CALL TO ORDER
INVOCATION
PLEDGES TO THE FLAGS
PUBLIC COMMENTS:
Citizens who have signed up 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. Each Citizen is limited to three (3) minutes for their presentation to the City Commission.

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

PUBLIC HEARING: The City Commission will hold a public hearing regarding property located at 337 S. Finley, a substandard structure.

1. Consider and take action and issue any necessary order regarding the substandard structure located at 337 S. Finley.

PUBLIC HEARING: The City Commission will hold a public hearing regarding property located at 303 E. Browning, a substandard structure.

2. Consider, take action, and issue any necessary order regarding the substandard structure located at 303 E. Browning.

PUBLIC HEARING: The City Commission will hold a public hearing regarding property located at 1001 E. Campbell, a substandard structure.

3. Consider, take action, and issue any necessary order regarding the substandard structure located at 1001 E. Campbell.

PUBLIC HEARING: The City Commission will hold a public hearing regarding property located at 1022 E. Francis, a substandard structure.

4. Consider, take action, and, issue any necessary order regarding the substandard structure located at 1022 E. Francis.

DISCUSSION:
• Dustin Miller, Community Services Director, will lead a discussion on the rebranding initiative for the City of Pampa.
• 2023-2024 Budget - Theresa Daniels, Finance Director, will lead a discussion on the Tax Rate.
AUTHORIZATIONS BY CITY COMMISSION:

5. Consider approving the minutes of the July 24, 2023, regular commission meeting.

6. Consider excusing the absence of Mayor DeFever from the June 24, 2023, regular commission meeting.

7. Consider approving on second and final reading, Ordinance No. 1784, amending the revenues and appropriations for the fiscal year beginning October 1, 2022, and ending September 30, 2023.

8. Consider approving on second and final reading Ordinance No. 1785, amending the school zone for Travis Elementary School.

9. Consider approving on second and final reading Ordinance No. 1786, amending sign ordinance to add electronic sign regulations.

10. Consider adopting Resolution No. R23-018, denying Southwestern Public Service Company’s proposed rate increase.

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

RECONVENE: The City Commission 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 AUGUST 11, 2023, BEFORE 4:00 P.M. and remained so posted continuously for 72 hours proceeding the scheduled time of the said meeting.

Barbara Stucker, City Secretary

ACCESSABILITY STATEMENT

In compliance with the Americans with Disabilities Act, the City of Pampa will provide for reasonable accommodations for persons attending City Commission meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Barbara Stucker, City Secretary, at (806) 669-5750. City Hall is wheelchair accessible. Entry is on the West side of the building.
PUBLIC HEARING:

ITEM/PROJECT: SUBSTANDARD STRUCTURE LOCATED AT 337 S. FINLEY

MEETING DATE: August 14, 2023

DESCRIPTION: The City Commission will hold a public hearing regarding property located at 337 S. Finley, a substandard structure.

STAFF CONTACT: Cary Rushing, Building Official

BACKGROUND/ADDITIONAL INFORMATION: Search warrant, photos, and inspection checklist attached.
PROBABLE CAUSE AFFIDAVIT

CAME UNTO me this day, __May 22, 2023, ____________, a person known to me and upon oath swears as follows:

“My name is ______ Jeffery D. Kennedy______. I am over the age of 18, have personal knowledge of the facts asserted below, and am competent to testify to those facts:

- I am the City of Pampa Code Enforcement Officer.
- 337 FINLEYN15 OF 2 & S56 OF3 BLK 1 WARD/ WARDOWNED BY LEWIS JILL SUSAN ACCORDING TO GRAY COUNTY APPRAISAL DISTRICT.
- IT HAS BEEN VACANT AND UNSECURED FOR SOME TIME.
- ACCUMULATION OF JUNK AND DEBRIS, UNSECURED, AND IS IN THE VICINITY OF A PLACE WHERE CHILDREN CONGREGATE.
- CHECK TO SEE IF THE PROPERTY IS STRUCTURALLY SAFE

____________________________________________
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, on the 22nd day of May______, 2023, to certify which witness my hand and official seal.

______________________________
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

______________________________
(Kimberlee Hughes)
(Print or Type Name)

My Commission Expires: 1-25-2027
THE STATE OF TEXAS

CITY OF PAMPA,

COUNTY OF GRAY

§

§

§

§

A BUILDING

LOCATED AT:

337 S.

FINLEY

GRAY COUNTY, TEXAS

ADMINISTRATIVE SEARCH WARRANT

THE STATE OF TEXAS to the Sheriff or any Peace Officer of Gray County, or the State of Texas, and/or Code Enforcement Official of the City of Pampa.

GREETINGS:

WHEREAS, the Affiant, whose signature is affixed to the Affidavit attached hereto (which said Affidavit is by this reference incorporated herein for all purposes), is a person duly authorized by law to make inspections of premises for the purpose of enforcing health, fire, or building regulations, statutes or ordinances, and did heretofore this day subscribe and swear to said Affidavit before me.

WHEREAS, I find that the verified facts stated by Affiant in said Affidavit show that Affiant has probable cause for the belief he expresses therein and establishes the existence of proper grounds for the issuance of this Warrant;

NOW, THEREFORE, you are hereby commanded to enter the location set forth in the Affidavit as the location of the building located at 337 SOUTH FINLEY N15 OF 2 & S56 OF 3 BLK 1 WARD / WARD___________________, Pampa, Gray County, Texas, said building being described as RESIDENTIAL STRUCTURE, PHOTOGRAPHS ATTACHED AS IF CONTAINED WITHIN_____________ and search and inspect said premises to determine the existence of any violation of health, fire or building regulations, ordinances, or statutes, and also to inspect, review, and take pictures of said property.

WITNESS my signature on this the___ day of_____, A.D. 2022 at ___:___ o’clock ___m.

MAGISTRATE, _______ COUNTY, TEXAS
RETURN

THE STATE OF TEXAS § A BUILDING
§ LOCATED AT:
CITY OF PAMPA, §
§ 422 S.
FINLEY
COUNTY OF GRAY § GRAY COUNTY, TEXAS

The undersigned Affiant, being a Peace Officer/Code Enforcement Official under the laws of Texas and being fully sworn, under oath certifies that it was executed on the 24 day of May, 2022, by making the search directed therein at the said premises to determine the existence of any violation of health, fire, or building regulations, ordinances or statutes, and also to inspect, review, and take pictures of said property.

AFFIANT

SUBSCRIBED AND SWORN to before me, the undersigned authority, on this the 25th day of May, 2023.

Barbara Stucker
Notary Public in and for
THE STATE OF TEXAS
Substandard Building Inspection Checklist

A. REPORT:
   a. Identify structural deficiencies based upon minimum standards.
   b. Identify whether property is owner-occupied, tenant-occupied, or abandoned.

B. RECOMMEND:
   a. Repair or Demolition
   b. Note whether vacation of property is required.

Date of Inspection: 5.29.27 15:10
Address of Property: 377 S. Finley
Name of Inspector: Robert Brown

☐ (a) Inadequate sanitation shall include, but not be limited to, the following:
   - Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
   - Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
   - Lack of, or improper kitchen sink.
   - Lack of hot and cold running water to plumbing fixtures in a hotel.
   - Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
   - Lack of adequate heating.
   - Lack of, or improper operation of required ventilating equipment.
   - Lack of minimum amounts of natural light and ventilation required by this code.
   - Room and space dimensions less than required by this code.
   - Lack of required electrical lighting.
   - Dampness of habitable rooms.
   - Infestation of insects, vermin, or rodents.
   - General dilapidation or improper maintenance.
   - Lack of connection to required sewage disposal system.
   - Lack of adequate garbage and rubbish storage and removal.

☐ (b) Structural hazards shall include, but not be limited to, the following:
   - Deteriorated or inadequate foundations.
   - Defective or deteriorated flooring or floor supports.
   - Flooring or floor supports of insufficient size to carry imposed loads with safety.
   - Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
   - Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
   - Members of ceilings, roofs, ceilings and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
   - Members of ceiling, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
   - Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
Substandard Building Inspection Checklist

Continuing: (b) Structural hazards shall include, but not be limited to, the following:

☐ Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

☐ (c) Any code nuisance(s):

☐ Keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;

☐ Keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood for ten (10) days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;

☐ Maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests;

☐ Allowing weeds to grow on premises in a neighborhood if the weeds are located within three hundred (300) feet of another residence or commercial establishment;

☐ Maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

☐ Maintaining on abandoned and unoccupied property in a neighborhood a swimming pool that is not protected with:

☐ A fence that is at least four feet high and that has a latched gate that cannot be opened by a child; or

☐ A cover over the entire swimming pool that cannot be removed by a child;

☐ Maintaining a flea market in a manner that constitutes a fire hazard;

☐ Discarding refuse or creating a hazardous visual obstruction on:

☐ City-owned land; or

☐ Land or easements owned or held by a special district that has the city council of the city as its governing body.

☐ Discarding refuse on smaller of:

☐ The area that spans twenty (20) feet on each side of a utility line; or

☐ The actual span of the utility easement.

☐ Allowing grass, weeds, vegetation, brush, or any plant that is not cultivated to grow in rank profusion:

☐ Along the sidewalk adjacent to the premises between the property line and the curb or, if there is no curb, within ten (10) feet outside that property line; or

☐ In an alley or easement adjacent to the premises measured to the centerline of such alley or easement.

☐ Excessive junk: The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

☐ Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals or lumber.
Substandard Building Inspection Checklist

Continuing: (c) Any code nuisance(s):

☑ Any condition, which provides harborage for rats, mice, snakes and other vermin.

☐ It shall be unlawful to pile, stack, lay, heap, gather, accumulate, or store any of the following on any block, lot, tract or piece of land within the corporate limits of the city, including but not limited to:

☒ Piles of used lumber, old tires, used metal, used concrete materials, used construction materials;

☒ Limbs, organic materials or household trash;

☐ Old furniture, (including couches, chairs, electronics, weight equipment; tables, washers, dryers, dishwashers, refrigerators, freezers, hot water heaters, or parts of any of these items);

☐ Clothing or material of any kind.

☐ Allowing holes or places where water may accumulate: It shall be unlawful for any person who shall own or occupy any lot in the city limits, and in the city's extraterritorial jurisdiction for a distance of five thousand (5,000) feet from the city limits, to permit or allow holes or places on such lot where water may accumulate and become stagnant, or to permit such holes or places to remain.

☐ Permitting stagnant water to accumulate: It shall be unlawful for any person who shall own or occupy any lot in the city limits, and in the city's extraterritorial jurisdiction for a distance of five thousand (5,000) feet from the city limits, to permit or allow the accumulation of stagnant water thereon, or to permit such accumulation of stagnant water to remain.

☐ (d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.

☐ (e) All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.

☐ (f) All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
Substandard Building Inspection Checklist

(g) Faulty weather protection, which shall include, but not be limited to, the following:
- Deteriorated, crumbling, or loose plaster.
- Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
- Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
- Broken, rotted, split, or buckled exterior wall coverings or roof coverings.

(h) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(i) All materials of construction, except those which are specifically allowed or approved by this code, and which have been adequately maintained in good and safe condition.

(j) Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborage, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.

(k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.

(l) All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

(m) All buildings or portions thereof that are not provided with the fire-resistant construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistant integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

(n) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

(o) Inadequate structural resistance to horizontal forces. “Substandard building” includes a building not in compliance with Section 13143.2.

However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.
Substandard Building Inspection Checklist

Date of Inspection: ____________________
Address of Property: ____________________          Property ID #: ____________________
Name of Inspector: _______________________

<table>
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<tr>
<th>Inspection Score</th>
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<tbody>
<tr>
<td>A. _____ / 15</td>
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<tr>
<td>B. _____ / 9</td>
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<td>C. _____ / 13</td>
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<td>D. _____ / 1</td>
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<td>E. _____ / 1</td>
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<td>F. _____ / 1</td>
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<td>G. _____ / 4</td>
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<td>I. _____ / 1</td>
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<td>J. _____ / 1</td>
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<td>K. _____ / 1</td>
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<td>L. _____ / 1</td>
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<tr>
<td>M. _____ / 1</td>
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<tr>
<td>N. _____ / 1</td>
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<tr>
<td>O. _____ / 1</td>
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</tbody>
</table>

TOTAL: _____ / 52
May 24, 2023 3:15:26 PM
230° SW
South Jean Street
Pampa, Gray County 79065
Altitude: 957.5m
JDK
Index number: 622
May 24, 2023 3:13:57 PM
98° E
South Finley Street
Pampa, Gray County 79065
Altitude: 951.1 m
JDK
Index number: 616
May 24, 2023 3:13:46 PM
172° S
South Finley Street
Pampa, Gray County 79065
Altitude: 951.1 m
JDK
Index number: 613
May 24, 2023 3:12:51 PM
80° E
337 South Finley Street
Pampa, Gray County 79065
United States
Altitude:952.4m
JDK
Index number: 608
May 24, 2023 3:12:10 PM
199° S
337 South Finley Street
Pampa, Gray County 79065
United States
Altitude: 953.8m
JDK
Index number: 605
May 24, 2023 3:11:05 PM
89° E
337 South Finley Street
Pampa, Gray County 79065
United States
Altitude:959.2m
JDK
Index number: 595
South Finley Street
Pampa, Gray County 79065
Altitude 958.4m
JK
Index number: 628
AGENDA ITEM: 1

ITEM/PROJECT: TAKE ACTION REGARDING THE SUBSTANDARD STRUCTURE LOCATED AT 337 S. FINLEY.

MEETING DATE: August 14, 2023

DESCRIPTION: Consider, take action, and issue any necessary orders regarding the substandard structure located at 337 S. Finley.

STAFF CONTACT: Cary Rushing, Building Official

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Schedule is dependent on orders given by the City Commission.

RECOMMENDED ACTION: Refer to the attached order; make the desired motion.

RECOMMENDED MOTION: I make a motion to ______________________.

BACKGROUND/ADDITIONAL INFORMATION: Sample order attached.
ORDER NO. __________

AN ORDER OF THE CITY OF PAMPA BUILDING STANDARDS COMMISSION WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS STRUCTURE LOCATED AT ____________________, TEXAS

WHEREAS, the Building Standards Commission, acting by authority of the City Commission for the City of Pampa, conducted a public hearing on _____________, 202_, wherein the structures located at ___________________, Texas, ("Property") was agenda item number ___, legal description being: ________

WHEREAS, the Building Standards Commission specifically finds that all proper notices have been sent consistent with City Ordinances; and

WHEREAS, based upon the evidence presented, the Building Standards Commission finds that the Property is in violation of the ordinances relative to substandard structures under Article 3.10 of the City’s Code of Ordinances; and

WHEREAS, the Building Standards Commission finds that the structure is unoccupied and has been secured against unauthorized entry; and

WHEREAS, the Building Standards Commission finds that the interior of the structure contains nuisance conditions that constitute a hazard to the health, safety, and welfare of the citizen and likely to endanger persons and property; and

WHEREAS, the Building Standards Commission takes notice of and incorporates all evidence presented to the Commission, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes

WHEREAS, based upon the evidence presented, the Building Standards Commission finds that the Property is in violation of the ordinance; and

WHEREAS, the Building Standards Commission finds that the main structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizen and likely to endanger persons and property; and

THEREFORE, IT IS HEREBY ORDERED BY THE BUILDING STANDARDS COMMISSION CITY OF PAMPA THAT:

1. The owner is hereby ordered to repair, remove or demolish the structure located at ____________ by no later than ___ days from the date of this Order.

2. The owner has requested, and the Building Standards Commission is permitting the owner ___ days to conduct the repairs. Since the Building Standards Commission is permitting more than 30
days to repair, remove, or demolish the structure, the following specific time schedule is established for the commencement and performance of the work:

a. By no later than _______________, 202_, owner must pull the following permits:

b. By no later than _______________, 202_, owner must secure the property against unauthorized entry.

c.

d.

3. The property owner or lienholder report to the City the progress on the performance of the work to be performed by ________________, 202_.

4. The owner must secure the property against unauthorized entry by no later than ________________, 202_, and while the work is being performed as determined by the City’s Code Enforcement Officer.

5. No work be performed until such time as a permit is issued consistent with City ordinances.

6. An asbestos study be conducted and submitted to the state and city for approval prior to performing any work ordered herein.

7. All work to be performed be conducted consistent with City ordinances, state and federal regulations and statutes.

8. The structure be vacated.

9. No person or entity may occupy the structure until such time as a final inspection is conducted and certificate of occupancy issued.

10. A sign be posted at the front and rear entrance to the property in substantially similar form: SUBSTANDARD BUILDING - DO NOT ENTER - UNSAFE TO OCCUPY.

11. Should the owner, lien holder, or mortgagee fail to do so within the time frame ordered, the City may do the ordered work, and place a lien on the property in accordance with applicable law.

12. Should the property owner violate the terms of this order, that the City may seek administrative penalties in an amount not to exceed the maximum amount allowable by applicable law per each day of violation.

13. The owner must remove and abate all nuisance conditions within the interior of the structure no later than thirty (30) days from the date of the Order, or ________________, 202_, that are the source of the public nuisance, specifically, _________________________ and other hazards to
the community as depicted in photographs submitted into evidence before the Building Standards Commission.

14. The owner pull the appropriate permits within ___ days of this Order to commence the repairs of the following: ___________________________.

15. The Building Standards Commission has heard evidence presented by the owner that he work cannot reasonably be completed within 90 days due to the scope and complexity of work; therefore, the Building Standards Commission is accepting the detailed plan and time schedule for the work, which detailed plan and schedule of work is hereby approved and attached hereto as Exhibit 1.

16. This property be brought back to the Building Standards Commission for review at the next scheduled meeting to ensure compliance with this Order.

17. The owner must allow entry to city staff no later than to inspect the interior of the property. The grass must be cut no later than the close of business on _______________, 202_. The cars, debris, tires, and other hazards to the community be removed no later than _______________, 202_.

18. This property be brought back to the Commission for review at the next scheduled meeting. Failure to take the ordered actions within the specified time may result in the city taking requisite actions to remove any unsafe or unsanitary conditions and establish a lien on the property. Whatever actions are necessary for the staff to gain entry should be taken and/or to include administrative judicial action.

19. The owner of the property, and/or any lienholder or mortgagee, must demolish the structure located at ___________________, Texas, and eliminate all unhealthy and unsafe conditions within thirty days of this order, including cleaning and grading the property. Failure to take the ordered actions within the specified time may result in the City taking requisite actions to demolish the structures, clean and grade the lot, and establish a lien on the property without further notice or hearing.

20. The City Secretary shall file a copy of this order with the City within 10 days of the date of this order and publish in a newspaper of general circulation the street address/legal description of the Property, the date of the hearing, a brief statement of the results of this order and provide notice that a copy of this order and the minutes of the meeting may be reviewed and/or obtained during regular business hours in the office of the City Secretary.

ORDERED THIS _____ DAY OF ________________, 202_

CITY OF PAMPA, TEXAS

By: __________________________

By: __________________________

_______________, Secretary
CITY OF PAMPA
AGENDA INFORMATION SHEET

PUBLIC HEARING:

ITEM/PROJECT: SUBSTANDARD STRUCTURE LOCATED AT 303 E. BROWNING

MEETING DATE: August 14, 2023

DESCRIPTION: The City Commission will hold a public hearing regarding property located at 303 E. Browning, a substandard structure.

STAFF CONTACT: Cary Rushing, Building Official

BACKGROUND/ADDITIONAL INFORMATION: Search warrant, photos, and inspection checklist attached.
PROBABLE CAUSE AFFIDAVIT

CAME UNTO me this day, MAY 22, 2023, a person known to me and upon oath swears as follows:

“My name is ROBERT PAUL BROWN. I am over the age of 18, have personal knowledge of the facts asserted below, and am competent to testify to those facts:

- I am the City of Pampa Code Enforcement Officer;
- 303 E BROWNING LOTS 1-2, BLOCK 2 HILLCREST TERRACE, OWNED BY T H TARRANT EST. C/O LARRY TARRANT ACCORDING TO THE GRAY COUNTY APPRAISAL DISTRICT;
- THE PROPERTY CONTAINS 2 STRUCTURES WHICH HAVE BEEN VACANT AND UNSECURED FOR SOME TIME;
- ACCUMULATION OF JUNK AND DEBRIS, UNSECURED AND IS IN THE VICINITY OF A PLACE WHERE CHILDREN CONGREGATE;
- CHECK TO SEE IF PROPERTY IS STRUCTURALLY SAFE.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, on the 22nd day of May, 2023, to certify which witness my hand and official seal.

Kimberlee Hughes
Notary Public in and for the State of Texas

My Commission Expires: 1/25/2027
THE STATE OF TEXAS § A BUILDING
CITY OF PAMPA, § LOCATED AT:
COUNTY OF GRAY § 303 E BROWNING,
§ GRAY COUNTY, TEXAS

ADMINISTRATIVE SEARCH WARRANT

THE STATE OF TEXAS to the Sheriff or any Peace Officer of Gray County, or the State of Texas, and/or Code Enforcement Official of the City of Pampa.

GREETINGS:

WHEREAS, the Affiant, whose signature is affixed to the Affidavit attached hereto (which said Affidavit is by this reference incorporated herein for all purposes), is a person duly authorized by law to make inspections of premises for the purpose of enforcing health, fire, or building regulations, statutes or ordinances, and did heretofore this day subscribe and swear to said Affidavit before me.

WHEREAS, I find that the verified facts stated by Affiant in said Affidavit show that Affiant has probable cause for the belief he expresses therein and establishes the existence of proper grounds for the issuance of this Warrant;

NOW, THEREFORE, you are hereby commanded to enter the location set forth in the Affidavit as the location of the building located at 303 E BROWNING, LOTS 1-2 BLOCK 2, HILLCREST TERRACE, Pampa, Gray County, Texas, said building being described as a RESIDENTIAL STRUCTURE, PHOTOGRAPHS ATTACHED AS IF CONTAINED WITHIN and search and inspect said premises to determine the existence of any violation of health, fire or building regulations, ordinances, or statutes, and also to inspect, review, and take pictures of said property.

WITNESS my signature on this the 22nd day of May, A.D. 2023 at 2:45 o’clock P.M.

[Signature]

MAGISTRATE, GRAY COUNTY, TEXAS
RETURN

THE STATE OF TEXAS § A BUILDING
CITY OF PAMPA, § LOCATED AT:
§ 303 E BROWNING,
§ GRAY COUNTY, TEXAS

The undersigned Affiant, being a Peace Officer/Code Enforcement Official under the laws of Texas and being fully sworn, under oath certifies that it was executed on the 24th day of May, 2022, by making the search directed therein at the said premises to determine the existence of any violation of health, fire, or building regulations, ordinances or statutes, and also to inspect, review, and take pictures of said property.

AFFIANT

SUBSCRIBED AND SWORN to before me, the undersigned authority, on this the 25th day of May, 2023.

BARBARA L. STUCKER
Notary Public, State of Texas
Comm. Expires 12-28-2025
Notary ID 13350457-2

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
Substandard Building Inspection Checklist

A. REPORT:
   a. Identify structural deficiencies based upon minimum standards.
   b. Identify whether property is owner-occupied, tenant-occupied, or abandoned.

B. RECOMMEND:
   a. Repair or Demolition
   b. Note whether vacation of property is required.

Date of Inspection: 5-24-23 15:59
Address of Property: 300 Brown St
Name of Inspector: Robert Brown

☐ (a) Inadequate sanitation shall include, but not be limited to, the following:
   - Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
   - Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
   - Lack of, or improper kitchen sink.
   - Lack of hot and cold running water to plumbing fixtures in a hotel.
   - Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
   - Lack of adequate heating.
   - Lack of, or improper operation of required ventilating equipment.
   - Lack of minimum amounts of natural light and ventilation required by this code.
   - Room and space dimensions less than required by this code.
   - Lack of required electrical lighting.
   - Dampness of habitable rooms.
   - Infestation of insects, vermin, or rodents.
   - General dilapidation or improper maintenance.
   - Lack of connection to required sewage disposal system.
   - Lack of adequate garbage and rubbish storage and removal.

☐ (b) Structural hazards shall include, but not be limited to, the following:
   - Deteriorated or inadequate foundations.
   - Defective or deteriorated flooring or floor supports.
   - Flooring or floor supports of insufficient size to carry imposed loads with safety.
   - Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
   - Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
   - Members of ceilings, roofs, ceilings and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
   - Members of ceiling, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
   - Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
Substandard Building Inspection Checklist

Continuing: (b) Structural hazards shall include, but not be limited to, the following:

☐ Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

☐ (c) Any code nuisance(s):

☒ Keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;

☒ Keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood for ten (10) days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;

☒ Maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests;

☒ Allowing weeds to grow on premises in a neighborhood if the weeds are located within three hundred (300) feet of another residence or commercial establishment;

☒ Maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

☒ Maintaining on abandoned and unoccupied property in a neighborhood a swimming pool that is not protected with:

☐ A fence that is at least four feet high and that has a latched gate that cannot be opened by a child; or

☐ A cover over the entire swimming pool that cannot be removed by a child;

☒ Maintaining a flea market in a manner that constitutes a fire hazard;

☒ Discarding refuse or creating a hazardous visual obstruction on:

☐ City-owned land; or

☐ Land or easements owned or held by a special district that has the city council of the city as its governing body.

☐ Discarding refuse on smaller of:

☒ The area that spans twenty (20) feet on each side of a utility line; or

☒ The actual span of the utility easement.

☒ Allowing grass, weeds, vegetation, brush, or any plant that is not cultivated to grow in rank profusion:

☒ Along the sidewalk adjacent to the premises between the property line and the curb or, if there is no curb, within ten (10) feet outside that property line; or

☒ In an alley or easement adjacent to the premises measured to the centerline of such alley or easement.

☒ Excessive junk: The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

☒ Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals or lumber.
Substandard Building Inspection Checklist

Continuing: (c) Any code nuisance(s):

☒ Any condition, which provides harborage for rats, mice, snakes and other vermin.

☐ It shall be unlawful to pile, stack, lay, heap, gather, accumulate, or store any of the following on any block, lot, tract or piece of land within the corporate limits of the city, including but not limited to:

☒ Piles of used lumber, old tires, used metal,
used concrete materials, used construction materials;

☒ Limbs, organic materials or household trash;

☐ Old furniture, (including couches, chairs,
electronics, weight equipment, tables, washers,
dryers, dishwashers, refrigerators, freezers, hot water heaters, or parts of any of these items);

☐ Clothing or material of any kind.

☐ Allowing holes or places where water may accumulate: It shall be unlawful for any person who shall own or occupy any lot in the city limits, and in the city’s extraterritorial jurisdiction for a distance of five thousand (5,000) feet from the city limits, to permit or allow holes or places on such lot where water may accumulate and become stagnant, or to permit such holes or places to remain.

☐ Permitting stagnant water to accumulate: It shall be unlawful for any person who shall own or occupy any lot in the city limits, and in the city’s extraterritorial jurisdiction for a distance of five thousand (5,000) feet from the city limits, to permit or allow the accumulation of stagnant water thereon, or to permit such accumulation of stagnant water to remain.

☐ (d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.

☐ (e) All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.

☐ (f) All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
(g) Faulty weather protection, which shall include, but not be limited to, the following:
- Deteriorated, crumbling, or loose plaster.
- Deteriorated or ineffectiveness waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
- Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
- Broken, rotted, split, or buckled exterior wall coverings or roof coverings.

(h) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(i) All materials of construction, except those which are specifically allowed or approved by this code, and which have been adequately maintained in good and safe condition.

(j) Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborage, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.

(k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.

(l) All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

(m) All buildings or portions thereof that are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

(n) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

(o) Inadequate structural resistance to horizontal forces. "Substandard building" includes a building not in compliance with Section 13143.2.

However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.
Substandard Building Inspection Checklist

Date of Inspection: ______________________

Address of Property: _______________________________ Property ID #: _____________

Name of Inspector: ________________________________

**Inspection Score**

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May 24, 2023 4:08:21 PM
810° NW
Pampa, Gray County 79065
United States
Altitude: 953.5m
JDK
Index number: 733
May 24, 2023 4:00:42 PM
32° NE
303 E Browning Ave, Pampa, TX 79065, USA
Altitude: 951.1m
JDK
Index number: 686
May 24, 2023 4:01:43 PM
239° SW
308 E Browning Ave, Pampa, TX 79065, USA
Altitude: 953.9m
JDK
Index number: 691
May 24, 2023 4:05:02 PM
42° NE
Pampa, Gray County 79065
United States
Altitude 952.9m
JDK
Index number: 717
AGENDA ITEM: 2

ITEM/PROJECT: TAKE ACTION REGARDING THE SUBSTANDARD STRUCTURE LOCATED AT 303 E. BROWNING.

MEETING DATE: August 14, 2023

DESCRIPTION: Consider, take action, and issue any necessary orders regarding the substandard structure located at 303 E. Browning.

STAFF CONTACT: Cary Rushing, Building Official

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Schedule is dependent on orders given by the City Commission.

RECOMMENDED ACTION: Refer to the attached order; make the desired motion.

RECOMMENDED MOTION: I make a motion to ______________________.

BACKGROUND/ADDITIONAL INFORMATION: Sample order attached.
ORDER NO. __________

AN ORDER OF THE CITY OF PAMPA BUILDING STANDARDS COMMISSION WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS STRUCTURE LOCATED AT ____________________, TEXAS

WHEREAS, the Building Standards Commission, acting by authority of the City Commission for the City of Pampa, conducted a public hearing on _______________, 202_, wherein the structures located at ____________________, Texas, ("Property") was agenda item number ___, legal description being: ________

WHEREAS, the Building Standards Commission specifically finds that all proper notices have been sent consistent with City Ordinances; and

WHEREAS, based upon the evidence presented, the Building Standards Commission finds that the Property is in violation of the ordinances relative to substandard structures under Article 3.10 of the City’s Code of Ordinances; and

WHEREAS, the Building Standards Commission finds that the structure is unoccupied and has been secured against unauthorized entry; and

WHEREAS, the Building Standards Commission finds that the interior of the structure contains nuisance conditions that constitute a hazard to the health, safety, and welfare of the citizen and likely to endanger persons and property; and

WHEREAS, the Building Standards Commission takes notice of and incorporates all evidence presented to the Commission, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes

WHEREAS, based upon the evidence presented, the Building Standards Commission finds that the Property is in violation of the ordinance; and

WHEREAS, the Building Standards Commission finds that the main structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizen and likely to endanger persons and property; and

THEREFORE, IT IS HEREBY ORDERED BY THE BUILDING STANDARDS COMMISSION CITY OF PAMPA THAT:

1. The owner is hereby ordered to repair, remove or demolish the structure located at __________ by no later than ___ days from the date of this Order.

2. The owner has requested, and the Building Standards Commission is permitting the owner ___ days to conduct the repairs. Since the Building Standards Commission is permitting more than 30
days to repair, remove, or demolish the structure, the following specific time schedule is
established for the commencement and performance of the work:

a. By no later than _______________, 202_, owner must pull the following permits:

b. By no later than _______________, 202_, owner must secure the property against
unauthorized entry.

c. __________________________________________

d. __________________________________________

3. The property owner or lienholder report to the City the progress on the performance of the work
to be performed by _______________, 202_.

4. The owner must secure the property against unauthorized entry by no later than
______________, 202_, and while the work is being performed as determined by the City’s Code
Enforcement Officer.

5. No work be performed until such time as a permit is issued consistent with City ordinances.

6. An asbestos study be conducted and submitted to the state and city for approval prior to
performing any work ordered herein.

7. All work to be performed be conducted consistent with City ordinances, state and federal
regulations and statutes.

8. The structure be vacated.

9. No person or entity may occupy the structure until such time as a final inspection is conducted
and certificate of occupancy issued.

10. A sign be posted at the front and rear entrance to the property in substantially similar form:
SUBSTANDARD BUILDING - DO NOT ENTER - UNSAFE TO OCCUPY.

11. Should the owner, lien holder, or mortgagee fail to do so within the time frame ordered, the
City may do the ordered work, and place a lien on the property in accordance with applicable law.

12. Should the property owner violate the terms of this order, that the City may seek administrative
penalties in an amount not to exceed the maximum amount allowable by applicable law per each
day of violation.

13. The owner must remove and abate all nuisance conditions within the interior of the structure
no later than thirty (30) days from the date of the Order, or _______________, 202_, that are the
source of the public nuisance, specifically, _________________________ and other hazards to
the community as depicted in photographs submitted into evidence before the Building Standards Commission.

14. The owner pull the appropriate permits within ___ days of this Order to commence the repairs of the following: ___________________________.

15. The Building Standards Commission has heard evidence presented by the owner that he work cannot reasonably be completed within 90 days due to the scope and complexity of work; therefore, the Building Standards Commission is accepting the detailed plan and time schedule for the work, which detailed plan and schedule of work is hereby approved and attached hereto as Exhibit 1.

16. This property be brought back to the Building Standards Commission for review at the next scheduled meeting to ensure compliance with this Order.

17. The owner must allow entry to city staff no later than to inspect the interior of the property. The grass must be cut no later than the close of business on _______________, 202_. The cars, debris, tires, and other hazards to the community be removed no later than _______________, 202_

18. This property be brought back to the Commission for review at the next scheduled meeting. Failure to take the ordered actions within the specified time may result in the city taking requisite actions to remove any unsafe or unsanitary conditions and establish a lien on the property. Whatever actions are necessary for the staff to gain entry should be taken and/or to include administrative judicial action.

19. The owner of the property, and/or any lienholder or mortgagee, must demolish the structure located at ___________________, Texas, and eliminate all unhealthy and unsafe conditions within thirty days of this order, including cleaning and grading the property. Failure to take the ordered actions within the specified time may result in the City taking requisite actions to demolish the structures, clean and grade the lot, and establish a lien on the property without further notice or hearing.

20. The City Secretary shall file a copy of this order with the City within 10 days of the date of this order and publish in a newspaper of general circulation the street address/legal description of the Property, the date of the hearing, a brief statement of the results of this order and provide notice that a copy of this order and the minutes of the meeting may be reviewed and/or obtained during regular business hours in the office of the City Secretary.

ORDERED THIS _____ DAY OF ________________, 202_

CITY OF PAMPA, TEXAS

By: __________________________
_______________, Chairperson

By: _______________________

_______________, Secretary
PUBLIC HEARING:

ITEM/PROJECT: SUBSTANDARD STRUCTURE LOCATED AT 1001 E. CAMPBELL

MEETING DATE: August 14, 2023

DESCRIPTION: The City Commission will hold a public hearing regarding property located at 1001 E. Campbell, a substandard structure.

STAFF CONTACT: Cary Rushing, Building Official

BACKGROUND/ADDITIONAL INFORMATION: Search warrant, photos, and inspection checklist attached.
PROBABLE CAUSE AFFIDAVIT

CAME UNTO me this day, MAY 22, 2023, a person known to me and upon oath swears as follows:

"My name is ROBERT PAUL BROWN. I am over the age of 18, have personal knowledge of the facts asserted below, and am competent to testify to those facts:

• I am the City of Pampa Code Enforcement Officer.
• 1001 E. CAMPBELL, LOTS 22-26 BLOCK 8, WILCOX, OWNED BY KATHY S. PASSINI ACCORDING TO GRAY COUNTY APPRAISAL DISTRICT;
• IT HAS BEEN VACANT AND UNSECURED FOR SOME TIME;
• ACCUMULATION OF JUNK AND DEBRIS, YARD OVERGROWN AND IS IN THE VICINITY OF A PLACE WHERE CHILDREN CONGREGATE;
• CHECK TO SEE IF PROPERTY IS STRUCTURALLY SAFE.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, on the 22nd day of May, 2023, to certify which witness my hand and official seal.

KIMBERLEE HUGHES
Notary Public in and for the State of Texas

(Print or Type Name)

My Commission Expires: 1-25-2027
THE STATE OF TEXAS

§ A BUILDING

§ LOCATED AT:

§ 1001 E. CAMPBELL,

§ GRAY COUNTY, TEXAS

ADMINISTRATIVE SEARCH WARRANT

THE STATE OF TEXAS to the Sheriff or any Peace Officer of Gray County, or the State of Texas, and/or Code Enforcement Official of the City of Pampa.

GREETINGS:

WHEREAS, the Affiant, whose signature is affixed to the Affidavit attached hereto (which said Affidavit is by this reference incorporated herein for all purposes), is a person duly authorized by law to make inspections of premises for the purpose of enforcing health, fire, or building regulations, statutes or ordinances, and did heretofore this day subscribe and swear to said Affidavit before me.

WHEREAS, I find that the verified facts stated by Affiant in said Affidavit show that Affiant has probable cause for the belief he expresses therein and establishes the existence of proper grounds for the issuance of this Warrant;

NOW, THEREFORE, you are hereby commanded to enter the location set forth in the Affidavit as the location of the building located at 1001 E. CAMPBELL, LOTS 22-26 BLOCK 8, WILCOX, Pampa, Gray County, Texas, said building being described as RESIDENTIAL STRUCTURE. PHOTOGRAPHS ATTACHED AS IF CONTAINED WITHIN and search and inspect said premises to determine the existence of any violation of health, fire or building regulations, ordinances, or statutes, and also to inspect, review, and take pictures of said property.

WITNESS my signature on this the 23rd day of May, A.D. 2023 at 2:48 o'clock P.m.

Magistrate, Gray County, Texas
RETURN

THE STATE OF TEXAS § A BUILDING
§ LOCATED AT:
CITY OF PAMPA, § 1001 E. CAMPBELL,
§ GRAY COUNTY, TEXAS
COUNTY OF GRAY

The undersigned Affiant, being a Peace Officer/Code Enforcement Official under the laws of Texas and being fully sworn, under oath certifies that it was executed on the 24th day of May, 2022, by making the search directed therein at the said premises to determine the existence of any violation of health, fire, or building regulations, ordinances or statutes, and also to inspect, review, and take pictures of said property.

[Signature]
Affiant

SUBSCRIBED AND SWORN to before me, the undersigned authority, on this the 25th day of May, 2023.

[Signature]
Barbara Stucker
Notary Public in and for the State of Texas
Substandard Building Inspection Checklist

A. REPORT:
   a. Identify structural deficiencies based upon minimum standards.
   b. Identify whether property is owner-occupied, tenant-occupied, or abandoned.

B. RECOMMEND:
   a. Repair or Demolition
   b. Note whether vacation of property is required.

Date of Inspection: 5-24-23 15:21
Address of Property: 100 [Campbell] Property ID #: 
Name of Inspector: [Brown]

☐ (a) Inadequate sanitation shall include, but not be limited to, the following: 
   - Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
   - Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
   - Lack of, or improper kitchen sink.
   - Lack of hot and cold running water to plumbing fixtures in a hotel.
   - Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
   - Lack of adequate heating.
   - Lack of, or improper operation of required ventilating equipment.
   - Lack of minimum amounts of natural light and ventilation required by this code.
   - Room and space dimensions less than required by this code.
   - Lack of required electrical lighting.
   - Dampness of habitable rooms.
   - Infestation of insects, vermin, or rodents.
   - General dilapidation or improper maintenance.
   - Lack of connection to required sewage disposal system.
   - Lack of adequate garbage and rubbish storage and removal.

☐ (b) Structural hazards shall include, but not be limited to, the following:
   - Deteriorated or inadequate foundations.
   - Defective or deteriorated flooring or floor supports.
   - Flooring or floor supports of insufficient size to carry imposed loads with safety.
   - Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
   - Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
   - Members of ceilings, roofs, ceilings and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
   - Members of ceiling, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
   - Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
Substandard Building Inspection Checklist

Continuing: (b) Structural hazards shall include, but not be limited to, the following:

☐ Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

☐ (c) Any code nuisance(s):

☐ Keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;

☐ Keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood for ten (10) days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;

☐ Maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests;

☐ Allowing weeds to grow on premises in a neighborhood if the weeds are located within three hundred (300) feet of another residence or commercial establishment;

☐ Maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

☐ Maintaining on abandoned and unoccupied property in a neighborhood a swimming pool that is not protected with:

☐ A fence that is at least four feet high and that has a latched gate that cannot be opened by a child; or

☐ A cover over the entire swimming pool that cannot be removed by a child;

☐ Maintaining a flea market in a manner that constitutes a fire hazard;

☐ Discarding refuse or creating a hazardous visual obstruction on:

☐ City-owned land; or

☐ Land or easements owned or held by a special district that has the city council of the city as its governing body.

☐ Discarding refuse on smaller of:

☐ The area that spans twenty (20) feet on each side of a utility line; or

☐ The actual span of the utility easement.

☐ Allowing grass, weeds, vegetation, brush, or any plant that is not cultivated to grow in rank profusion:

☐ Along the sidewalk adjacent to the premises between the property line and the curb or, if there is no curb, within ten (10) feet outside that property line; or

☐ In an alley or easement adjacent to the premises measured to the centerline of such alley or easement.

☐ Excessive junk: The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

☐ Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals or lumber.
Substandard Building Inspection Checklist

Continuing: (c) Any code nuisance(s):

☐ Any condition, which provides harborage for rats, mice, snakes and other vermin.

☐ It shall be unlawful to pile, stack, lay, heap, gather, accumulate, or store any of the following on any block, lot, tract or piece of land within the corporate limits of the city, including but not limited to:

☑ Piles of used lumber, old tires, used metal, used concrete materials, used construction materials;

☑ Limbs, organic materials or household trash;

☐ Old furniture, (including couches, chairs, electronics, weight equipment, tables, washers, dryers, dishwashers, refrigerators, freezers, hot water heaters, or parts of any of these items);

☐ Clothing or material of any kind.

☐ Allowing holes or places where water may accumulate: it shall be unlawful for any person who shall own or occupy any lot in the city limits, and in the city’s extraterritorial jurisdiction for a distance of five thousand (5,000) feet from the city limits, to permit or allow holes or places on such lot where water may accumulate and become stagnant, or to permit such holes or places to remain.

☐ Permitting stagnant water to accumulate: It shall be unlawful for any person who shall own or occupy any lot in the city limits, and in the city’s extraterritorial jurisdiction for a distance of five thousand (5,000) feet from the city limits, to permit or allow the accumulation of stagnant water thereon, or to permit such accumulation of stagnant water to remain.

☐ (d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.

☐ (e) All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.

☐ (f) All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
Substandard Building Inspection Checklist

(g) Faulty weather protection, which shall include, but not be limited to, the following:

- Deteriorated, crumbling, or loose plaster.
- Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
- Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
- Broken, rotted, split, or buckled exterior wall coverings or roof coverings.

(h) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(i) All materials of construction, except those which are specifically allowed or approved by this code, and which have been adequately maintained in good and safe condition.

(j) Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborage, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.

(k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.

(l) All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

(m) All buildings or portions thereof that are not provided with the fire-resistive construction or fireextinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

(n) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

(o) Inadequate structural resistance to horizontal forces. "Substandard building" includes a building not in compliance with Section 13143.2.

However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.
Substandard Building Inspection Checklist

Date of Inspection: __________________________

Address of Property: __________________________  Property ID #: __________

Name of Inspector: ____________________________

**Inspection Score**

A. _____/ 15  
B. _____/ 9  
C. _____/ 13  
D. _____/ 1  
E. _____/ 1  
F. _____/ 1  
G. _____/ 4  
H. _____/ 1  
I. _____/ 1  
J. _____/ 1  
K. _____/ 1  
L. _____/ 1  
M. _____/ 1  
N. _____/ 1  
O. _____/ 1

**TOTAL: _____/ 52**
Substandard Building Inspection Checklist

NOTES:

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May 24, 2023 3:25:14 PM
187° S
1001 E Campbell Ave, Pampa, TX 79065, USA
Altitude:952.9m
JDK
Index number: 645
May 24, 2023 3:27:23 PM
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Altitude: 954.4m
JDK
Index number: 654
AGENDA ITEM: 3

<table>
<thead>
<tr>
<th>ITEM/PROJECT:</th>
<th>TAKE ACTION REGARDING THE SUBSTANDARD STRUCTURE LOCATED AT 1001 E. CAMPBELL.</th>
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<tbody>
<tr>
<td>MEETING DATE:</td>
<td>August 14, 2023</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
<td>Consider, take action, and issue any necessary orders regarding the substandard structure located at 1001 E. Campbell.</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Cary Rushing, Building Official</td>
</tr>
<tr>
<td>FINANCIAL IMPACT:</td>
<td>N/A</td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td>N/A</td>
</tr>
<tr>
<td>START/COMPLETION SCHEDULE:</td>
<td>Schedule is dependent on orders given by the City Commission.</td>
</tr>
<tr>
<td>RECOMMENDED ACTION:</td>
<td>Refer to the attached order; make the desired motion.</td>
</tr>
<tr>
<td>RECOMMENDED MOTION:</td>
<td>I make a motion to _________________.</td>
</tr>
<tr>
<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
<td>Sample order attached.</td>
</tr>
</tbody>
</table>
ORDER NO. __________

AN ORDER OF THE CITY OF PAMPA BUILDING STANDARDS COMMISSION WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS STRUCTURE LOCATED AT ____________________, TEXAS

WHEREAS, the Building Standards Commission, acting by authority of the City Commission for the City of Pampa, conducted a public hearing on _____________, 202__, wherein the structures located at ____________________, Texas, ("Property") was agenda item number __, legal description being: ________

WHEREAS, the Building Standards Commission specifically finds that all proper notices have been sent consistent with City Ordinances; and

WHEREAS, based upon the evidence presented, the Building Standards Commission finds that the Property is in violation of the ordinances relative to substandard structures under Article 3.10 of the City’s Code of Ordinances; and

WHEREAS, the Building Standards Commission finds that the structure is unoccupied and has been secured against unauthorized entry; and

WHEREAS, the Building Standards Commission finds that the interior of the structure contains nuisance conditions that constitute a hazard to the health, safety, and welfare of the citizen and likely to endanger persons and property; and

WHEREAS, the Building Standards Commission takes notice of and incorporates all evidence presented to the Commission, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes

WHEREAS, based upon the evidence presented, the Building Standards Commission finds that the Property is in violation of the ordinance; and

WHEREAS, the Building Standards Commission finds that the main structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizen and likely to endanger persons and property; and

THEREFORE, IT IS HEREBY ORDERED BY THE BUILDING STANDARDS COMMISSION CITY OF PAMPA THAT:

1. The owner is hereby ordered to repair, remove or demolish the structure located at _____________ by no later than __ days from the date of this Order.

2. The owner has requested, and the Building Standards Commission is permitting the owner ___ days to conduct the repairs. Since the Building Standards Commission is permitting more than 30
days to repair, remove, or demolish the structure, the following specific time schedule is established for the commencement and performance of the work:

a. By no later than _______________, 202_, owner must pull the following permits:

b. By no later than _______________, 202_, owner must secure the property against unauthorized entry.

c. 

d. 

3. The property owner or lienholder report to the City the progress on the performance of the work to be performed by _______________, 202_.

4. The owner must secure the property against unauthorized entry by no later than _______________, 202_, and while the work is being performed as determined by the City’s Code Enforcement Officer.

5. No work be performed until such time as a permit is issued consistent with City ordinances.

6. An asbestos study be conducted and submitted to the state and city for approval prior to performing any work ordered herein.

7. All work to be performed be conducted consistent with City ordinances, state and federal regulations and statutes.

8. The structure be vacated.

9. No person or entity may occupy the structure until such time as a final inspection is conducted and certificate of occupancy issued.

10. A sign be posted at the front and rear entrance to the property in substantially similar form: SUBSTANDARD BUILDING - DO NOT ENTER - UNSAFE TO OCCUPY.

11. Should the owner, lien holder, or mortgagee fail to do so within the time frame ordered, the City may do the ordered work, and place a lien on the property in accordance with applicable law.

12. Should the property owner violate the terms of this order, that the City may seek administrative penalties in an amount not to exceed the maximum amount allowable by applicable law per each day of violation.

13. The owner must remove and abate all nuisance conditions within the interior of the structure no later than thirty (30) days from the date of the Order, or _______________, 202_, that are the source of the public nuisance, specifically, _________________________ and other hazards to
the community as depicted in photographs submitted into evidence before the Building Standards Commission.

14. The owner pull the appropriate permits within ___ days of this Order to commence the repairs of the following: _________________.

15. The Building Standards Commission has heard evidence presented by the owner that he work cannot reasonably be completed within 90 days due to the scope and complexity of work; therefore, the Building Standards Commission is accepting the detailed plan and time schedule for the work, which detailed plan and schedule of work is hereby approved and attached hereto as Exhibit 1.

16. This property be brought back to the Building Standards Commission for review at the next scheduled meeting to ensure compliance with this Order.

17. The owner must allow entry to city staff no later than to inspect the interior of the property. The grass must be cut no later than the close of business on ________________, 202_. The cars, debris, tires, and other hazards to the community be removed no later than ________________, 202_.

18. This property be brought back to the Commission for review at the next scheduled meeting. Failure to take the ordered actions within the specified time may result in the city taking requisite actions to remove any unsafe or unsanitary conditions and establish a lien on the property. Whatever actions are necessary for the staff to gain entry should be taken and/or to include administrative judicial action.

19. The owner of the property, and/or any lienholder or mortgagee, must demolish the structure located at ___________________, Texas, and eliminate all unhealthy and unsafe conditions within thirty days of this order, including cleaning and grading the property. Failure to take the ordered actions within the specified time may result in the City taking requisite actions to demolish the structures, clean and grade the lot, and establish a lien on the property without further notice or hearing.

20. The City Secretary shall file a copy of this order with the City within 10 days of the date of this order and publish in a newspaper of general circulation the street address/legal description of the Property, the date of the hearing, a brief statement of the results of this order and provide notice that a copy of this order and the minutes of the meeting may be reviewed and/or obtained during regular business hours in the office of the City Secretary.

ORDERED THIS _____ DAY OF ________________, 202_

CITY OF PAMPA, TEXAS

By: __________________________
_______________, Chairperson

By: __________________________

_______________, Secretary
PUBLIC HEARING:

ITEM/PROJECT: SUBSTANDARD STRUCTURE LOCATED AT 1022 E. FRANCIS

MEETING DATE: August 14, 2023

DESCRIPTION: The City Commission will hold a public hearing regarding property located at 1022 E. Francis, a substandard structure.

STAFF CONTACT: Cary Rushing, Building Official

BACKGROUND/ADDITIONAL INFORMATION: Search warrant, photos, and inspection checklist attached.
PROBABLE CAUSE AFFIDAVIT

CAME UNTO me this day, 05/22/2023, a person known to me and upon oath swears as follows:

"My name is Jeffery D. Kennedy. I am over the age of 18, have personal knowledge of the facts asserted below, and am competent to testify to those facts:

- I am the City of Pampa Code Enforcement Officer,
- 1022 EAST FRANCIS LOT 4 BLK 4 CHANNING ADDITION/ CHANNING OWNED BY HILBERN LEROY JR & JOY % KEZIAH MCGANN;
- IT HAS BEEN VACANT AND UNSECURED FOR SOME TIME;
- ACCUMULATION OF JUNK AND DEBRIS UNSECURED, AND IS IN THE VICINITY OF A PLACE WHERE CHILDREN CONGREGATE:
- CHECK TO SEE IF THE PROPERTY IS STRUCTURALLY SAFE..

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, on the 23rd day of May, 2023, to certify which witness my hand and official seal.

Kimberlee Hughes
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
(Print or Type Name)
My Commission Expires: 1/25/2027
THE STATE OF TEXAS § A BUILDING
CITY OF PAMPA, § LOCATED AT:
COUNTY OF GRAY § 1022 EAST FRANCIS,
§ GRAY COUNTY, TEXAS

ADMINISTRATIVE SEARCH WARRANT

THE STATE OF TEXAS to the Sheriff or any Peace Officer of Gray County, or the State of Texas, and/or Code Enforcement Official of the City of Pampa.

GREETINGS:

WHEREAS, the Affiant, whose signature is affixed to the Affidavit attached hereto (which said Affidavit is by this reference incorporated herein for all purposes), is a person duly authorized by law to make inspections of premises for the purpose of enforcing health, fire, or building regulations, statutes or ordinances, and did heretofore this day subscribe and swear to said Affidavit before me.

WHEREAS, I find that the verified facts stated by Affiant in said Affidavit show that Affiant has probable cause for the belief he expresses therein and establishes the existence of proper grounds for the issuance of this Warrant;

NOW, THEREFORE, you are hereby commanded to enter the location set forth in the Affidavit as the location of the building located at 1022 EAST FRANCIS LOT 4 BLK 4CHANNING ADDITION, Pampa, Gray County, Texas, said building being described as RESIDENTIAL STRUCTURE. PHOTOGRAPHS ATTACHED AS IF CONTAINED WITHIN and search and inspect said premises to determine the existence of any violation of health, fire or building regulations, ordinances, or statutes, and also to inspect, review, and take pictures of said property.

WITNESS my signature on this the 22nd day of May, A.D. 2023 at 2:47 o’clock p.m.

[Signature]

MAGISTRATE, GRAY COUNTY, TEXAS
RETURN

THE STATE OF TEXAS § A BUILDING
CITY OF PAMPA, § LOCATED AT:
COUNTY OF GRAY § 605 E. CRAVEN LOT 7 BLK 1 SMITH,
§ GRAY COUNTY, TEXAS

The undersigned Affiant, being a Peace Officer/Code Enforcement Official under the laws of Texas and being fully sworn, under oath certifies that it was executed on the 24th day of May, 2023, by making the search directed therein at the said premises to determine the existence of any violation of health, fire, or building regulations, ordinances or statutes, and also to inspect, review, and take pictures of said property.

AFFIANT

SUBSCRIBED AND SWORN to before me, the undersigned authority, on this the 25th day of May, 2023.

Barbara Stucker
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
Substandard Building Inspection Checklist

A. REPORT:
   a. Identify structural deficiencies based upon minimum standards.
   b. Identify whether property is owner-occupied, tenant-occupied, or abandoned.

B. RECOMMEND:
   a. Repair or Demolition
   b. Note whether vacation of property is required.

Date of Inspection: 5-24-23 15:45
Address of Property: 1022 E Francis
Name of Inspector: Robert Brown

☐ (a) Inadequate sanitation shall include, but not be limited to, the following:
   ☑ Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
   ☐ Lack of, or improper water closets, lavatories, and bathtubs or showers per number of
guests in a hotel.
   ☑ Lack of, or improper kitchen sink.
   ☐ Lack of hot and cold running water to plumbing fixtures in a hotel.
   ☑ Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
   ☑ Lack of adequate heating.
   ☑ Lack of, or improper operation of required ventilating equipment.
   ☑ Lack of minimum amounts of natural light and ventilation required by this code.
   ☑ Room and space dimensions less than required by this code.
   ☑ Lack of required electrical lighting.
   ☑ Dampness of habitable rooms.
   ☑ Infestation of insects, vermin, or rodents.
   ☑ General dilapidation or improper maintenance.
   ☑ Lack of connection to required sewage disposal system.
   ☑ Lack of adequate garbage and rubbish storage and removal.

☐ (b) Structural hazards shall include, but not be limited to, the following:
   ☑ Deteriorated or inadequate foundations.
   ☑ Defective or deteriorated flooring or floor supports.
   ☑ Flooring or floor supports of insufficient size to carry imposed loads with safety.
   ☑ Members of walls, partitions, or other vertical supports that split, lean, list, or buckle
due to defective material or deterioration.
   ☑ Members of walls, partitions, or other vertical supports that are of insufficient size to
carry imposed loads with safety.
   ☑ Members of ceilings, roofs, ceilings and roof supports, or other horizontal members
which sag, split, or buckle due to defective material or deterioration.
   ☑ Members of ceiling, roofs, ceiling and roof supports, or other horizontal members that
are of insufficient size to carry imposed loads with safety.
   ☑ Fireplaces or chimneys which list, bulge, or settle due to defective material or
deterioration.
Substandard Building Inspection Checklist

Continuing: (b) Structural hazards shall include, but not be limited to, the following:

☐ Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

☐ (c) Any code nuisance(s):

☒ Keeping, storing, or accumulating refuse on premises in a neighborhood unless the refuse is entirely contained in a closed receptacle;

☒ Keeping, storing, or accumulating rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood for ten (10) days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street;

☒ Maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests;

☒ Allowing weeds to grow on premises in a neighborhood if the weeds are located within three hundred (300) feet of another residence or commercial establishment;

☒ Maintaining a building in a manner that is structurally unsafe or constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, unsanitary conditions, dilapidation, obsolescence, disaster, damage, or abandonment or because it constitutes a fire hazard;

☒ Maintaining on abandoned and unoccupied property in a neighborhood a swimming pool that is not protected with:

☒ A fence that is at least four feet high and that has a latched gate that cannot be opened by a child; or

☒ A cover over the entire swimming pool that cannot be removed by a child;

☒ Maintaining a flea market in a manner that constitutes a fire hazard;

☒ Discarding refuse or creating a hazardous visual obstruction on:

☒ City-owned land; or

☒ Land or easements owned or held by a special district that has the city council of the city as its governing body.

☒ Discarding refuse on smaller of:

☒ The area that spans twenty (20) feet on each side of a utility line; or

☒ The actual span of the utility easement.

☒ Allowing grass, weeds, vegetation, brush, or any plant that is not cultivated to grow in rank profusion:

☒ Along the sidewalk adjacent to the premises between the property line and the curb or, if there is no curb, within ten (10) feet outside that property line; or

☒ In an alley or easement adjacent to the premises measured to the centerline of such alley or easement.

☒ Excessive junk: The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

☒ Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals or lumber.
Substandard Building Inspection Checklist

Continuing: (c) Any code nuisance(s):

☐ Any condition, which provides harborage for rats, mice, snakes and other vermin.

☐ It shall be unlawful to pile, stack, lay, heap, gather, accumulate, or store any of the following on any block, lot, tract or piece of land within the corporate limits of the city, including but not limited to:

☐ Piles of used lumber, old tires, used metal, used concrete materials, used construction materials;

☐ Limbs, organic materials or household trash;

☐ Old furniture, (including couches, chairs, electronics, weight equipment, tables, washers, dryers, dishwashers, refrigerators, freezers, hot water heaters, or parts of any of these items);

☐ Clothing or material of any kind.

☐ Allowing holes or places where water may accumulate: It shall be unlawful for any person who shall own or occupy any lot in the city limits, and in the city's extraterritorial jurisdiction for a distance of five thousand (5,000) feet from the city limits, to permit or allow holes or places on such lot where water may accumulate and become stagnant, or to permit such holes or places to remain.

☐ Permitting stagnant water to accumulate: It shall be unlawful for any person who shall own or occupy any lot in the city limits, and in the city's extraterritorial jurisdiction for a distance of five thousand (5,000) feet from the city limits, to permit or allow the accumulation of stagnant water thereon, or to permit such accumulation of stagnant water to remain.

☐ (d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.

☐ (e) All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.

☐ (f) All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.
Substandard Building Inspection Checklist

(g) Faulty weather protection, which shall include, but not be limited to, the following:
- Deteriorated, crumbling, or loose plaster.
- Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
- Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
- Broken, rotted, split, or buckled exterior wall coverings or roof coverings.

(h) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(i) All materials of construction, except those which are specifically allowed or approved by this code, and which have been adequately maintained in good and safe condition.

(j) Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborage, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.

(k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.

(l) All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

(m) All buildings or portions thereof that are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

(n) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

(o) Inadequate structural resistance to horizontal forces. "Substandard building" includes a building not in compliance with Section 13143.2.

However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.
Substandard Building Inspection Checklist

Date of Inspection: ______________________
Address of Property: ________________________________  Property ID #: ______________
Name of Inspector: ________________________________

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<th>Item</th>
<th>Score</th>
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<tr>
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JDK
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Altitude: 952.7m
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Index number: 657
AGENDA ITEM: 4

ITEM/PROJECT: TAKE ACTION REGARDING THE SUBSTANDARD STRUCTURE LOCATED AT 1022 E. FRANCIS.

MEETING DATE: August 14, 2023

DESCRIPTION: Consider, take action, and issue any necessary orders regarding the substandard structure located at 1022 E. Francis.

STAFF CONTACT: Cary Rushing, Building Official

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Schedule is dependent on orders given by the City Commission.

RECOMMENDED ACTION: Refer to the attached order; make the desired motion.

RECOMMENDED MOTION: I make a motion to ______________________.

BACKGROUND/ADDITIONAL INFORMATION: Sample order attached.
ORDER NO. __________

AN ORDER OF THE CITY OF PAMPA BUILDING STANDARDS COMMISSION WITH REGARD TO THE ABATEMENT OF THE SUBSTANDARD AND DANGEROUS STRUCTURE LOCATED AT ____________________, TEXAS

WHEREAS, the Building Standards Commission, acting by authority of the City Commission for the City of Pampa, conducted a public hearing on ______________, 202_, wherein the structures located at ____________________, Texas, ("Property") was agenda item number ___, legal description being: ________

WHEREAS, the Building Standards Commission specifically finds that all proper notices have been sent consistent with City Ordinances; and

WHEREAS, based upon the evidence presented, the Building Standards Commission finds that the Property is in violation of the ordinances relative to substandard structures under Article 3.10 of the City’s Code of Ordinances; and

WHEREAS, the Building Standards Commission finds that the structure is unoccupied and has been secured against unauthorized entry; and

WHEREAS, the Building Standards Commission finds that the interior of the structure contains nuisance conditions that constitute a hazard to the health, safety, and welfare of the citizen and likely to endanger persons and property; and

WHEREAS, the Building Standards Commission takes notice of and incorporates all evidence presented to the Commission, including the issuance of notices, for its consideration of this matter and incorporates the same into the body of this Order for all purposes

WHEREAS, based upon the evidence presented, the Building Standards Commission finds that the Property is in violation of the ordinance; and

WHEREAS, the Building Standards Commission finds that the main structure is dilapidated, substandard and/or unfit for human habitation, constitutes a hazard to the health, safety and welfare of the citizen and likely to endanger persons and property; and

THEREFORE, IT IS HEREBY ORDERED BY THE BUILDING STANDARDS COMMISSION CITY OF PAMPA THAT:

1. The owner is hereby ordered to repair, remove or demolish the structure located at ____________ by no later than ___ days from the date of this Order.

2. The owner has requested, and the Building Standards Commission is permitting the owner ___ days to conduct the repairs. Since the Building Standards Commission is permitting more than 30
days to repair, remove, or demolish the structure, the following specific time schedule is established for the commencement and performance of the work:

a. By no later than _______________, 202_, owner must pull the following permits:
b. By no later than _______________, 202_, owner must secure the property against unauthorized entry.
c. 
d. 

3. The property owner or lienholder report to the City the progress on the performance of the work to be performed by _______________, 202_.

4. The owner must secure the property against unauthorized entry by no later than _______________, 202_, and while the work is being performed as determined by the City’s Code Enforcement Officer.

5. No work be performed until such time as a permit is issued consistent with City ordinances.

6. An asbestos study be conducted and submitted to the state and city for approval prior to performing any work ordered herein.

7. All work to be performed be conducted consistent with City ordinances, state and federal regulations and statutes.

8. The structure be vacated.

9. No person or entity may occupy the structure until such time as a final inspection is conducted and certificate of occupancy issued.

10. A sign be posted at the front and rear entrance to the property in substantially similar form: SUBSTANDARD BUILDING - DO NOT ENTER - UNSAFE TO OCCUPY.

11. Should the owner, lien holder, or mortgagee fail to do so within the time frame ordered, the City may do the ordered work, and place a lien on the property in accordance with applicable law.

12. Should the property owner violate the terms of this order, that the City may seek administrative penalties in an amount not to exceed the maximum amount allowable by applicable law per each day of violation.

13. The owner must remove and abate all nuisance conditions within the interior of the structure no later than thirty (30) days from the date of the Order, or ______________, 202_, that are the source of the public nuisance, specifically, _________________________ and other hazards to
the community as depicted in photographs submitted into evidence before the Building Standards Commission.

14. The owner pull the appropriate permits within ___ days of this Order to commence the repairs of the following: ___________________________.

15. The Building Standards Commission has heard evidence presented by the owner that he work cannot reasonably be completed within 90 days due to the scope and complexity of work; therefore, the Building Standards Commission is accepting the detailed plan and time schedule for the work, which detailed plan and schedule of work is hereby approved and attached hereto as Exhibit 1.

16. This property be brought back to the Building Standards Commission for review at the next scheduled meeting to ensure compliance with this Order.

17. The owner must allow entry to city staff no later than to inspect the interior of the property. The grass must be cut no later than the close of business on ________________, 202_. The cars, debris, tires, and other hazards to the community be removed no later than ________________, 202_.

18. This property be brought back to the Commission for review at the next scheduled meeting. Failure to take the ordered actions within the specified time may result in the city taking requisite actions to remove any unsafe or unsanitary conditions and establish a lien on the property. Whatever actions are necessary for the staff to gain entry should be taken and/or to include administrative judicial action.

19. The owner of the property, and/or any lienholder or mortgagee, must demolish the structure located at ___________________, Texas, and eliminate all unhealthy and unsafe conditions within thirty days of this order, including cleaning and grading the property. Failure to take the ordered actions within the specified time may result in the City taking requisite actions to demolish the structures, clean and grade the lot, and establish a lien on the property without further notice or hearing.

20. The City Secretary shall file a copy of this order with the City within 10 days of the date of this order and publish in a newspaper of general circulation the street address/legal description of the Property, the date of the hearing, a brief statement of the results of this order and provide notice that a copy of this order and the minutes of the meeting may be reviewed and/or obtained during regular business hours in the office of the City Secretary.

ORDERED THIS _____ DAY OF ________________, 202_

CITY OF PAMPA, TEXAS

By: __________________________
DISCUSSION:

ITEM/PROJECT: CITY OF PAMPA REBRANDING

MEETING DATE: August 14, 2023

DESCRIPTION: Dustin Miller, Community Services Director, will lead a discussion on the rebranding initiative for the City of Pampa.

STAFF CONTACT: Dustin Miller, Community Services Director
DISCUSSION:

ITEM/PROJECT: 2023-2024 Budget – TAX RATE

MEETING DATE: August 14, 2023

STAFF CONTACT: Theresa Daniels, Finance Director
AGENDA ITEM: 5

ITEM/PROJECT: MINUTES

MEETING DATE: July 24, 2023

DESCRIPTION: Consider approving the minutes of the July 10, 2023, Regular Commission Meeting.

STAFF CONTACT: Barbara Stucker, City Secretary

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

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

RECOMMENDED ACTION: Staff recommends Commission approve the minutes of the July 10, 2023, Regular Commission Meeting.

RECOMMENDED MOTION: I make a motion to approve the minutes of the July 10, 2023, Regular Commission Meeting.

BACKGROUND/ADDITIONAL INFORMATION: Copy of Minutes of the July 10, 2023, meeting attached.
CALL TO ORDER: Mayor Pro Tem, Paul Searl at 4:00 p.m.

PRESENT: Paul Searl  Mayor Pro Tem
Brian Doughty  Commissioner
Jimmy Keough  Commissioner
Jimmy Reed  Commissioner

ABSENT: Lance DeFever  Mayor

STAFF: Shane Stokes  City Manager
Barbara Stucker  City Secretary
Theresa Daniels  Finance Director
Dustin Miller  Community Services Director
Kasey Presson  Fire Chief
Gary Turley  Public Works Director
Lance Richburg  Chief of Police
Kevin Webb  Information Technology
Mike Day  Assistant Fire Chief
Cary Rushing  Building Official
Jasmine Chaney  Assistant Finance Director
Elaine Johnson  Municipal Court Judge
Jeffery Kennedy  Code Enforcement Officer

VISITORS: Byron Williamson  Cortnie Patterson
Dale Garner  Phillis Garner
Dinah Reed  Treasa Houston
Clay Rice

NEWS MEDIA: None

INVOCATION: Byron Williamson, Commission Chaplain

PUBLIC COMMENTS: None

PRESENTATION:
- Rebranding – Dustin Miller, Community Services Director, commenced the presentation on the rebranding efforts. He introduced a series of logos designed by the Rebranding Committee and invited feedback and suggestions from the Commission members.

- Quarterly Financial Dashboard – Theresa Daniels, Finance Director, provided an in-depth update on the financial performance of the second quarter, which concluded on June 30, 2023. She presented the Quarterly Financial Dashboard, highlighting key financial indicators and trends.

DISCUSSION:
- 2023-2024 Budget – Theresa Daniels, Finance Director, led a comprehensive discussion on the proposed budget for the fiscal year 2023-2024, focusing on both the General Fund and Other Governmental Funds.

AUTHORIZATIONS BY CITY COMMISSION:
1. Consider approving the minutes of the July 10, 2023, Public Hearing and Regular Commission Meeting.

   23-083

A motion was made by Commissioner Doughty and seconded by Commissioner Reed to approve the minutes of the July 10, 2023, Regular Commission Meeting as presented. With each Commission Member voting AYE, the motion carries.

A motion was made by Commissioner Keough and seconded by Commissioner Doughty to approve the List of Disbursements dated June 2023. With each Commissioner Member voting AYE, the motion carries.

3. Consider adopting Resolution No. R23-017, reappointing Jerry Carlson to a two-year term on the Canadian River Municipal Authority (CRMWA) Board of Directors

RESOLUTION NO. R23-017


A motion was made by Commissioner Doughty and seconded by Commissioner Keough to adopt on second and final reading Resolution No. R23-017 as presented. With each Commission Member voting AYE, the motion carries.

4. Consider approving on first reading Ordinance No. 1784, amending the revenues and appropriations for the fiscal year beginning October 1, 2022, and ending September 30, 2023.

ORDINANCE NO. 1784

AN ORDINANCE AMENDING THE REVENUES AND APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF PAMPA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 ENDING SEPTEMBER 30, 2023. THIS AMENDMENT PROVIDES FOR AN INCREASE IN REVENUE FOR GRANTS, INTEREST INCOME, SALE OF MATERIAL AND EQUIPMENT AND FOR AN INCREASE IN APPROPRIATIONS FOR EQUIPMENT, CAPITAL ASSETS, AND BEAUTIFICATION GRANT PROCEEDS PREVIOUSLY UNBUDGETED.

A motion was made by Commissioner Reed and seconded by Commissioner Doughty to approve on first reading Ordinance No. 1784 as presented. With all commission members voting AYE, the motion carries.

5. Consider approving on first reading Ordinance No. 1785, amending the school zone for Travis Elementary School.

ORDINANCE NO. 1785

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY REVISING SECTION 12.05.002(a)(3) AMENDING THE SCHOOL ZONE TO 23rd AVENUE AND CRESCENT DRIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Keough and seconded by Commissioner Reed to approve on first reading Ordinance No. 1785 as presented. With each Commission Member voting AYE, the motion carries.

6. Consider approving on first reading Ordinance No. 1786, amending sign ordinance to add electric sign regulations.

ORDINANCE NO. 1786

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.15, SIGNS, BY REPEALING, REPLACING, AND ADDING SECTIONS RELATED TO ELECTRIC SIGNS TO NOW ALLOW FOR ELECTRONIC SIGNS, AND TO PROVIDE REGULATIONS OF ELECTRONIC SIGNS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE
A motion was made by Commissioner Reed and seconded by Commissioner Doughty to approve on first reading Ordinance No. 1786 as presented. With each Commission Member voting AYE, the motion carries.


23-089

A motion was made by Commissioner Doughty and seconded by Commissioner Keough to approve the Interlocal Agreement with Pampa Independent School District for School Resource Officers.

ADJOURNED:

With no further items remaining on the agenda, the meeting was adjourned at 5:15 p.m. by Mayor Pro Tem, Paul Searl.

_________________________________________  ________________________________
Barbara Stucker, City Secretary              Paul Searl, Mayor Pro Tem
AGENDA ITEM: 6

ITEM/PROJECT: COMMISSION ABSENCE

MEETING DATE: August 14, 2023

DESCRIPTION: Consider excusing Mayor DeFever from the July 24, 2023 Regular Commission Meeting.

STAFF CONTACT: Commission Members

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: N/A

RECOMMENDED ACTION: Staff recommends the Commission excuse Mayor DeFever from the July 24, 2023, Regular Commission Meeting.

RECOMMENDED MOTION: I make a motion to excuse Mayor DeFever from the July 24, 2023, regular Commission meeting.

BACKGROUND/ADDITIONAL INFORMATION: N/A
<table>
<thead>
<tr>
<th>AGENDA ITEM: 7</th>
</tr>
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<tbody>
<tr>
<td>ITEM/PROJECT:</td>
</tr>
<tr>
<td>MEETING DATE:</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
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<td>STAFF CONTACT:</td>
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<td>FINANCIAL IMPACT:</td>
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<td>SOURCE OF FUNDS:</td>
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<td>START/COMPLETION SCHEDULE:</td>
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<tr>
<td>RECOMMENDED ACTION:</td>
</tr>
<tr>
<td>RECOMMENDED MOTION</td>
</tr>
<tr>
<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 1784

AN ORDINANCE AMENDING THE REVENUES AND APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF PAMPA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 ENDING SEPTEMBER 30, 2023. THIS AMENDMENT PROVIDES FOR AN INCREASE IN REVENUE FOR GRANTS, INTEREST INCOME, SALE OF MATERIAL AND EQUIPMENT AND FOR AN INCREASE IN APPROPRIATIONS FOR EQUIPMENT, CAPITAL ASSETS, AND BEAUTIFICATION GRANT PROCEEDS PREVIOUSLY UNBUDGETED.

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:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Original Budget</th>
<th>Current Budget</th>
<th>Revised Budget</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$15,000.00</td>
<td>$15,000.00</td>
<td>$679,611.00</td>
<td>$664,611.00</td>
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<td>$188,025.00</td>
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<tr>
<td>38</td>
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<td>$10,000.00</td>
<td>$91,210.00</td>
<td>$81,210.00</td>
</tr>
</tbody>
</table>

INTRODUCED, PASSED AND APPROVED on its first reading this the 24th day of July 2023.

READ, APPROVED AND ADOPTED on its second and final reading this the 14th day of August 2023.

CITY OF PAMPA

By: Lance Defever, Mayor

ATTEST:

Barbara Stucker, City Secretary

APPROVED AS TO FORM:

Bryan Guymon, City Attorney
## AGENDA ITEM: 8

<table>
<thead>
<tr>
<th>ITEM/PROJECT:</th>
<th>ORDINANCE NO. 1785 – AMENDING TRAVIS ELEMENTARY SCHOOL ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>MEETING DATE:</td>
<td>July 24, 2023</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
<td>Consider approving on first reading Ordinance No. 1785, Amending the school zone for Travis Elementary.</td>
</tr>
<tr>
<td>STAFF CONTACT:</td>
<td>Gary Turley, Public Works Director</td>
</tr>
<tr>
<td>FINANCIAL IMPACT:</td>
<td>N/A</td>
</tr>
<tr>
<td>SOURCE OF FUNDS:</td>
<td>N/A</td>
</tr>
<tr>
<td>START/COMPLETION SCHEDULE:</td>
<td>N/A</td>
</tr>
<tr>
<td>RECOMMENDED ACTION:</td>
<td>Staff recommends Commission approve on first reading Ordinance No. 1785 as presented.</td>
</tr>
<tr>
<td>RECOMMENDED MOTION</td>
<td>I make a motion to approve on first reading Ordinance No. 1785 as presented.</td>
</tr>
<tr>
<td>BACKGROUND/ADDITIONAL INFORMATION:</td>
<td>Ordinance No. 1785 attached</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 1785

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY REVISING SECTION 12.05.002(a)(3) AMENDING THE SCHOOL ZONE TO 23rd AVENUE AND CRESCENT DRIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

Section 1.

That Section 12.05.002(a)(3) of the Code of Ordinances of the City of Pampa be amended by adding additional street to the school zone thereto, so that Section 12.05.002(a)(3) reads as follows:

(1) Travis School:

Beginning on 23rd Avenue from the west right-of-way line of Crescent Drive to the east right-of-way line of Dwight Street.

Beginning on Wells Street from the south right-of-way line of 23rd Avenue to the north right-of-way line of Crane Road.

Beginning on Hobart Street 80 feet from the south right-of-way line of 23rd Avenue to the north right-of-way line of North Crest Road.

Section 2.

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

PASSED AND APPROVED on its first reading this 24th day of July, 2023

PASSED AND ADOPTED on its second and final reading this 14th day of August, 2023.

CITY OF PAMPA, TEXAS

By: ___________________________________
    Lance DeFever, Mayor

ATTEST:

_____________________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

_____________________________________
Bryan J. Guymon, City Attorney
AGENDA ITEM: 9

ITEM/PROJECT: ORDINANCE 1786 – AMENDING SIGN ORDINANCE ADDING ELECTRIC SIGN REGULATIONS

MEETING DATE: July 24, 2023

DESCRIPTION: Consider approving on first reading Ordinance No 1786, amending sign ordinance too add electric sign regulations.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: N/A

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Ordinance No. 1786 becomes effective when adopted on second and final reading.

RECOMMENDED ACTION: Staff recommends Commission approve on first reading Ordinance No. 1786, amending sign ordinance adding electric sign regulations.

RECOMMENDED MOTION I make a motion to approve on first reading Ordinance No. 1786 as presented.

BACKGROUND/ADDITIONAL INFORMATION: Ordinance No. 1786 attached
ORDINANCE NO. 1786

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.15, SIGNS, BY REPEALING, REPLACING, AND ADDING SECTIONS RELATED TO ELECTRIC SIGNS TO NOW ALLOW FOR ELECTRONIC SIGNS, AND TO PROVIDE REGULATIONS OF ELECTRONIC SIGNS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City previously prohibited electric signs in the City’s Code of Ordinances, Chapter 3, Article 3.15, Signs, Section 3.15.047, Electric Signs; and

WHEREAS, the City now desires to allow electronic signs under certain conditions and regulations; and

WHEREAS, it is necessary to repeal, replace, and add the following Sections to allow for electronic signs and provide regulations for electronic signs; and

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

SECTION I

A. That the City of Pampa Code of Ordinances be amended as follows (for reference purposes, new additions to the Code of Ordinances are underlined and italicized with deleted or omitted provisions indicated by strike out type): Section 3.15.003, Definitions, Sign, electric, shall be repealed and replaced to read as follows:

Sign, electric. Any sign which utilizes electrical means or devices either to illuminate the surface display area on either side or the letters or designs or decorations of which are outlines or illuminated by interior electric lamps, neon lighting, floodlamps, or by any electrical means or devices so as to make visible the surface display area or the letters, designs, or decorations thereon. All ground signs, marquee signs, roof signs, wall signs, or project signs which are illuminated as above shall be classified as electric signs.

Electronic sign - A permanent sign, display, or device that changes its message or copy by programmable electronic or mechanical processes.

B. Section 3.15.047 shall be repealed.

Electric Signs. No sign or other advertising structure shall be illuminated with lights which glare into or upon the surrounding area or any residential premises or distract operators of vehicles or pedestrians on the public right-of-way.

C. Section 3.15.086 shall be added to read as follows:

Sec. 9.15.086 Electronic Signs
(a) Electronic signs are allowed. Any electronic sign as defined by this article must meet the following conditions:

   (1) Each message on an electronic sign (A) not located on a state highway must be displayed for at least six seconds and any change of message must be accomplished within two seconds and must occur simultaneously on the entire sign face; and (B) located on a state highway must be displayed for at least eight seconds and any change of message must be accomplished within two seconds and must occur simultaneously on the entire sign face or otherwise comply with applicable state law governing electronic signs located on state highways;

   (2) Must contain a default mechanism that freezes the sign in one position if a malfunction occurs;

   (3) Must automatically adjust the intensity of its display according to natural ambient light conditions;

   (4) Must be affixed to a permanent on-premises sign that is not mobile;

   (5) Must be separated from any other electronic sign on the same street by at least 1,500 feet.

(b) An electronic sign may not:

   (1) consist of more than one (1) panel per side;

   (2) be configured to resemble or simulate a warning or danger signal or any official lights or signs used to control traffic;

   (3) be illuminated by flashing, intermittent, or moving lights;

   (4) contain or display animated, moving video, or scrolling advertising;

   (5) consist of a static image projected on a stationary object; or

   (6) may not create or cause a glare or brightness to a degree that it constitutes a hazard or creates a nuisance by interfering with the reasonable enjoyment of neighboring property by a person of ordinary sensibilities.

(c) If the building official or the chief of police finds that an electronic sign unreasonably impairs or interferes with the vision of the driver of a motor vehicle or otherwise unreasonably interferes with the operation of a motor vehicle so that such official determines that it is a threat to public safety, the owner of the sign, within twelve (12) hours of a written request by the city manager, building official or chief of police, shall reduce the intensity of the sign to a level acceptable to such city official.

(d) The owner of an electronic sign shall provide to the City's building official and chief of police contact information for a person who is available to be contacted
at any time and who is able to turn off the electronic sign promptly if a malfunction
occurs or is able to accommodate an emergency notification request from a local
authority as indicated below.

(e) In the event the Mayor of the City of Pampa proclaims an emergency as
provided for in the City Charter, the owner of an electronic billboard shall
coordinate with local authorities to display, when appropriate, emergency
information important to the public. Emergency information messages must
remain in the advertising rotation until the local authority authorizes its removal.

SECTION II

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

SECTION III

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

SECTION IV

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

SECTION V

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

PASSED AND APPROVED on first reading this 24th day of July 2023.

PASSED, APPROVED, AND ADOPTED on second reading this 14th day of August 2023.

CITY OF PAMPA, TEXAS

By: ________________________________
Lance DeFever, Mayor
ATTEST:

_____________________________
Barbara Stucker, City Secretary

APPROVED AS TO FORM:

_____________________________
Bryan J. Guymon, City Attorney
AGENDA ITEM: 10

ITEM/PROJECT: RESOLUTION R23-018 – DENYING SPS RATE INCREASE

MEETING DATE: August 14, 2023

DESCRIPTION: Consider adopting Resolution No. R23-018, denying Southwestern Public Service Company’s proposed rate increase.

STAFF CONTACT: Shane Stokes, City Manager

FINANCIAL IMPACT: Information provided during meeting

SOURCE OF FUNDS: N/A

START/COMPLETION SCHEDULE: Resolution No. R23-018 will be effective after Commission adopts.

RECOMMENDED ACTION: Staff recommends Commission adopts Resolution No. R23-018, denying SPS proposed rate increase.

RECOMMENDED MOTION: I make a motion to adopt Resolution No. R23-018 as presented.

On about February 8, 2023, Southwestern Public Service Company (SPS) filed with the City and the Public Utility Commission of Texas (“PUCT”) an application to increase its base revenues by approximately $148.5 million, which represents an increase in base revenue of about 20.6% compared to its current base revenue. Including fuel factor and energy efficiency cost recovery factor, charges for advanced meters, and prior rate-case expenses SPS’s proposal is an overall increase of about 13.9%. SPS’s application to increase rates is based a test year of October 1, 2021 through September 30, 2022 (“Test Year”), which includes estimated data for an “update period” of October 1, 2022 through December 31, 2022 (“Update Period”), as allowed by state law.

On March 24, 2023, SPS updated the estimated data it presented in its initial application with actual data for the Update Period, which increased its proposed increase in rates to about $158 million.

SPS requested an effective date of March 15, 2023, for its proposed increase in rates. By prior action the City suspended SPS’s proposed effective date for the statutorily allowed period, to July 28, 2023; but by agreement with SPS, the date for final action by the City was extended to August 25, 2023.

Since SPS filed its application, Special Counsel for the Alliance of Xcel Municipalities (AXM) and rate consultants engaged by AXM’s Special Counsel, have been reviewing SPS’s application to increase rates but have not yet completed their analysis. Their analysis is due for submission to the Public Utility Commission of Texas (PUCT) on August 4, 2023. SPS’ application to increase rates raises a host of revenue-requirement and cost-allocation/rate-design issues that are significant both with respect to their impact on the rates to be set in this case and for precedential reasons going forward. In its application SPS submitted the direct testimony of approximately 50 witnesses.

Areas of SPS’s applications that AXM’s Special Counsel and AXM’s consultants have been evaluating include SPS’s proposed profit margin (aka, its return on equity and overall rate of return); its depreciation rates for SPS’s plant assets, including SPS’s...
proposed early retirement of the Tolk generating plant; its operations and maintenance expenses, including executive-compensation packages, purchased-power expenses, transmission and distribution expenses; and SPS’s proposed rate design (that is, the actual rates) including its new proposed rate to recover property taxes through a “tracking” rate, and a new rate for electric vehicles.

**City Action Required By August 25, 2023:**

The City must take action by no later than **August 25, 2023**, SPS’s proposed effective date for its requested increase in rates.

**INTERVENTION AT THE PUBLIC UTILITY COMMISSION OF TEXAS**

Through AXM the City is participating in proceedings at the PUCT. The law firm of Herrera Law and Associates, PLLC has previously represented the City and its participation in the coalition of cities named the “Alliance of Xcel Municipalities” (AXM) in rate matters involving SPS, including SPS’s most recent rate and fuel cases, and is representing the City through its participation in AXM at the PUCT regarding SPS’s pending application to increase rates.

**RATE CASE EXPENSES:**

The Alliance of Xcel Municipalities’ reasonable rate case expenses are subject to reimbursement by SPS. The attached Resolution directs SPS to continue to reimburse AXM’s rate case expenses.

**RECOMMENDATION: DENY SPS’S RATE INCREASE REQUEST**

AXM’s Special Counsel recommends that:

- The City deny SPS’s request to increase its rates. If the City denies SPS’s rate increase request, SPS may appeal that the decision to the Public Utility Commission of Texas; and

- Direct SPS to reimburse the City’s reasonable rate case expenses on a monthly basis.

The City must take action by no later than August 25, 2023.
RESOLUTION NO. R23-018

A RESOLUTION BY THE CITY OF PAMPA, TEXAS (“CITY”) DENYING SOUTHWESTERN PUBLIC SERVICE COMPANY’S PROPOSED RATE INCREASE REQUEST IN CONNECTION WITH ITS STATEMENT OF INTENT SUBMITTED ON ABOUT FEBRUARY 8, 2023; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, Southwestern Public Service Company (“SPS” or the “Company”) filed a Statement of Intent with the City and with the Public Utility Commission of Texas (“PUCT”) on or about February 8, 2023, to increase its base revenues for its Texas retail service area by approximately $148.5 million, which is an increase in base revenue of about 20.6%; and

WHEREAS, on about March 24, 2023, SPS updated its application to revise data it initially presented as estimates of expenses and capital expenditures, to actual data, which had the effect of amending its proposed increase in rates to an increase of about $158 million; and

WHEREAS, the City previously suspended implementation of SPS’s proposed increase in rates and its proposed effective date by 135 days to July 28, 2023; and

WHEREAS, by agreement between AXM and SPS, SPS extended the suspension period to August 25, 2023; and

WHEREAS, the City is a regulatory authority under the Public Utility Regulatory Act (“PURA”) and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over SPS’s rates, operations, and services within the municipality; and

WHEREAS, under PURA § 33.025(a), the City has standing in each case before the Public Utility Commission of Texas that relates to an electric utility providing service in the City; and
WHEREAS, SPS failed to establish that its overall revenue request resulted in no more than an amount that will permit SPS a reasonable opportunity to earn a reasonable return on the utility’s invested capital used and useful in providing service to the public in excess of the utility’s reasonable and necessary operating expenses; and

WHEREAS, SPS failed to establish that its proposed rates are just and reasonable; and

WHEREAS, SPS may exercise its statutory right to appeal a City decision regarding SPS’s request to increase rates to the Public Utility Commission of Texas;

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

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

Section 2. SPS failed to show that its proposed rates are just and reasonable.

Section 3. The City hereby DENIES SPS’s request to increase rates and in support thereof finds that:

a) SPS’s Statement of Intent fails to provide sufficient justification for its requested increase in revenue or the changes set forth in SPS’s proposed tariffs;

b) SPS’s Statement of Intent fails to provide sufficient information to justify the adoption of the rate base, expenses, investment, return on equity, and other rate issues.

Section 4. SPS is hereby directed to continue to reimburse the City on a monthly basis, through AXM’s coordinating city, the City of Amarillo, Texas, rate-case expenses for the reasonable costs of attorneys and consultants and expenses related thereto, upon the presentation of invoices reviewed by the City of Amarillo.
Section 5. The City Secretary or other appropriate city official shall provide a copy of this Resolution to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 4400 Medical Pkwy, Austin, Texas 78756, and as a courtesy, provide SPS a copy of this Resolution by sending a copy of the Resolution to Ms. Brooke Trammel, Regional Vice President, Regulatory & Pricing, Southwestern Public Service Company, 790 S. Buchanan St. Amarillo, Texas 79101.

Section 6. The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 7. To the extent any Resolution previously adopted by the City Council is inconsistent with this Resolution, it is hereby superseded.

Section 8. The findings set out in the preamble are in all things hereby approved.

Section 9. This Resolution shall become effective from and after its passage.

PASSED AND APPROVED this 14th day of August 2023.

________________________________
MAYOR

ATTEST:

__________________________
CITY SECRETARY
AGENDA ITEM: 11

ITEM/PROJECT: EXECUTIVE SESSION

MEETING DATE: August 14, 2023

DESCRIPTION: The City Commission will convene into closed session in accordance with Texas Government Code, Section 551.087 to discuss Economic Development.

STAFF CONTACT: Commission Members
Shane Stokes, City Manager