

**MINUTES OF THE
CITY COMMISSION OF THE CITY OF PAMPA, TEXAS
REGULAR MEETING
TUESDAY, FEBRUARY 25, 2014**

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

PRESENT: Brad Pingel Mayor
Robert Dixon Commissioner
Karen McLain Commissioner

ABSENT: John Studebaker Commissioner
Chris Porter Commissioner

STAFF: Richard Morris City Manager
Shane Stokes Asst. City Manager
Leland Waters City Attorney
Karen Price City Secretary
Robin Bailey Finance Director
Donny Hooper Public Works Director
Kelly Rushing Chief of Police
Kim Powell Fire Chief
Kevin Webb IT Managers
Jil Arias Engineer
Cary Rushing Code Enforcement

VISITORS: Paul Nachtigal Highland Baptist Church
Bill Allen
Eric Byrne
D. Yates
Jim Hart
Donny Snow
Doug Youree

NEWS MEDIA: Mike Ehrle KGRO Radio

INVOCATION: Paul Nachtigall Highland Baptist Church

PLEDGE OF ALLEGIANCE

PLEDGE OF ALLEGIANCE TO TEXAS FLAG

PUBLIC COMMENTS: NONE

DISCUSSION:

► Pampa Racing Club Request – Shane Stokes

AUTHORIZATIONS BY COMMISSION:

14-025

1. Consider approving the minutes of the February 11, 2014 regular City Commission Meeting as presented.

A motion was made by Commissioner Dixon and Seconded by Commissioner McLain to approve the minutes of the February 11, 2014 regular City Commission Meeting as presented, with each Commission Member voting AYE, the motion carried.

2. Excuse the absence of Commissioner Robert Dixon from the February 11, 2014 regular City Commission Meeting.

A motion was made by Commissioner McLain and Seconded by Mayor Pingel to excuse the absence of Commissioner Robert Dixon from the February 11, 2014 regular City Commission Meeting, with each Commission Member voting AYE, the motion carried.

3. Consider approving on first reading Ordinance No. 1612, an Ordinance of the City of Pampa granting to Southwestern Public service Company (“SPS”) d/b/a Xcel Energy, the right, privilege and franchise to conduct within the City of Pampa electrical lighting and power business.

ORDINANCE NO. 1612

FRANCHISE AGREEMENT

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, GRANTING TO SOUTHWESTERN PUBLIC SERVICE COMPANY (“SPS”) D/B/A XCEL ENERGY THE RIGHT, PRIVILEGE AND FRANCHISE TO CONDUCT WITHIN THE CITY OF PAMPA, TEXAS, AN ELECTRICAL LIGHTING AND POWER BUSINESS AND TO ENTER UPON, ERECT, CONSTRUCT, MAINTAIN, EXTEND, REPAIR, REPLACE AND REMOVE IN, UNDER, UPON, WITHIN, OVER, ABOVE, ACROSS AND ALONG ANY AND ALL OF THE PRESENT AND FUTURE PUBLIC ROADS, HIGHWAYS, STREETS, LANES, AND ALLEYS OF THE CITY OF PAMPA, A SYSTEM OF POLES, POLE LINES, TOWERS, DISTRIBUTION LINES, TRANSMISSION LINES, WIRES, GUYS, CABLES, CONDUITS, TRANSFORMERS, AND OTHER DISTRIBUTION AND TRANSMISSION EQUIPMENT, FACILITIES AND APPURTENANCES NECESSARY OR PROPER FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY INTO, IN, WITHIN, FROM, ACROSS, AND THROUGH THE CITY OF PAMPA AS NOW EXISTING, OR AS SAID CITY LIMITS MAY HEREAFTER BE EXTENDED; AND GRANTING SPS, ITS SUCCESSORS AND ASSIGNS, THE AUTHORITY TO USE SUCH FOR THE PURPOSE OF TRANSMISSION, DISTRIBUTION, DELIVERY AND SALE OF ELECTRICITY TO THE CITY, AND TO THE INHABITANTS OF THE CITY, OR ANY OTHER PERSON OR PERSONS, FIRMS OR CORPORATIONS, WHEREVER LOCATED WITHIN OR WITHOUT THE CITY LIMITS OF PAMPA, FOR USE BY SUCH PURCHASER OR PURCHASERS FOR ANY PURPOSE AUTHORIZED BY LAW FOR WHICH ELECTRICITY MAY BE USED OR FOR ANY OTHER PURPOSE OR USE WHICH IS OR MAY BECOME NORMAL OR CUSTOMARY IN THE RETAIL ELECTRIC INDUSTRY IN TEXAS; PROVIDING THAT THIS FRANCHISE SHALL BE EFFECTIVE FOR A PERIOD OF TWENTY (20) YEARS COMMENCING APRIL 1, 2014; PROVIDING FOR THE TEMPORARY REMOVAL, RAISING OR LOWERING BY SPS OF ITS WIRES AND OTHER APPURTENANCES; PROVIDING FOR THE RIGHT TO, AND CONDITION OF, THE OPENING OF PAVEMENTS AND SIDEWALKS BY SPS; RETAINING ALL RIGHTS OF CITY TO REGULATE THE LOCATION OF SPS'S FACILITIES IN, UPON, ALONG, UNDER AND OVER THE STREETS, ALLEYS AND OTHER PUBLIC PLACES OF CITY, AS WELL AS TO REQUIRE THE RELOCATION OF SAME; PROVIDING FOR EFFICIENT ELECTRICAL SERVICE AND THE MAINTAINING OF SPS'S FACILITIES; PROVIDING FOR THE USE BY CITY FOR THE PURPOSES SPECIFIED OF POLES AND CONDUITS OF SPS; PROVIDING COMPENSATION, AND METHOD OF PAYMENT OF SUCH, TO THE CITY FOR THE USE BY SPS OF THE STREETS, ALLEYS AND PUBLIC WAYS OF THE CITY; PROVIDING FOR THE MAINTAINING OF RECORDS BY SPS WITH RIGHT OF INSPECTION BY CITY RESERVING TO CITY ALL POWERS OF REGULATION; PROHIBITING ASSIGNMENT EXCEPT BY CONSENT BY CITY EXCEPT IN CERTAIN CASES; GIVING CITY'S CONSENT

TO THE CUTTING AND TRIMMING BY SPS OF CONFLICTING TREES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT THIS FRANCHISE SHALL NOT BE EXCLUSIVE; MAKING MISCELLANEOUS PROVISIONS RELATIVE TO THIS GRANT OF FRANCHISE; REPEALING ALL PREVIOUS ELECTRICAL LIGHTING AND POWER FRANCHISE ORDINANCES; PROVIDING FOR THE ACCEPTANCE OF THIS FRANCHISE ORDINANCE BY SPS.

A motion was made by Commissioner Dixon and Seconded by Commissioner McLain to approve on first reading Ordinance No. 1612, an Ordinance of the City of Pampa granting to Southwestern Public Service Company (“SPS”) d/b/a Xcel Energy, the right, privilege and franchise to conduct within the City of Pampa electrical lighting and power business, with each Commission Member voting AYE, the motion carried.

14-028

4. Consider approving on first reading Ordinance No. 1613, an Ordinance of the City of Pampa increasing administrative expenses for abatement and for building demolition.

ORDINANCE NO. 1613

AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT ITS CODE OF ORDINANCES BE AMENDED BY REVISING SECTION 3.08.009(a) OF SAID CODE TO PROVIDE FOR INCREASED MINIMUM CHARGE FOR ADMINISTRATIVE EXPENSES FOR BUILDING DEMOLITION, AND BY REVISING SECTION 6.04.008(a) OF SAID CODE TO PROVIDE FOR INCREASED ADMINISTRATIVE CHARGE FOR ABATEMENT, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner McLain and Seconded by Commissioner Dixon to approve on first reading Ordinance No. 1613, an Ordinance of the City of Pampa increasing administrative expenses for abatement and for building demolition, with each Commission Member voting AYE, the motion carried.

14-029

5. Consider approving request from Open Range Development for the re-plat of the Edwin Park Subdivision.

A motion was made by Commissioner Dixon and Seconded by Commissioner McLain to approve the request made by Open Range Development for the re-plat of the Edwin Park Subdivision, with each Commission Member voting AYE, the motion carried.

14-030

6. Consider approving a request from Jim Davidson to re-plat Block 7 of the Country Club Heights Subdivision.

A motion was made by Commissioner McLain and Seconded by Commissioner Dixon to approve a request from Jim Davidson to re-plat Block 7 of the Country Club Heights Subdivision, with each Commission Member voting AYE, the motion carried.

14-031

7. Consider approving the List of Disbursements dated January 2014.

A motion was made by Commissioner McLain and Seconded by Commissioner Dixon to approve the List of Disbursements dated January 2014 with total Disbursements being \$1,883,602.41 and the amount after balance sheet and income accounts being \$847,955.62, with each Commission Member voting AYE, the motion carried.

14-032

8. EXECUTIVE SESSION: The City Commission may convene into closed session in accordance with Texas Government Code, Subchapter D, Section 551.074: Personnel Matters to discuss:

▶ City Managers Evaluation

A motion was made by Commissioner McLain and Seconded by Commissioner Dixon to postpone the Executive Session until the next regular schedule City Commission Meeting on March 11, 2014, with each Commission Member voting AYE, the motion carried.

ADJOURNMENT

There being no further business on the agenda, the meeting was adjourned at 4:32 p.m. by Mayor Pingel.

Karen L. Price, City Secretary

Brad Pingel, Mayor