLEGIANCE TO TEXAS FLAG**

**PUBLIC COMMENTS:** None

**AUTHORIZATIONS BY CITY COMMISSION:**

21-043

1. Consider approving the minutes of the March 8, 2021 Regular Commission Meeting as presented.

A motion was made by Commissioner Winton and Seconded by Commissioner Keough to approve the minutes of the March 8, 2021 Regular Commission Meeting as presented, with each Commission Member voting AYE, the motion carried.

21-044

2. Excuse the absence of Commissioner Karen McLain from the March 8, 2021 Regular Commission Meeting.

A motion was made by Commissioner Keough and Seconded by Commissioner Winton to excuse the absence of Commissioner Karen McLain from the March 8, 2021 Regular Commission Meeting, with each Commission Member voting AYE, the motion carried.



21-045

3. Consider and act on adopting Resolution No. R21-012, a Resolution by the City Commission adopting Executive Order GA-34 and extending the City of Pampa's Declaration of Local Disaster Order until April 12, 2021.

**RESOLUTION NO. R21-012  
CITY OF PAMPA, TEXAS  
EXTENSION OF DECLARATION OF LOCAL DISASTER**

A motion was made by Commissioner Winton and Seconded by Commissioner Keough to adopt Resolution No. R21-012, a Resolution by the City Commission adopting Executive Order GA-34 and extending the City of Pampa's Declaration of Local Disaster Order until April 12, 2021, with each Commission Member voting AYE, the motion carried.

21-046

4. Consider and act on awarding a bid for the construction of the Wastewater Treatment Plant Improvements.

A motion was made by Commissioner Keough and Seconded by Commissioner Winton to award the bid in the amount of \$1,683,226.00 to Udelhoven Oilfield System Services, Inc., for the construction of the Wastewater Treatment Plant Improvements, with each Commission Member voting AYE, the motion carried.

21-047

5. Consider and act on approving a Professional Services Agreement with HR Green, Inc., for Risk and Resilience Assessment and Emergency Response Plan for the City of Pampa's Water System and authorize the City Manager to execute said Agreement.

A motion was made by Commissioner Winton and Seconded by Commissioner McLain to approve a Professional Services Agreement with HR Green, Inc., for Risk and Resilience Assessment and Emergency Response Plan for the City of Pampa's Water System and authorize the City Manager to execute said Agreement, with each Commission Member voting AYE, the motion carried.

21-048

6. Consider and act on approving the List of Disbursements dated February 2021.

A motion was made by Commissioner Keough and Seconded by Commissioner Winton to approve the List of Disbursements dated February 2021, with total Disbursements being \$1,615,698.28 and the amount after balance sheet and income accounts being \$839,410.85, with each Commission Member voting AYE, the motion carried.

**ADJOURNED:**

There being no further business on the Agenda, the meeting was adjourned at 4:17 p.m. by Mayor Brad Pingel.

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Karen L. Price, City Secretary

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Brad Pingel, Mayor



**CITY OF PAMPA  
AGENDA INFORMATION SHEET**

**AGENDA ITEM: 2**

<b>ITEM/PROJECT:</b>	<b>ORDINANCE NO. 1744 – RE-INTRODUCE NOCTURNAL CURFEW</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on approving on first reading Ordinance No. 1744, an Ordinance by the City Commission re-introducing and continuing the Nocturnal Curfew for minors under the age of seventeen (17) years old.</b>
<b>STAFF CONTACT:</b>	<b>Lance Richburg, Chief of Police</b>
<b>FINANCIAL IMPACT:</b>	<b>N/A</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Ordinance No. 1744 will be effective ten (10) days after its publication in the Pampa News as provided by law.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission approve on first reading Ordinance No. 1744 re-introducing the Nocturnal Curfew for minors under the age of seventeen (17) years old.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Ordinance No. 1744 attached.</b>

**ORDINANCE NO. 1744**

**AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, RE-INTRODUCING AND CONTINUING SECTION 8.04 OF CHAPTER 8 OF THE CODE OF ORDINANCES PROVIDING FOR A NOCTURNAL CURFEW FOR MINORS UNDER THE AGE OF 17; PROVIDING FOR OFFENSES; PROVIDING FOR DEFENSES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; SETTING FORTH CUMULATIVE AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Public Hearings were held on April 12, 2021 and on April 26, 2021, to review the existing juvenile curfew Ordinance No. 1695 as codified in Section 8.04 of Chapter 8 of the Code of Ordinances of the City of Pampa, Texas, and its effects on the community, and on problems that Ordinance was intended to remedy, as well as the need to continue the said Ordinance as codified or to modify or abolish it, all in accordance with Local Government Code Section 370.002; and

**WHEREAS**, the City Commission finds that crimes involving persons under the age of seventeen (17) years occur in Pampa after midnight to an extent that it is cause for concern; and

**WHEREAS**, the allure of group activity, the power and invincibility that exists in numbers, and peer pressure make juvenile perpetrators of crime its victims as well as perpetrators; and

**WHEREAS**, persons under the age of seventeen (17) years are particularly vulnerable to victimization; and

**WHEREAS**, the City of Pampa has a vital interest in protecting persons under the age of seventeen (17) years by limiting the opportunities for victimization, by requiring parental control and responsibility and by protecting the public from irresponsible acts; and

**WHEREAS**, the City Commission finds that the public interest will be served by a curfew which forecloses constitutionally unprotected conduct by persons under the age of seventeen (17) years during hours when the likelihood of adult supervision is the least; and

**WHEREAS**, the City Commission finds that Ordinance No. 1695 as codified in Section 8.04 of Chapter 8 of the Code of Ordinances of the City of Pampa, Texas, should be continued without modification.

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

**Section 1.**

That Section 8.04 of Chapter 8 of the Code of Ordinances of the City of Pampa, Texas shall continue to read as follows:

**“Article 8.04. Nocturnal Curfew for Minors Under the Age of Seventeen (17) years.**

**“Sec. 8.04.001. Definitions.**

“The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“a. *City*: The City of Pampa, Texas.

“b. *Curfew hours*: 12:01 a.m. until 6:00 a.m. daily.

- “c. *Emergency:* By unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
- “d. *Establishment:* Any privately-owned place of business operated for profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.
- “e. *Guardian:*
- (1) a person who, under court order, is the guardian of the person of a minor; or
  - (2) a public or private agency with whom a minor has been placed by a court.
- “f. *Minor:* Any person under seventeen (17) years of age.
- “g. *Operator:* Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members of partners of an association or partnership and the officers of a corporation.
- “h. *Parent:* A person who is:
- (1) a natural parent, adoptive parent, or stepparent of another person; or
  - (2) at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.
- “i. *Police Department:* The police department of the City.
- “j. *Public Place:* Any place to which the public or a substantial group of the public has access and includes, but not limited to, streets, parks, highways and common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.
- “k. *Remain:* To:
- (1) linger or stay; and
  - (2) fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.
- “l. *Serious Bodily Injury:* Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

“The use of any gender includes the other genders, and the use of either the singular or the plural includes the other in the context in which they are used.

**“Sec. 8.04.002. Offenses.**

- “a. A minor commits an offense if he remains in any public place or on the premises of an establishment within the City during curfew hours.
- “b. A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows the minor to remain in any public place or on the premises of any establishment within the City during curfew hours.
- “c. The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

**“Sec. 8.04.003. Defenses.**

- “a. It is a defense to prosecution under Sec. 804.002 above that the minor was:
  - (1) accompanied by the minor’s parent or guardian; or
  - (2) on an errand at the direction of the minor’s parent or guardian, without any detour or stop; or
  - (3) in a motor vehicle involved in interstate travel; or
  - (4) engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop; or
  - (5) involved in an emergency; or
  - (6) on the sidewalk abutting the minor’s residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the Police Department about the minor’s presence; or
  - (7) attending an official school, religious or other recreational activity supervised by adults and sponsored by the City of Pampa, a civic organization, or another similar entity that has undertaken responsibility for the minor, or going to or returning home from such activity, without any detour or stop; or
  - (8) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
  - (9) married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code.
- “b. It is a defense to prosecution under Sec. 8.04.002-c that the owner, operator, or employee of an establishment promptly notified the Police Department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

**“Sec. 8.04.004. Enforcement.**

“Before taking any enforcement action under this section, a police officer shall ask the apparent offender’s age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this article unless the officer reasonably believes that an offense has occurred and that, based on any response or other circumstances, no defense under Sec. 8.04.003 is present.

**“Sec. 8.04.005. Penalties.**

- “a. A person who violates a provision of this Article is guilty of a separate offense for each day or part of day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$500.00.
  
- “b. When required by Section 51.08 of the Texas Family Code, as amended, the Municipal Court shall waive original jurisdiction over a minor who violates this Article and shall refer the minor to juvenile court.”

**Section 2.  
Provisions Cumulative.**

The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent any such inconsistency or conflict.

**Section 3.  
Severability**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portion of this ordinance. The City Commission of the City of Pampa hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, clauses, or phrases be declared unconstitutional or invalid.

**Section 4.  
Effective Date**

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

**Section 5.  
Renewal Provisions**

This ordinance shall expire and automatically repeal itself after thirty-six (36) months from its effective date unless it shall have been re-introduced and passed at two separate meetings of the City Commission prior to its expiration. Re-enactment prior to expiration shall not require re-publication.

RE-INTRODUCED AND PASSED on first reading this the 12<sup>th</sup> day of April 2021.

PASSED, APPROVED and ADOPTED on second and final reading this the \_\_\_\_ day of April 2021.

CITYOF PAMPA, TEXAS

By: \_\_\_\_\_  
Brad Pingel, Mayor

ATTEST:

\_\_\_\_\_  
Karen L. Price, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Bryan J. Guymon, City Attorney



## **CITY OF PAMPA AGENDA INFORMATION SHEET**

### **AGENDA ITEM: 3**

<b>ITEM/PROJECT:</b>	<b>ORDINANCE NO. 1745 – BUDGET AMENDMENT</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on approving on first reading Ordinance No. 1745, an Ordinance by the City Commission amending the revenues and the appropriations for the fiscal year beginning October 1, 2020 and ending September 30, 2021.</b>
<b>STAFF CONTACT:</b>	<b>Robin Bailey, Finance Director</b>
<b>FINANCIAL IMPACT:</b>	<b>See amounts listed in Ordinance.</b>
<b>SOURCE OF FUNDS:</b>	<b>Multiple Funds Amended</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Budget Amendment will be effective after Commission adopts Ordinance No. 1745 on second and final reading.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission approved Ordinance No. 1745 on first reading amending the 2020-2021 fiscal year budget.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Ordinance No. 1745 attached.</b>



**ORDINANCE NO. 1745**

**AN ORDINANCE AMENDING THE REVENUES AND APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF PAMPA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 ENDING SEPTEMBER 30, 2021. THIS AMENDMENT PROVIDES FOR AN INCREASE IN REVENUE FOR GRANTS, DONATIONS, AUCTION PROCEEDS AND INSURANCE CLAIMS, AND FOR AN INCREASE IN APPROPRIATIONS FOR EQUIPMENT AND IMPROVEMENTS, BUDGET DEFICITS DUE TO INCREASED EXPENDITURES FOR WINTER WEATHER, CELEBRATION OF LIGHTS FIXTURES, EXPENDITURE OF GRANT AND DONATION PROCEEDS, AND 2020 BOND PAYMENTS PREVIOUSLY UNBUDGETED**

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**BE IT ORDAINED BY THE CITY OF PAMPA, TEXAS:**

That the funds listed below are amended from the original revenues and expenditures to the amended revenues and expenditures as follows:

**Revenues**

<b>Fund</b>	<b>Original Budget</b>	<b>Current Budget</b>	<b>Revised Budget</b>	<b>Amendment</b>
1	\$ 13,691,506.00	\$ 13,699,917.00	\$ 13,748,626.21	\$ 48,709.21
21	\$ 304,650.00	\$ 310,150.00	\$ 408,158.00	\$ 98,008.00
25	\$ 333,959.00	\$ 339,789.00	\$ 350,778.00	\$ 10,989.00
26	\$ -	\$ -	\$ 110,247.16	\$ 110,247.16
31	\$ 8,264,900.00	\$ 8,275,306.00	\$ 8,300,716.00	\$ 25,410.00

**Appropriations**

<b>Fund</b>	<b>Original Budget</b>	<b>Current Budget</b>	<b>Revised Budget</b>	<b>Amendment</b>
1	\$ 13,737,610.00	\$ 13,746,021.00	\$ 14,320,491.21	\$ 574,470.21
21	\$ 313,685.00	\$ 319,185.00	\$ 556,935.00	\$ 237,750.00
25	\$ -	\$ -	\$ -	\$ 10,989.00
26	\$ -	\$ -	\$ -	\$ 77,326.99
31	\$ 10,951,377.00	\$ 10,961,783.00	\$ 11,125,160.00	\$ 163,377.00
38	\$ 2,241,000.00	\$ 2,241,000.00	\$ 2,333,211.00	\$ 92,211.00
39	\$ 731,891.00	\$ 731,981.00	\$ 870,077.00	\$ 138,096.00
66	\$ 2,455,925.00	\$ 2,455,925.00	\$ 3,246,914.00	\$ 790,989.00

**INTRODUCED, PASSED AND APPROVED** on its first reading this the 12th day of April 2021.

**READ, APPROVED AND ADOPTED** on its second and final reading this the \_\_\_\_ day of April 2021.

CITY OF PAMPA

By: \_\_\_\_\_  
Brad Pingel, Mayor

ATTEST:

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Karen L. Price, City Secretary

APPROVED AS TO FORM:

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Bryan Guymon, City Attorney



**CITY OF PAMPA  
AGENDA INFORMATION SHEET**

**AGENDA ITEM: 4**

<b>ITEM/PROJECT:</b>	<b>RESOLUTION NO. R21-013 – EXTENDING CITY OF PAMPA’S DECLARATION OF LOCAL DISASTER ORDER</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on adopting Resolution No. R21-013, a Resolution by the City Commission adopting Executive Order GA-34 and extending the City of Pampa’s Declaration of Local Disaster until May 10, 2021.</b>
<b>STAFF CONTACT:</b>	<b>Shane Stokes, City Manager Bryan Guymon, City Attorney</b>
<b>FINANCIAL IMPACT:</b>	<b>N/A</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Resolution No R21-013 will be effective after Commission adopts.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission adopt Resolution No. R21-013, adopting Executive Order GA-34 and extending the City’s Declaration of Local Disaster to May 10, 2021.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Resolution No. R21-013 attached.</b>

**RESOLUTION NO. R21-013**

**CITY OF PAMPA, TEXAS**  
**EXTENSION OF DECLARATION OF LOCAL DISASTER**

**WHEREAS**, a novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

**WHEREAS**, on March 17, 2020, the Mayor of the City of Pampa, Brad Pingel, declared a local state of disaster for public health emergency pursuant to Section 418.108(a) of the Texas Government Code, based upon the need for extraordinary measures to contain COVID-19 and to prevent its spread throughout the City of Pampa with such declaration being extended by Resolutions of the City Commission of the City of Pampa; and

**WHEREAS**, on March 2, 2021, the Governor of the State of Texas issued Executive Order GA-34, superseding Executive Order GA-32, further expanding the reopening of businesses, activities, nursing homes and related facilities, and services throughout most of Texas; and

**WHEREAS**, the Governor of the State of Texas has stated that there has been a steady decline in hospitalizations and the rate of new COVID-19 cases due to the millions of Texans who have voluntarily been vaccinated, including many within the City of Pampa, the natural immunity of many within the community, improved medical treatments for COVID-19 patients, abundant supplies of testing and personal protective equipment, and Texans' adherence to safe practices like social distancing, hand sanitizing, and use of face coverings; and

**WHEREAS**, the Texas Department of State Health Services has notified the counties that comprise Trauma Service Area A, which includes Gray County, that the hospitalization rate has been consistently below five percent (5%) over the past week; and

**WHEREAS**, effective March 10, 2021, Executive Order GA-34 opened all businesses in trauma service regions that are not considered areas of high hospitalization to 100% capacity and removes any mandatory mask wearing; and

**WHEREAS**, the Declaration of Local Disaster extended in the latest Resolution of the City Commission is set to expire at 11:59 p.m. on April 12, 2021; and

**WHEREAS**, due to the improving and evolving circumstances and the desire of the City of Pampa to continue to safely re-open businesses in the City of Pampa, improve local economic conditions while still maintaining the ability to protect against COVID-19 and pursuant to Texas Government Code §418.108, the City Commission believes it to be in the best interest of the City and its citizens, in order to protect and preserve the public health, safety and welfare, to continue the extension of the Declaration of Local Disaster, and adopt the measures outlined herein;

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

**SECTION 1.** The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

**SECTION 2.** All terms and conditions of Governor's Executive Order GA-34 are hereby adopted, and the Mayoral Declaration of Local Disaster initially signed and executed by the Mayor on March 17, 2020 and extended by the City Commission is renewed and extended to the extent it does not directly conflict with this resolution.

**SECTION 3.** Pursuant to §418.108(c) of the Texas Government Code, this Resolution shall be given prompt and general publicity and shall be filed promptly with the City Secretary of the City of Pampa.

**SECTION 4.** That all individuals are strongly encouraged to wear face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household and businesses or other establishments may, but are not ordered, to require employees or customers to follow additional hygiene measures, including the wearing of a face covering.

**SECTION 5.** This Resolution shall go into effect immediately upon approval and continue until 11:59 p.m., Monday, May 10, 2021, unless renewed, extended, amended, or cancelled by the Mayor or City Commission of the City of Pampa.

**SECTION 6.** This resolution and order authorizes the Mayor, pursuant to applicable provisions of Texas Government Code Chapter 418 and Texas Health and Safety Code § 122.006, on behalf of the City of Pampa, to take any actions necessary to promote health and suppress the COVID-19 virus, including enforcing applicable orders issued by the Gray County Judge, the Governor of the State of Texas or the Texas Department of State Health Services related to suppressing the COVID-19 virus, and insuring compliance for those who do not comply with the City's rules and directives.

**SECTION 7.** To the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement which would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose.

**SECTION 8.** That to the extent this resolution conflicts with the Governor's Executive Order GA-34, GA-34 controls and the Mayor may comport and amend this resolution and order and any subsequent order to be consistent with Executive Order GA-34, or any applicable executive order that may be issued by the Governor of the State of Texas.

**SECTION 9.** That the Mayor is authorized to use all available resources of the City of Pampa reasonably necessary to comply with this resolution.

READ, APPROVED AND ADOPTED by the City Commission this the 12<sup>th</sup> day of April 2021.

**CITY OF PAMPA**

By: \_\_\_\_\_  
Brad Pingel, Mayor

**ATTEST:**

\_\_\_\_\_  
Karen L. Price, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Bryan J. Guymon, City Attorney



**CITY OF PAMPA  
AGENDA INFORMATION SHEET**

**AGENDA ITEM: 5**

<b>ITEM/PROJECT:</b>	<b>RESOLUTION NO. R21-014 – REESTABLISHING TAX ABATEMENT GUIDELINES AND CRITERIA</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on adopting Resolution No. R21-014, a Resolution by the City Commission re-establishing Tax Abatement Guidelines and Criteria for Tax Abatement Agreements.</b>
<b>STAFF CONTACT:</b>	<b>Shane Stokes, City Manager</b>
<b>FINANCIAL IMPACT:</b>	<b>N/A</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Resolution with Guidelines and Criteria will be effective after Commission adopts and will remain in effective for two (2) years.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission adopt Resolution No. R21-014 re-establishing Tax Abatement Guidelines and Criteria for Tax Abatement Agreements.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Resolution No. R21-014 and Guidelines and Criteria attached.</b>

**RESOLUTION NO. R21-014**

**A RESOLUTION OF THE CITY OF PAMPA, TEXAS, REESTABLISHING TAX ABATEMENT GUIDELINES AND CRITERIA FOR TAX ABATEMENT AGREEMENTS PURSUANT TO CHAPTER 312 OF THE TEXAS TAX CODE.**

**WHEREAS**, the City Commission last approved Tax Abatement Guidelines and Criteria on April 22, 2019; and

**WHEREAS**, the Pampa City Commission finds that it would be desirable and in the best interest of the citizens of Pampa to continue to promote development and redevelopment of certain contiguous geographic areas within the jurisdiction of the City; and

**WHEREAS**, tax abatement agreements have been an effective means by which to provide incentives to property owners to develop or redevelop property; and

**WHEREAS**, the Texas Legislature has authorized local governments to use property tax abatements in accordance with Chapter 312 of the Texas Tax Code; and

**WHEREAS**, the Pampa City Commission intends to designate one or more areas within the City as reinvestment zones where property owners may apply for tax abatement on taxes assessed over and above current assessed values, so that all current taxes on currently assessed values would continue to be paid; and

**WHEREAS**, Chapter 312 of the Texas Tax Code requires that the City establish guidelines and criteria governing tax abatement agreements every two (2) years for the designation of reinvestment zones and entering into Tax Abatement agreements;

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

That the Tax Abatement Guidelines and Criteria, attached hereto and made a part hereof by reference as if fully set out herein, are hereby approved and adopted as the official policy of the City.

READ, APPROVED AND ADOPTED this 12<sup>th</sup> day of April 2021.

CITY OF PAMPA, TEXAS

By:

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Brad Pingel, Mayor

ATTEST:

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Karen L. Price, City Secretary

APPROVED AS TO FORM:

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Bryan J. Guymon, City Attorney



**STATE OF TEXAS**

**CITY OF PAMPA**

**TAX ABATEMENT GUIDELINES AND CRITERIA**

**(Texas Tax Code Chapter 312)**

City of Pampa (the “City”) is committed to the promotion of quality development in all parts of City of Pampa and to improving the quality of life for its citizens. In order to help meet these goals, the City will consider providing Tax Abatements (as defined below) to stimulate economic development. It is the policy of the City that such an incentive will be provided in accord with the guidelines and criteria outlined in this document. All applicants for Tax Abatements shall be considered on an individual basis.

In order to be eligible for designation as a Reinvestment Zone and receive Tax Abatement, and unless otherwise approved by the City, the planned improvement:

1. must be an Eligible Facility (as defined below);
2. must add at least One Hundred Thousand Dollars (\$100,000.00) to the tax roll of eligible property; and
3. must be reasonably expected to have an increase in positive net economic benefit to City of Pampa of at least Five Hundred Thousand Dollars (\$500,000.00) over the life of the Abatement, computed to include (but not limited to) new sustaining payroll and/or capital improvement.

In addition to the criteria set forth above, the City reserves the right to negotiate a Tax Abatement Agreement in order to compete favorably with other communities.

Only that increase in the fair market value of the property that is a direct result of the development, redevelopment, and improvement specified in the Agreement will be eligible for Abatement and then only to the extent that such increase exceeds any reduction in the fair market value of the other property of the applicant located within the jurisdiction creating the reinvestment zone.

All Tax Abatement Agreements will remain in effect no longer than allowed by law.

It is the goal of the City to grant Tax Abatements on the same terms and conditions as the other taxing units having jurisdiction of the property. However, nothing herein shall limit the discretion of the City to consider, adopt, modify, or decline any Tax Abatement request.

This policy is effective as of the 12<sup>th</sup> day of April, 2021, and shall at all times be kept current with regard to the needs of City of Pampa and reflective of the official views of the City, and shall be reviewed every two (2) years.

The adoption of these guidelines and criteria by the City Commission does not:

1. limit the discretion of the governing body to decide whether to enter into a specific Tax Abatement Agreement;
2. limit the discretion of the governing body to delegate to its employees the authority to determine whether or not the governing body should consider a particular application or request for Tax Abatement; or
3. create any property, contract, or other legal right in any person to have the governing body consider or grant a specific application or request for Tax Abatement.

### **SECTION I. DEFINITIONS**

A. **"Abatement" or "Tax Abatement"** means the full or partial exemption from ad valorem taxes of certain property in a reinvestment zone designated for economic development purposes.

B. **"Agreement" or "Abatement Agreement"** means a contractual Agreement between a property owner and/or lessee and the City.

C. **"Base Year Value"** means the assessed value on the eligible property as of January 1 preceding the execution of the Agreement, unless the commencement of the abatement period is deferred by the City and property owner, in which event it means the appraised value on the eligible property as of January 1 preceding the deferred commencement date.

D. **"Eligible Facilities"** means new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which is reasonably likely as a result of granting the Abatement to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development of City of Pampa. Eligible facilities may include, but shall not be limited to a(n):

- aquaculture/agriculture facility;
- distribution center facility;
- manufacturing facility;
- office building;
- commercial residential property (multi-family);
- regional entertainment/tourism facility;
- research service facility;
- regional service facility;
- historic building in a designated area;
- restaurant/retail sales establishments;
- wind, solar, or other renewable energy facility; or
- other basic industrial facility.

E. **"Expansion"** means the addition of building structures, machinery, equipment, or payroll for purposes of increasing production capacity.

F. **"Facility"** means property improvement(s) completed or in the process of construction which together comprise an interregional whole.

G. **"Modernization"** Modernization may result from the construction, alteration or installation of buildings, structures, fixed machinery or equipment.

H. **"New Facility"** means a property previously undeveloped which is placed into service by means other than or in conjunction with Expansion or Modernization.

I. **"Productive Life"** means the number of years property improvement(s) is/are expected to be in service in a facility.

## SECTION II. ABATEMENT AUTHORIZED

A. **Eligible Facilities.** Upon application, Eligible Facilities shall be considered for Tax Abatement as hereinafter provided.

B. **Creation of New Values.** Abatement may only be granted for the additional value of eligible property improvement(s) made subsequent to and specified in an Abatement Agreement between the City and the property owner or lessee, subject to such limitations as the City may require.

C. **New and Existing Facilities.** Abatement may be granted for the additional value of eligible property improvement(s) made subsequent to and specified in an Abatement Agreement between the City and the property owner or lessee, subject to such limitations as the City may require.

D. **Eligible Property.** Abatement may be extended to the value of new, expanded, or modernized buildings, structures, fixed machinery and equipment, site improvements, and related fixed improvements necessary to the operation and administration of the facility, and all other real and tangible personal property permitted by Chapter 312 of the Texas Tax Code.

E. **Ineligible Property.** The following types of property shall be fully taxable and ineligible for Tax Abatement: land; animals; inventories, supplies; tools; furnishings; vehicles; vessels; aircraft; single family owner occupied housing or residential property; single family housing or residential property to be rented or leased; property to be rented or leased, except as provided in Section II(F); property owned or used by the State of Texas.

F. **Owned/Leased Facilities.** If a leased facility is granted Abatement, the Agreement shall be executed with the lessor and the lessee. If the land is leased, but the facility constructed or installed thereon is owned by the lessee, the lessee shall execute the Agreement.

G. **Economic Qualifications.** In order to be eligible for designation as a reinvestment zone and receive Tax Abatement, the planned improvement:

- (1) must be an Eligible Facility;
- (2) must add at least One Hundred Thousand Dollars (\$100,000.00) to the tax roll of eligible property; and
- (3) must be reasonably expected to have an increase in positive net economic benefit to City of Pampa of at least Five Hundred Thousand Dollars (\$500,000.00) over the life of the Abatement, computed to include (but not be limited to) new sustaining payroll and/or capital improvement. The creation of new jobs will also factor into the decision to grant an Abatement.

H. **Standards for Tax Abatement.** The following factors, among others, will be considered in determining whether to grant Tax Abatement:

- (1) value of existing improvements, if any;
- (2) type and value of proposed improvements;
- (3) productive life of proposed improvements;
- (4) number of existing jobs to be retained by proposed improvements;
- (5) number and type of new jobs to be created by proposed improvements;
- (6) amount of local payroll to be created;
- (7) whether the new jobs to be created will be filled by persons residing or projected to reside within the affected taxing jurisdiction;
- (8) amount by which property tax base valuation will be increased during the term of Abatement and after Abatement, which shall include a definitive commitment that such valuation shall not, in any case, be less than One Hundred Thousand Dollars (\$100,000.00);
- (9) expenses to be incurred in providing facilities directly resulting from the new improvements;
- (10) the amount of ad valorem taxes to be paid to the City during the Abatement period considering (a) the existing values, (b) the percentage of new value abated, (c) the Abatement period, and (d) the value after expiration of the Abatement period;
- (11) the population growth of City of Pampa that occurs directly as a result of new improvements;
- (12) the types and values of public improvements, if any, to be made by applicant seeking Abatement;

- (13) whether the proposed improvements compete with existing businesses to the detriment of the local economy;
- (14) the impact on the business opportunities of existing business;
- (15) the attraction of other new businesses to the area;
- (16) the overall compatibility with the zoning ordinances and comprehensive plan for the area; and
- (17) whether the project obtains all necessary permits from the applicable environmental agencies.

Each Eligible Facility shall be reviewed on its merits utilizing the factors provided above. After such review, Abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

I. **Denial of Abatement.** An Abatement Agreement shall not be authorized if it is determined that:

- (1) there would be substantial adverse effect on the provision of government services or tax base;
- (2) the applicant has insufficient financial capacity;
- (3) applicant activities would violate applicable codes or laws; or
- (4) any other reason deemed appropriate by the City.

J. **Taxability.** From the execution of the Abatement to the end of the Agreement period, taxes shall be payable as follows:

- (1) the value of ineligible property as provided in Section II(E) shall be fully taxable;
- (2) the base year value of existing eligible property shall be fully taxable; and
- (3) the additional value of new eligible property shall be fully taxable at the end of the Abatement period.

### **SECTION III. APPLICATION**

A. Any present or potential owner of taxable property in the City may request Tax Abatement by filing a written application with the City of Pampa.

B. The application shall consist of a business plan of the applicant; applicant's projections on the employment impact and fiscal impact of the project; a general description of

the new improvements to be undertaken; a descriptive list of the improvements for which an Abatement is requested; a list of the kind, number and location of all proposed improvements of a property; a map and property description; and a time schedule for undertaking and completing the proposed improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The City Commission may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors pertaining to the applicant to be attached to the application.

C. The City shall give notice as provided by the Property Tax Code, including written notice to the presiding officer of the governing body of each taxing unit in which the property to be subject to the Agreement is located, not later than seven (7) days before acting upon the application.

D. The application process described in this Section III shall be followed regardless of whether a particular reinvestment zone is created by City of Pampa or a taxing entity within Gray County. No other notice or hearing shall be required except compliance with the open meetings act, unless the City Commission deem them necessary in a particular case.

#### **SECTION IV. AGREEMENT**

A. After approval, the City Commission shall formally pass a resolution and execute an Agreement with the owner of the facility and lessee, as required, which shall:

- (1) include a list of the kind, number and location of all proposed improvements to the property;
- (2) provide access to and authorize inspection of the property by the taxing unit to insure compliance with the Agreement;
- (3) limit the use of the property consistent with the taxing unit's development goals;
- (4) provide for recapturing property tax revenues that are lost if the owner fails to make improvements as provided by the Agreement;
- (5) include each term that was agreed upon with the property owner and require the owner to annually certify compliance with the terms of the Agreement to each taxing unit; and
- (6) allow the taxing unit to cancel or modify the Agreement at any time if the property owner fails to comply with the terms of the Agreement.

#### **SECTION V. RECAPTURE**

A. In the event that the applicant or its assignee (1) allows its ad valorem taxes owed to become delinquent and fails to timely and property follow the legal procedures for their protest and/or content; or (2) violates any of the terms and conditions of the Abatement

Agreement and fails to cure during the cure period, the Agreement may be terminated and all taxes previously abated by virtue of the Agreement will be recaptured and paid within thirty (30) days of the termination.

B. Should the City determine that the applicant or its assignee is in default according to the terms and conditions of its Agreement, the City shall notify the applicant in writing at the address stated in the Agreement, and if such is not cured within the time set forth in such notice (the "Cure Period"), then the Agreement may be terminated.

## **SECTION VI. ADMINISTRATION**

A. The Chief Appraiser of the Gray County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving Abatement shall furnish the appraiser with such information as may be necessary for the Abatement. Once value has been established, the Chief Appraiser will notify the City Commission of the amount of the assessment.

B. The City may execute a contract with any other jurisdiction(s) to inspect the facility to determine if the terms and conditions of the Abatement Agreement are being met. The Abatement Agreement shall stipulate that employees and/or designated representatives of the City will have access to the reinvestment zone during the term of the Abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after giving twenty-four (24) hours prior notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the applicant present and in accordance with its safety standards.

C. Upon completion of construction, a designated representative of the City shall annually evaluate each facility receiving Abatement to insure compliance with the Agreement.

## **SECTION VII. ASSIGNMENT**

The Abatement Agreement may be transferred and assigned by the holder to a new owner or lessee of the same facility either upon the approval by resolution of the City Commission or in accordance with the terms of an existing Tax Abatement Agreement. No assignment or transfer shall be approved if the parties to the existing Agreement, the new owner, or new lessee are liable to any jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably delayed or withheld. Notice shall be given to the City Commission at least twenty (20) days in advance of any transfer or assignment.

## **SECTION VIII. SUNSET PROVISION**

These Guidelines and Criteria are effective upon the date of their adoption and shall supersede and replace any and all prior guidelines and criteria for Tax Abatement in the City. These Guidelines and Criteria shall remain in force for two (2) years, unless amended by a three-quarters (3/4) vote of the City Commission, at which time all reinvestment zones and Tax Abatement Agreements created pursuant to these provisions will be reviewed to determine

whether the goals have been achieved. Based on such review, the Guidelines and Criteria will be modified, renewed or eliminated; provided, however, no modification or elimination of the Guidelines and Criteria shall affect Tax Abatement Agreements that have been previously approved until the parties thereto shall agree to amend such Agreements.

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PASSED, APPROVED AND ADOPTED on this the 12<sup>th</sup> day of April 2021.

CITY OF PAMPA, TEXAS

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Brad Pingel, Mayor

ATTEST:

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Karen Price, City Secretary



**CITY OF PAMPA  
AGENDA INFORMATION SHEET**

**AGENDA ITEM: 6**

<b>ITEM/PROJECT:</b>	<b>RESOLUTION NO. R21-015 – SUBMISSION OF APPLICATION FOR DOWNTOWN REVITALIZATION PROJECT</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on adopting Resolution No. R21-015, a Resolution by the City Commission authorizing the submission of a TxCDBG Program Application to the Texas Department of Agriculture for the 2021 Downtown Revitalization Project and authorizing the Mayor and City Manager to act as the City’s Authorized Representatives.</b>
<b>STAFF CONTACT:</b>	<b>Dustin Miller, Community Services Director Paige Witthar, Program Specialist, PRPC</b>
<b>FINANCIAL IMPACT:</b>	<b>\$350,000.00-Grant Amount</b>
<b>SOURCE OF FUNDS:</b>	<b>Texas Department of Agriculture</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Resolution R21-015 will be effective after Commission adopts.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission adopt Resolution No. R21-015 approving the submission of a grant application for the 2021 Downtown Revitalization Project.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Resolution No. R21-015 attached.</b>

## RESOLUTION NO. R21-015

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAMPA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE DOWNTOWN REVITALIZATION PROGRAM AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

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**WHEREAS**, the City Commission of the City of Pampa desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

**WHEREAS**, certain conditions exist which represent a threat to the public health and safety; and

**WHEREAS**, it is necessary and in the best interests of the City of Pampa to apply for funding under the Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Downtown Revitalization Program is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the TxCDBG Downtown Revitalization Program.
3. That the application be for \$350,000 of grant funds for construction costs, engineering services, and project administration related to the construction of ADA compliant sidewalks and ramps, and curb & gutter in the Downtown District.
4. That the City Commission directs and designates the following to act in all matters in connection with this application the City's participation in the Texas Community Development Block Program:
  - The Mayor and City Manager shall serve as the City's Chief Executive Officer and Authorized Representative to execute this application and any subsequent contractual documents;
  - The Mayor and City Manager are authorized to execute environmental review documents between Texas Department of Agriculture and the City; and
  - If this application is funded, the Mayor, City Manager, and City Secretary are authorized to execute the Request for Payment Form documents and/or other forms required for requesting funds to reimburse project costs.

5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That it further be stated that the City of Pampa is committing at least \$52,500 from its General Fund as a cash contribution toward engineering services and associated costs (such as surveying and geotechnical fees); construction costs related to the sidewalks, ramps, and curb & gutter; and project administration.

READ, APPROVED AND ADOPTED this 12<sup>th</sup> day of April 2021.

CITY OF PAMPA, TEXAS

By:

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Brad Pingel, Mayor

ATTEST:

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Karen L. Price, City Secretary

APPROVED AS TO FORM:

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Bryan J. Guymon, City Attorney



**CITY OF PAMPA  
AGENDA INFORMATION SHEET**

**AGENDA ITEM: 7**

<b>ITEM/PROJECT:</b>	<b>RESOLUTION NO. R21-016 – DETERMINING SLUM AND BLIGHTED AREA FOR DOWNTOWN REVITALIZATION PROJECT</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on adopting Resolution No. R21-016, a Resolution by the City Commission determining that an area of the City constitutes as a slum/blighted area for funding under the Downtown Revitalization Program.</b>
<b>STAFF CONTACT:</b>	<b>Dustin Miller, Community Services Director Paige Witthar, Program Specialist, PRPC</b>
<b>FINANCIAL IMPACT:</b>	<b>\$350,000.00-Grant Amount</b>
<b>SOURCE OF FUNDS:</b>	<b>Texas Department of Agriculture</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Resolution R21-016 will be effective after Commission adopts.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission adopt Resolution No. R21-016 determining the area of the City constituting as slum/blighted for funding for the Downtown Revitalization Program.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Resolution No. R21-016 attached.</b>

**RESOLUTION NO. R21-016**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAMPA, DETERMINING THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND CONSTITUTES A SLUM/BLIGHTED AREA.**

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**WHEREAS**, the City Commission of the City of Pampa has reviewed and evaluated conditions in the downtown district of the City; and

**WHEREAS**, the City Commission has found conditions which are detrimental to public health, safety, and welfare of the community within the downtown district, as follows:

The sidewalks throughout the City of Pampa's Downtown District do not meet public safety standards and guidelines as they are deteriorated and dilapidated due to age and do not provide safe and adequate access necessary for the disabled and senior citizens to the downtown area. Furthermore, insufficient lighting promotes an unsafe environment.

**WHEREAS**, the City Commission of the City of Pampa has authorized an application for funding under the Downtown Revitalization program, as follows:

The project will construct sidewalks and associated appurtenances, including curb & gutter, in a high-traffic area of the City of Pampa's Downtown District (northeast side of the 100 Block of N Cuyler Street and the northwest side of the 100 Block of W Foster Avenue) in order to provide adequate ADA access and meet public safety standards.

**WHEREAS**, these project activities will aid in the elimination of slum/blight in the community by meeting safety standards to provide adequate access for the disabled and senior citizens to the downtown area through sidewalk renovations.

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

1. That the Area Identified by The Following Boundaries and Outlined on the Map Attached Hereto Pampa Downtown District Has Been Determined to Be A Slum/Blighted Area.

**Boundaries**

Northwest: Francis Avenue  
Northeast: Ballard Street  
Southeast: Atchison Avenue  
Southwest: Somerville Street

CITY OF PAMPA, TEXAS

By:

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Brad Pingel, Mayor

ATTEST:

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Karen L. Price, City Secretary

APPROVED AS TO FORM:

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Bryan J. Guymon, City Attorney

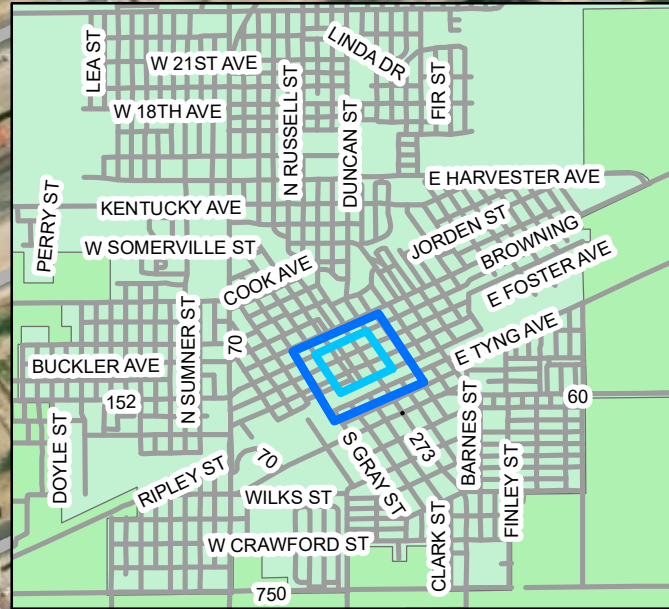
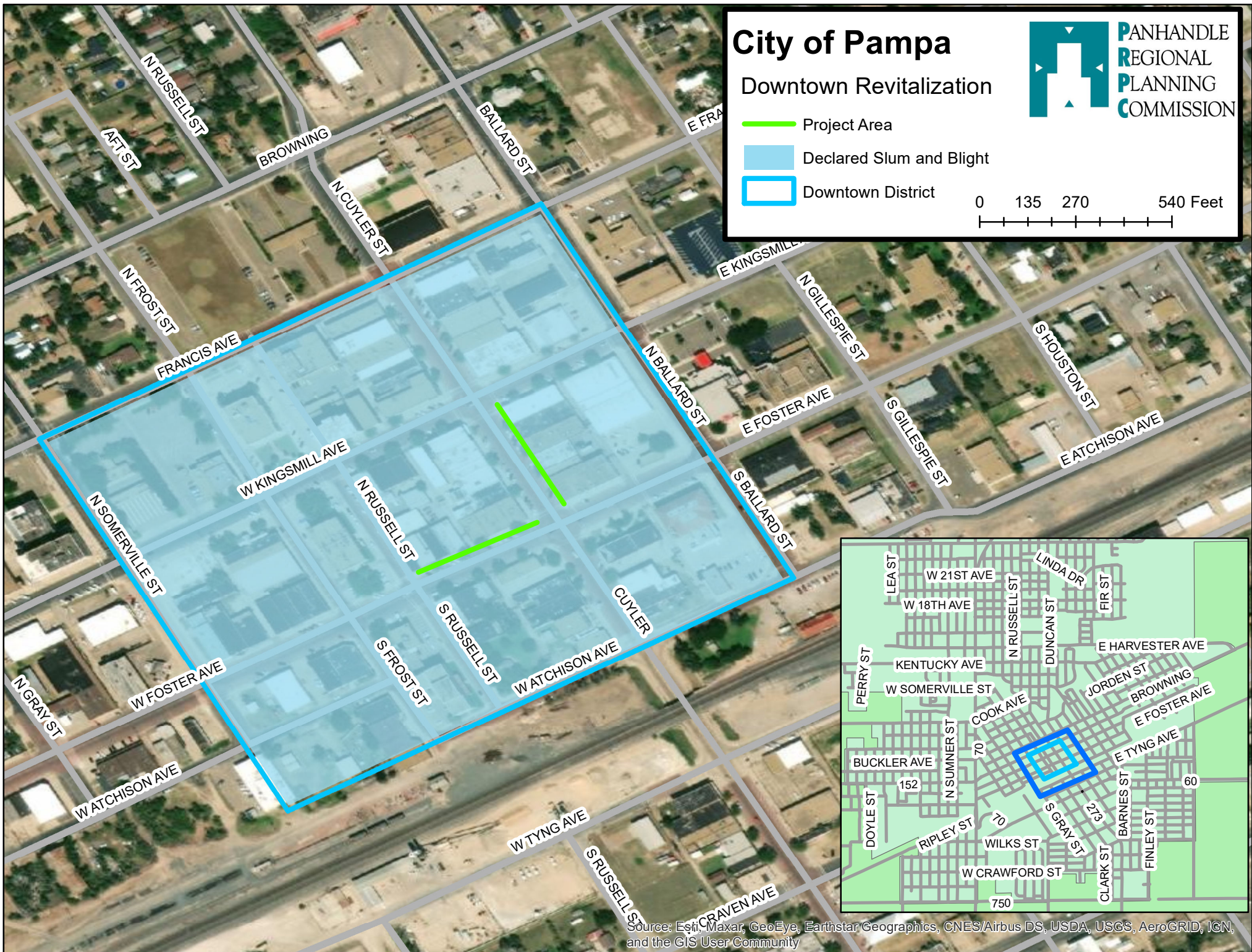
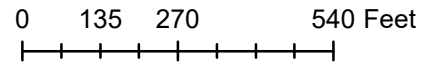
# City of Pampa

## Downtown Revitalization



PANHANDLE  
REGIONAL  
PLANNING  
COMMISSION

-  Project Area
-  Declared Slum and Blight
-  Downtown District



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





## **CITY OF PAMPA AGENDA INFORMATION SHEET**

### **AGENDA ITEM: 8**

<b>ITEM/PROJECT:</b>	<b>AWARD REAL PROPERTY BID – 736 SLOAN STREET</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on awarding a bid for Real Property located at Lot 11, Block 1, John Bradley Addition, commonly known as 736 Sloan Street, to Robert K. Blalock for \$350.00 and authorize the Mayor to execute the Contract of Sale and Warranty Deed.</b>
<b>STAFF CONTACT:</b>	<b>Shane Stokes, City Manager</b>
<b>FINANCIAL IMPACT:</b>	<b>See bid amount above.</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Sale of property will be complete after Commission awards bid and Contract of Sale and Warranty Deed are signed and filed with Gray County Clerks Office.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission award bid to Robert K. Blalock in the amount of \$350.00 for property located at 736 Sloan Street.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Bid Tally Sheet attached.</b>

**CITY OF PAMPA  
 REAL PROPERTY BID  
 BID OPENING TABULATIONS  
 April 8, 2021 - 3:00 P.M.**

PROPERTY	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
<b>Tract 1: 736 Sloan St.</b>	Robert K. Blalock \$350.00				
<b>Tract 2: 413 Naida St.</b>	Chris Phillips \$350.00				
<b>Tract 3: 505 Naida St.</b>	Martha Palomares \$477.00				
<b>Tract 4: 424 Dwight St.</b>	Robert K. Blalock \$300.00				



**CITY OF PAMPA  
AGENDA INFORMATION SHEET**

**AGENDA ITEM: 9**

<b>ITEM/PROJECT:</b>	<b>AWARD REAL PROPERTY BID – 413 NADIA STREET</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on awarding a bid for Real Property located at the North 25 feet of Lot 4 and all of Lot 19-A, Block A, Talley Reserve Addition, commonly known as 413 Nadia Street, to Chris Phillips for \$350.00 and authorize the Mayor to execute the Contract of Sale and Warranty Deed.</b>
<b>STAFF CONTACT:</b>	<b>Shane Stokes, City Manager</b>
<b>FINANCIAL IMPACT:</b>	<b>See bid amount above.</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Sale of property will be complete after Commission awards bid and Contract of Sale and Warranty Deed are signed and filed with Gray County Clerks Office.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission award bid to Chris Phillips in the amount of \$350.00 for property located at 413 Nadia Street.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Bid Tally Sheet attached.</b>

**CITY OF PAMPA  
REAL PROPERTY BID  
BID OPENING TABULATIONS  
April 8, 2021 - 3:00 P.M.**

PROPERTY	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
<b>Tract 1: 736 Sloan St.</b>	Robert K. Blalock \$350.00				
<b>Tract 2: 413 Naida St.</b>	Chris Phillips \$350.00				
<b>Tract 3: 505 Naida St.</b>	Martha Palomares \$477.00				
<b>Tract 4: 424 Dwight St.</b>	Robert K. Blalock \$300.00				



## **CITY OF PAMPA AGENDA INFORMATION SHEET**

### **AGENDA ITEM: 10**

<b>ITEM/PROJECT:</b>	<b>AWARD REAL PROPERTY BID – 505 NADIA STREET</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on awarding a bid for Real Property located at Lots 24 and 25, Block A, Talley Reserve Addition, commonly known as 505 Nadia Street, to Martha Palomares for \$477.00 and authorize the Mayor to execute the Contract of Sale and Warranty Deed.</b>
<b>STAFF CONTACT:</b>	<b>Shane Stokes, City Manager</b>
<b>FINANCIAL IMPACT:</b>	<b>See bid amount above.</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Sale of property will be complete after Commission awards bid and Contract of Sale and Warranty Deed are signed and filed with Gray County Clerks Office.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission award bid to Martha Palomares in the amount of \$477.00 for property located at 505 Nadia Street.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Bid Tally Sheet attached.</b>

**CITY OF PAMPA  
REAL PROPERTY BID  
BID OPENING TABULATIONS  
April 8, 2021 - 3:00 P.M.**

PROPERTY	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
<b>Tract 1: 736 Sloan St.</b>	Robert K. Blalock \$350.00				
<b>Tract 2: 413 Naida St.</b>	Chris Phillips \$350.00				
<b>Tract 3: 505 Naida St.</b>	Martha Palomares \$477.00				
<b>Tract 4: 424 Dwight St.</b>	Robert K. Blalock \$300.00				



**CITY OF PAMPA  
AGENDA INFORMATION SHEET**

**AGENDA ITEM: 11**

**ITEM/PROJECT:** AWARD REAL PROPERTY BID – 424 DWIGHT STREET

**MEETING DATE:** April 12, 2021

**DESCRIPTION** Consider and act on awarding a bid for Real Property located at Lot 10, Block 2, Tulsa Addition, commonly known as 424 Dwight Street, to Robert K. Blalock for \$300.00 and authorize the Mayor to execute the Contract of Sale and Warranty Deed.

**STAFF CONTACT:** Shane Stokes, City Manager

**FINANCIAL IMPACT:** See bid amount above.

**SOURCE OF FUNDS:** N/A

**START/COMPLETION SCHEDULE:** Sale of property will be complete after Commission awards bid and Contract of Sale and Warranty Deed are signed and filed with Gray County Clerks Office.

**RECOMMENDED ACTION:** Staff recommends Commission award bid to Robert K. Blalock in the amount of \$300.00 for property located at 424 Dwight Street.

**BACKGROUND/ ADDITIONAL INFORMATION:** Bid Tally Sheet attached.

**CITY OF PAMPA  
REAL PROPERTY BID  
BID OPENING TABULATIONS  
April 8, 2021 - 3:00 P.M.**

PROPERTY	BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
<b>Tract 1: 736 Sloan St.</b>	Robert K. Blalock \$350.00				
<b>Tract 2: 413 Naida St.</b>	Chris Phillips \$350.00				
<b>Tract 3: 505 Naida St.</b>	Martha Palomares \$477.00				
<b>Tract 4: 424 Dwight St.</b>	Robert K. Blalock \$300.00				

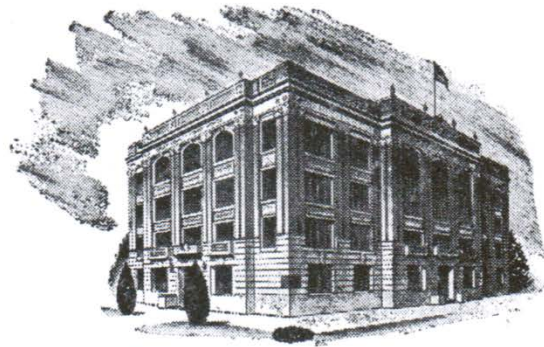




## **CITY OF PAMPA AGENDA INFORMATION SHEET**

### **AGENDA ITEM: 12**

<b>ITEM/PROJECT:</b>	<b>DELINQUENT TAX PROPERTY BID</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on accepting a bid from Keith Kelley the amount of \$300.00 for delinquent tax property located at Lots 7 and 8, Block 2, Cohen Second Addition, commonly known as 413 Harlem Street,</b>
<b>STAFF CONTACT:</b>	<b>Gary Turley, Director Public Works Bob Griffin, Building Official</b>
<b>FINANCIAL IMPACT:</b>	<b>N/A</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Bid must be accepted by the City, Gray County and Pampa ISD before the deed is issued to the bidder.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission accept the delinquent tax property bid in the amount of \$300 from Keith Kelley as presented.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Gray County Tax Property Bid sheet attached.</b>



PAMPA, TEXAS 79066-0382

**GAYE WHITEHEAD,**  
TAX ASSESSOR-COLLECTOR  
P. O. BOX 382  
PAMPA, TEXAS 79066-0382  
PHONE (806) 669-8018  
669-8019  
669-8020  
FAX (806) 669-8051

March 26, 2021

City of Pampa  
Attn: Karen Price  
P.O. BOX 2499  
Pampa, Texas 79066-2499

Dear Ms. Price:

On behalf of Gray County, City of Pampa and the Pampa Independent School District, our office has received a bid for the following tax properties described below:

Property Address: 413 Harlem  
Legal Description: Lots 7 & 8 Blk 2 Cohen Second  
Taxes Due: 1,084  
Appraisal Value: 750  
Name of Bidder: Keith Kelley  
**Amount of Bid: 300.00**

Property Address: Lot on Oklahoma  
Legal Description: Lot 10 Blk 1 Cohen Second  
Taxes Due: 66  
Appraisal Value: 380  
Name of Bidder: Keith Kelley  
**Amount of Bid: 300.00**

Please notify us in writing of the acceptance of the above bids. The letter can be mailed to the above address or e-mailed to [garnet.faires@graycch.com](mailto:garnet.faires@graycch.com). We will await action by all of the participating entities before proceeding with the sale of this property. If you have any questions or concerns, please do not hesitate to contact me.

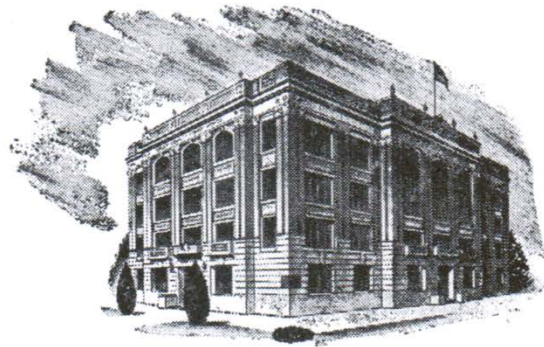
Sincerely,  
Garnet Faires, Deputy  
cc: City of Pampa; Robert Griffin



## **CITY OF PAMPA AGENDA INFORMATION SHEET**

### **AGENDA ITEM: 13**

<b>ITEM/PROJECT:</b>	<b>DELINQUENT TAX PROPERTY BID</b>
<b>MEETING DATE:</b>	<b>April 12, 2021</b>
<b>DESCRIPTION</b>	<b>Consider and act on accepting a bid from Keith Kelley the amount of \$300.00 for delinquent tax property located at Lot 10, Block 1, Cohen Second Addition, commonly known as Lots on Oklahoma Street.</b>
<b>STAFF CONTACT:</b>	<b>Gary Turley, Director Public Works Bob Griffin, Building Official</b>
<b>FINANCIAL IMPACT:</b>	<b>N/A</b>
<b>SOURCE OF FUNDS:</b>	<b>N/A</b>
<b>START/COMPLETION SCHEDULE:</b>	<b>Bid must be accepted by the City, Gray County and Pampa ISD before the deed is issued to the bidder.</b>
<b>RECOMMENDED ACTION:</b>	<b>Staff recommends Commission accept the delinquent tax property bid in the amount of \$300 from Keith Kelley as presented.</b>
<b>BACKGROUND/ ADDITIONAL INFORMATION:</b>	<b>Gray County Tax Property Bid sheet attached.</b>



**GAYE WHITEHEAD,**  
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PAMPA, TEXAS 79066-0382

March 26, 2021

City of Pampa  
Attn: Karen Price  
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Taxes Due: 1,084  
Appraisal Value: 750  
Name of Bidder: Keith Kelley  
**Amount of Bid: 300.00**

Property Address: Lot on Oklahoma  
Legal Description: Lot 10 Blk 1 Cohen Second  
Taxes Due: 66  
Appraisal Value: 380  
Name of Bidder: Keith Kelley  
**Amount of Bid: 300.00**



Please notify us in writing of the acceptance of the above bids. The letter can be mailed to the above address or e-mailed to [garnet.faires@graycch.com](mailto:garnet.faires@graycch.com). We will await action by all of the participating entities before proceeding with the sale of this property. If you have any questions or concerns, please do not hesitate to contact me.

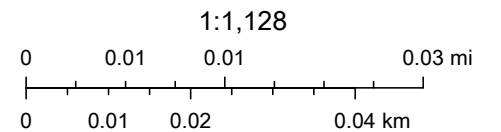
Sincerely,  
Garnet Faires, Deputy  
cc: City of Pampa; Robert Griffin

# Lot on Oklahoma



3/25/2021, 9:51:13 AM

-  Abstracts
-  Parcels



Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Gray County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



## CITY OF PAMPA AGENDA INFORMATION SHEET

### AGENDA ITEM: 14

**ITEM/PROJECT:** EXECUTIVE SESSION – DISCUSS ECONOMIC DEVELOPMENT PROJECT – TAX ABATEMENT

**MEETING DATE:** April 12, 2021

**DESCRIPTION** EXECUTIVE SESSION: The City Commission will convene into closed session in accordance with Texas Government Code, Subchapter D, Section 551.087 – Economic Development to discuss:

- Economic Development Project -Tax Abatement

**RECONVENE:** The City Commission will reconvene into open session with or without action taken.

**STAFF CONTACT:** Commission Members  
Shane Stokes, City Manager  
Bryan Guymon, City Attorney

**BACKGROUND/  
ADDITIONAL  
INFORMATION:** Discussion and possible action regarding Tax Abatement Agreement with 2 Bar S, LLC, pursuant to Chapter 312 of the Texas Tax Code.

The following information is required by Texas Tax Code 312.207

- i. 2 Bar S, LLC is the property owner and applicant for the tax abatement agreement.
- ii. The property subject to the agreement is located in the North Reinvestment Zone #1, located at:

**Lot 1, Re-Plat of Edwin Park Subdivision, an Addition to the City of Pampa, in Gray County, Texas, according to the map or plat thereof, recorded in Volume 993, Page 798, of the Deed Records of Gray County, Texas.**

- iii. The general description of the nature of the improvements included in the agreement is as follows: construction of a full-service optometrist practice.**
- iv. The estimated cost of the improvements being contemplated by 2 Bar S, LLC, is approximately \$2,000,000.00**