

The City Of  
**Pampa**

**Regular Meeting of the:**

**Pampa City Commission**

**February 11, 2014**

**4:00 p.m.**

**City of Pampa**

201 W. Kingsmill St.

P.O. Box 2499

Pampa, Texas 79066-2499

Phone: 806-669-5750

Fax: 806-669-5767



PLEDGE OF ALLEGIANCE  
TO TEXAS FLAG

“HONOR THE TEXAS FLAG;  
I PLEDGE ALLEGIANCE TO  
THEE; TEXAS, ONE STATE  
UNDER GOD, ONE AND  
INDIVISIBLE.

**CITY OF PAMPA  
CITY COMMISSION AGENDA  
REGULAR MEETING**

John Studebaker, Commissioner Ward 1  
Chris Porter, Commissioner Ward 2  
Robert Dixon, Commissioner Ward 3  
Karen McLain, Commissioner Ward 4

Brad Pingel, Mayor

Richard Morris, City Manager  
Karen Price, City Secretary  
Leland Waters, City Attorney  
Shane Stokes, Asst. City Manager

Notice is hereby given of a **REGULAR MEETING** of the City Commission of the City of Pampa, Texas to be held on **TUESDAY, FEBRUARY 11, 2014 at 4:00 p.m.** at City Hall – City Commission Chamber, Third Floor, 201 W. Kingsmill, Pampa, Texas, for the purpose of considering the following agenda items.

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

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PLEDGE ALLEGIANCE TO TEXAS FLAG**

**PUBLIC COMMENTS:**

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

**REPORTS:**

- ▶ Police Department's 2013 Annual Racial Profiling/Department Report

**AUTHORIZATIONS BY CITY COMMISSION:**

1. Consider approving the minutes of the January 28, 2014 regular City Commission Meeting as presented.
2. Excuse the absence of Commissioner Karen McLain from the January 28, 2014 regular City Commission Meeting.
3. Consider appointing Lucinda George to a vacant position on the Lovett Memorial Library Advisory Board for a two year term, with term ending September 30, 2015.

4. Consider a Motion to take from the table the motion to adopt Ordinance No. 1611.

MOTION: A motion was made by Commissioner Studebaker and Seconded by Commissioner Porter to adopt on second and final reading Ordinance No. 1611, an Ordinance of the City of Pampa providing that its Code of Ordinances, Chapter 4, "Business Regulations" be amended by adding Article 4.09, "Regulation of Game Rooms and Amusement Redemption Machines."

5. Consider adopting on second and final reading Resolution No. R14-004, a Resolution of the City of Pampa approving a grant from the Pampa Economic Development Corporation to Pampa Energy Center in the amount of \$250,000.00.
6. 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 Manager's Evaluation

RECONVENE – Into open session with or without action taken.

## ADJOURNMENT

### CERTIFICATION

I certify that the above Agenda was posted on the outside officially designated bulletin board in front of City Hall, facing Kingsmill Street, a place convenient and readily accessible to the general public at all times and said Agenda was posted on **FRIDAY, FEBRUARY 7, 2014 BEFORE 5:00 P.M.** and remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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

### ASSESSIBILITY STATEMENT

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

### AGENDA REMOVAL NOTICE

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

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

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

# PAMPA POLICE DEPARTMENT

## 2013 ANNUAL REPORT



**CHIEF OF POLICE**

**Kelly Rushing**

## **LAW ENFORCEMENT CODE OF ETHICS**

**AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all persons to liberty, equality, and justice.**

**I WILL keep my private life unsullied as an example to all and will conduct myself in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life. I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.**

**I WILL never act officiously or permit personal feeling, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.**

**I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.**

**I KNOW that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.**

**I WILL constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...Law Enforcement.**

# **PAMPA POLICE DEPARTMENT**

## **ANNUAL REPORT 2013**

The 2013 Pampa Police Department Annual Report was published by the Crime Prevention and Public Information Office of the Police Department. The information contained within is provided to give readers an accurate as possible depiction of the Pampa Police Department in the year 2013. Changes in case statuses and dispositions occur regularly. These changes can occur days, months, and even years after an initial report is taken. Such changes can affect the accuracy of this report beyond its published date.

**Public Information Officer**

**Brian Massey**

## DEPARTMENT PERSONEL

The Pampa Police Department is authorized of a total of 27 sworn law enforcement personnel, along with 10 civilian personnel. Also under the direction of the Chief of Police, but not included in these figures, is the Animal Control Department.

The Pampa Police Department is divided into 5 divisions, with a command level supervisor assigned to all but two divisions. Each division supervisor is under the direction of the Assistant Chief of Police, with the exception of the Special Services Division, which reports to the Chief of Police. For the year 2013, the divisions and their respective command staff were as follows:

Chief of Police-	Kelly Rushing
Assistant Chief of Police-	Kenneth Hopson
Patrol Division	Lieutenant Bo Lake
Criminal Investigation Division	Lieutenant Colby Brown
Communications Division	Debbie McDonald
Records	Asst. Chief Kenneth Hopson
Special Services	Chief Kelly Rushing



## Patrol Division

### Bo Lake, Patrol Division Lieutenant

The patrol division, with 18 personnel, is the largest division within the Police Department. It is comprised of 9 Patrol Officers, three Senior Patrol Officers, three Patrol Sergeants, two School Resource Officers, and the Patrol Lieutenant. This division is overseen by Lieutenant Bo Lake.

Patrol is the division most commonly seen and noted by the public as they are responsible for responding to all emergency and non-emergency calls for police service within the city, commonly referred to as First Responders. When not responding to calls, patrol officers are trained and encouraged to be proactive, performing roving and directed patrols of our streets and neighborhoods. In addition they are charged with investigating all non-fatal traffic collisions, and performing officer initiated activities including traffic enforcement and detecting and investigating suspicious persons or circumstances,

For patrol assignments, the city is divided into 3 zones, known as "beats". On a typical shift there are 3 patrol officers along with one field supervisor consisting of a Sergeant or Senior Officer. Each officer is assigned to one of the three beats, ensuring that coverage is spread evenly throughout the city. During 2013 the patrol division responded to a total of 18,218 calls for service or officer initiated activities.

In agreement and cooperation with the Pampa Independent School District, the Patrol Division also has two School Resource Officers stationed throughout the district. One SRO is assigned and holds an office at the Pampa High School. The other SRO is assigned to and holds an office at the Pampa Junior High School. Each SRO is also responsible for two of the four Elementary Schools, completing the district-wide coverage plan. The SRO's are responsible for all criminal matters that occur on school property. In addition, they perform and assist with teaching various crime prevention and awareness initiatives and alcohol and substance abuse programs throughout the school year.

## Criminal Investigations Division

Colby Brown, CID Lieutenant

The Criminal Investigations Division, CID, consists of 2 Detectives, a Property Room Officer, a Crime Prevention Officer, 1 CID Sergeant, and a CID Lieutenant. This division is overseen by Lieutenant Colby Brown.

CID is responsible for processing and investigating all reports that are generated by the Patrol Division and other sources. The duties related to this include identifying possible suspects through the investigative process, interviewing victims, witnesses, and suspects, and collecting and processing evidence. They are also responsible for the preparation and filing of all criminal cases sent to the appropriate prosecutor, and any performing any subsequent follow-up investigation required. Our detectives utilize a wide array of investigative tools and resource databases to identify suspects and prosecute them the offenses they commit. The CID division also has portable emergency scene lighting and a Crime Scene Response trailer equipped with the items needed to process a larger scaled crime scene.

In 2013 CID processed and investigated a total of 2,260 reports generated by the department. Of these reports 1,424 have a disposition status of closed or cleared by arrest. 743 are listed as inactive cases, primarily due to lack of evidence or suspect identification. 6 reports were deemed unfounded. 76 reports were still active at the year end. There are also 11 cases that have disposition status that is unknown.

Recently moved under CID, is the Crime Prevention Officer. The Crime Prevention Officer is responsible for instructing and disseminating all public awareness educational information to the public. This is done through on-site presentations at businesses, schools, churches, and community events, as well as through printed material and press releases. Some of the programs conducted include Crime Prevention for the Workplace, drug and alcohol awareness, stranger-danger, and youth gun-safety programs. The Crime Prevention Office utilizes McGruff and Eddie the Eagle for several of these programs. Other duties of the Crime Prevention Officer include crime analysis, public information, and sex offender registration and compliance. Currently the City of Pampa has 58 active sex offenders who reside within the city limits. Of those, 6 are currently listed as out of state, and 10 are either deported or incarcerated. Another 4 have a status of unknown or absconded, leaving 38 who are current and in compliance with the registration requirements.

In addition to Crime Prevention, the Crime Prevention Officer is also tasked with being the Crime Stoppers Coordinator for Pampa Gray County Crime Stoppers. During the 2013 year, Pampa Gray County Crime Stoppers received and processed 151 tips, and 153 tip follow-ups. The information received in this tips directly led to the arrest of 11 Criminal charges being filed, 9 subjects being taken into custody, \$5,000 in stolen property recovered, and \$100 in narcotics seized. As a result, \$1,455 in reward money was approved, with \$1,165 paid out/ claimed.

The Property Room Officer is responsible for processing all incoming evidence and miscellaneous property recovered and seized by the Pampa Police Department. The Property Room Officer is also responsible for preparing and packaging items for submission to the state crime lab or other labs and agencies for analysis. In addition, the Property Room Officer is responsible for the safekeeping of all property seized by the department and adhering to proper storage and retention practices as outlined by department policy and state law. The property room is fully audited and inventoried on an annual basis. In addition, a semi-annual inventory is performed, accounting for all high risk/value items, and randomly spot checking other items. Currently there are 3,010 property items listed as being stored in the main property room of the Police Department.

## Communications Division

Debbie McDonald, Dispatch Supervisor

The Communications division consists of 7 Telecommunications Operators (dispatchers). The division is led by Dispatch Supervisor Debbie McDonald. The Communications Center at the Pampa Police Department is the 9-1-1 Public Safety Answering Point (PSAP) for Gray County. All landline and cell phone calls made to 9-1-1 within Gray County are answered by Pampa dispatchers. If the call is for an outside agency, the call, or call information is forwarded to the respective agency. In addition to fielding 9-1-1 calls, dispatchers are tasked with dispatching all calls for service to Police, Fire, EMS, and Animal Control. This is done through a Computer Aided Dispatch (CAD) system and VHF radio network. In 2013, the Communications division received a total of 11,917, 9-1-1 calls, and dispatched a total of 23,568 calls for service.

## Crime in Pampa

The following data is compiled from the Uniform Crime Report (UCR) data submitted to the Texas Department of Public Safety and Federal Bureau of Investigations on a monthly basis. These include only offenses classified as Part 1 (Index Crimes) by the FBI.

UCR Data 2012 compared to 2013

<b>Offense</b>	<b>2012</b>	<b>2013</b>	<b>Change</b>
Criminal Homicide	0	1	+1
Forcible Rape	1	0	-1
Robbery	6	7	+1
Assault	373	356	-17
Burglary	226	126	-126
Larceny- Theft	541	552	+11
Motor Vehicle Theft	27	36	+9
<b>Total</b>	<b>1174</b>	<b>1078</b>	<b>-96</b>

*Source:* Uniform Crime Reports, Pampa Police Department, 2012 and 2013

## Racial Profiling

The Pampa Police Department has adopted a detailed written policy on racial profiling. Our policy:

- (1) Clearly defines acts constituting racial profiling;
- (2) Strictly prohibits peace officers employed by the Pampa Police Department from engaging in racial profiling;
- (3) Implements a process by which an individual may file a complaint with the Pampa Police Department if the individual believes that a peace officer employed by the Pampa Police Department has engaged in racial profiling with the respect to the individual;
- (4) Provides public education relating to the agency's complaint process;
- (5) Requires appropriate corrective action to be taken against a peace officer employed by the Pampa Police Department who, after investigation, is shown to have engaged in racial profiling in violation of the Pampa Police Department's policy adopted under this article;
- (6) Require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  - (A) The race or ethnicity of the individual detained;
  - (B) Whether a search was conducted and, if so, whether the individual detained consented to the search; and,
  - (C) Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and,
- (7) Require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
  - (A) The Commission on Law Enforcement; and
  - (B) The governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The Pampa Police Department claims partial exemption, or Tier 1 reporting, under Texas Criminal Code of Procedure Article 2.135, certifying that the vehicles routinely used by the department to perform motor vehicle stops are equipped with video and audio equipment and that the videos are maintained for at least 90 days.

2013 report

Number of motor vehicle stops:

1. 5853 citation only
2. 553 arrest only
3. 0 both
4. 6406 total

Race or Ethnicity:

5. 240 African
6. 9 Asian
7. 4659 Caucasian
8. 1483 Hispanic
9. 10 Middle Eastern
10. 5 Native American
11. 6406 Total

**Race or Ethnicity known prior to stop**

12. 1 Yes
13. 6405 No
14. 6406 Total

**Search conducted**

15. 35 Yes
16. 6371 No
17. 6406 Total

**Search consented**

18. 34 Yes
19. 1 No
20. 35 Total

## Use of Force Review

This analysis was conducted for the purpose of reviewing the Pampa Police Department's Use of Force for the 2013 reporting year. The Pampa Police Department takes its obligations seriously to provide the most effective and efficient police service with the least adverse impact on our citizens. The Pampa Police Department is committed to protecting the rights of all persons and in using force only when necessary, and to the extent necessary, to achieve legal objectives. This analysis is conducted each year to comply with Texas Law Enforcement Best Practice 6.10 and to attempt to identify methods for reducing the number of incidents and the inherent risks involved.

Officers are trained by the department to use only the level of force necessary to bring a person under control and complete a legal objective. Police/citizen encounters can however, change instantly, and officers may be required to react quickly in using force to subdue a resisting subject. While officers prefer to escalate their level of force in an orderly manner in order to use the lowest level possible, the response of a subject may limit that ability and force officers to use whatever level of force is immediately available to protect themselves and the public.

### Use of Force Reporting Requirements

Texas Law Enforcement Best Practice 6.03 and Pampa Police Department Policy Manual Chapter 6.03, requires a written report be completed anytime an officer uses force that involves the use of a lethal or less-than-lethal weapon, or force that results in injuries, or is likely to cause or lead to an unforeseen injury, claim of injury, or allegations of excessive force. In addition a written report is required when an officer points a firearm at a person, or discharges a firearm either accidentally, recklessly, or intentionally, except for in training or recreational situations.

Each individual Use of Force Report is immediately reviewed by the Officer's Supervisor, and through the Chain of Command to the Chief of Police. At the time of the incident, the Use of Force is reviewed to ensure the use was appropriate and within the guidelines of Department Policy and Law. If the officer used force inappropriately, a departmental investigation is required and the officer may receive additional training or in some cases discipline up to and including termination from employment. This analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest changes in policy, training, equipment or supervision.

After the individual Use of Force Report has been reviewed by through the Chain of Command, the report is placed on file by use of an annual binder with the Records Division of the Police Department. At the conclusion of the reporting year, August 1<sup>st</sup> through July 31<sup>st</sup> of each year, the Chief of Police, or his/her designee reviews the information and compiles the annual analysis of the data from the individual reports.



In 2013, the reporting period was changed from January 1<sup>st</sup> through December 31<sup>st</sup>, to August 1<sup>st</sup> through July 31<sup>st</sup>, to coincide better with recognition program recertification date. Such a change has caused the 2013 report to include the months of August through December 2012, which were already reported on in the 2012 annual analysis report. The total number of months being reported on remains at 12.

### Use of Force Comparison 2011/12 to 2012/13

There were a total of 27 Reported Uses of Force reports compiled this year compared to 37 last year. This represents a difference of 10 or a 37 percent reduction. There were a total of 29,599 citizen contacts this year (calls for service, arrests, citations, field interviews, and other contacts) which creates an index of only one Use of Force for every 1,096 citizen contacts.

The Use of Force incidents are listed below by type with comparison to the previous year. Each type of force used in an incident is included with these numbers. In certain instances, more than one type of force is used and is included within one report. Therefore, the total of these figures may be greater than the total number of reports compiled for the year.

	2011-12	2012-13	Difference
Physical Control	17	12	-3
Electronic Control Device	5	12	+7
Impact Weapon/Baton	0	0	0
Non/Less Lethal Weapon	0	0	0
Firearm Pointed	14	5	-9
Firearm Discharged	2	1	-1
<b>Total</b>	38	30	-8

### Individual Officer Use of Force

The average officer used force only 1 time in the 2012-13 reporting year. A number of officers used force more than the average and these officer's activities and actions were reviewed by the department for appropriateness. While each individual use of force is reviewed immediately after the event to ensure it is in compliance with department policy and law, patterns of behavior can also indicate the need for additional training or supervision. Officers can have significantly different rates in their use of

force depending on the crime activity in the part of the city where they are assigned, their type of assignment, the time of day they work and their experience level.

Individual officers in the department which had significantly higher rate of using force were reviewed and found to be in compliance with department directives and their use of force appropriate under the circumstances.

#### Physical Control

In the 2012-13 reporting period, Pampa Police Officers used physical control 12 times during incidents they were assigned to deal with.

Included in the category are all those incidents requiring only physical force to complete handcuffing or bring a resisting subject under control. If physical control was insufficient to bring the individual under control and a higher level of force was used, each level of force used was reported

In 10 instances this year, physical control was sufficient to bring the person under control. In 2 instances, physical control was insufficient and a higher level of force was required.

Included in this category are all those instances where simple use of or issuance of verbal commands was not sufficient or effective. It includes those instances where officers place their hands on a subject and use more force than simply a strong grip, must forcibly handcuff a person, the use of pressure point control tactics or other soft hand techniques. This category also includes taking the person to the ground in order to forcible handcuff.

In the 2 cases where physical control was insufficient, officers chose a higher level of force to gain compliance. In both of these instances, the officer's next level of force used was the Electronic Control Device, the X26 Taser.

#### OC Pepper Spray

In this reporting period, the Pampa Police Departments had no reported use of OC Pepper Spray. OC Pepper Spray is no longer used in the force continuum of the Pampa Police Department.

#### Impact Weapons / Baton

In the 2012-13 reporting period, Pampa Police Officers used some form of impact weapon zero times during an arrest or other incident.

Impact weapons include the use of the department issued ASP Baton, the use of a closed fist or any other implement that was used to deliver a strike to a person.

The department authorizes carrying of and trains officers in the use of the ASP collapsible baton. Training is provided to instruct officers in the proper placement of strikes that will temporarily stun an opponent allowing the officer time to complete handcuffing. Batons tactics training provided by the department avoids the use of any strikes directed at the head of an individual. If an officer does not have the time or opportunity to deploy the ASP or other less-lethal options, officers may have to defend themselves with their bare hands. If closed fist strikes were required then those instances are reported in this category.

Included in the category are those incidents where an impact weapon was the highest level of force needed to complete handcuffing or bring a resisting subject under control. If the use of an impact weapon was insufficient to bring the individual under control and a higher level of force was used, that incident is reported in the highest level used by the officers.

In zero instances this year, an impact weapon was sufficient to bring the person under control. In zero instances, the use of an impact weapon was insufficient and another level of force was required.

#### Non/Less Lethal Weapon

In the 2012-13 reporting period, Pampa Police Officers used department issued Non or less lethal Weapon zero times during an arrest or other incident.

The department has a number of less lethal munitions available that can be fired from specially designed firearms that are designed to inflict surprise, pain or trauma that is less severe than the use of deadly force. These less lethal munitions include bean bag rounds, rubber pellets, wooden baton rounds, as well as pepper-ball munitions fired from guns similar to paintball guns. While these rounds are designed to be less lethal than regular firearms, they are still able to cause significant damage to an individual and as such are used only as a last resort when time and opportunity permit.

In zero instances this year, non/less lethal munitions were sufficient to bring the person under control. In zero instances, non/less lethal munitions were insufficient and a different level of force was required.

#### Electronic Control Device

In the 2012-13 reporting period, Pampa Police Officers used a department issued Electronic Control Device 12 times during an arrest or other incident.

Electronic Control Devices, commonly called Tasers, are pistol type devices that fire two small darts that are designed to imbed themselves in the skin or clothing of a resisting or combative suspect. The darts are connected to the device by small flexible wires which transmit a short 5 second high voltage/low amperage charge through the darts. This causes disruption of muscle activity and is accompanied by pain which most often temporarily disables the individual. There are usually no long term side effects of the use of the device on healthy individuals.

The Pampa Police Department trains their officers in the proper and appropriate use of Electronic Control Devices and has policies designed to only allow it use against active aggression toward officers and not in cases of passive non-compliance or as punishment of any kind.

Included in the category are those incidents where the use of an ECD was the highest level of force needed to bring a subject under control.

In 12 instances, the actual use of an ECD was sufficient to bring the person under control. In zero instances, the actual use of an ECD was insufficient and a higher level of force was required.

#### Firearms

In the 2012-13 reporting period, Pampa Police Officers used their firearms 6 times during an arrest or other incident.

Firearms are by definition Deadly Force, and their use is very restricted. Officers must comply with not only their intensive training, but with the department's Deadly Force Policy and state law. When an officer fires their weapon in the line of duty, whether or not an individual is hit, a detailed investigation is undertaken to determine if that use was in compliance with both policy and law.

Included in the category are those incidents where Firearms were the highest level of force used to bring a resisting subject under control.

In 5 instances this year the threat of use, or the pointing of the officer's firearm at the subject, was sufficient to bring the person under control. In 1 instance this year, a use or discharge of a firearm was sufficient to bring the person under control. In zero instances, Firearms were insufficient.

In the one firearm discharge incident, the suspect aimed a handgun towards the officers who were in close proximity to him. Officers are commonly trained to react to a use of force against them with the next higher level of force. When the use of deadly force by a subject towards an officer is imminent, or is occurring, it limits the officer in using anything other than deadly force. In this incident, both officers involved were found to have acted within department policy, and were found to have acted within the scope of the law by the Gray County Grand Jury.

#### Citizen and Internal Complaints Regarding the Use of Force

During this reporting period, the Pampa Police Department received no complaints of unnecessary or inappropriate use of force.

#### General Observations

During the 2012-13 reporting period, the Pampa Police Department showed a decrease in overall use of force incidents. While the use of force is not discouraged when it is necessary, officer's are encouraged and trained in how to deescalate situations by other means and only use force when it is necessary and justified.

The Department understands that most citizen encounters are friendly and casual in nature, but that officers must always have an alert and ready to act mentality. A casual encounter can change into a use of force situation at any second, and officers must always be prepared and properly trained to take the appropriate action. So a decrease in the use of force reports for this year can be looked at in two ways.

The first would be that the mere number of situations that required a use of force decreased. There is no true way to determine if this is the case or not. Each citizen encounter the officer faces, poses the potential. That person's present state of mind determines the outcome.

The second would be that officers are facing the same number of use of force situations, but due to training and proper techniques, they have managed to deescalate some of those incidents by changing the person's state of mind into a more compliant state. While this is our goal in every incident, it is not always an option. What we do hope is that officers are not placing themselves or others in danger by not acting when the use of force is justified and necessary.

In this period, the two categories that saw the greatest change was that of firearms pointed at a subject versus the Taser being discharged at a subject. The Electronic Control Device, or Taser, has become an integral part of law enforcement across the country. It has become the "go to" weapon of choice by our officers due to its effectiveness and minimal risk of serious injury inflicted. However, the Taser is not meant to take the place of a firearm in a possible deadly force situation. According to the statistics for this reporting period, if we are encountering the same types of use of force incidents, this could be the case. Firearms pointed at subjects went down nearly the same amount that Taser incidents went up.

The remaining areas stayed respectively consistent or had no change at all.

## Recommendations

Training is an integral part of law enforcement. It is recommended that officers continue to receive training in how to deescalate dangerous situations. Training in areas such as responding to persons with a mental illness, defensive tactics refresher courses, Taser user courses, and verbal judo courses would be beneficial in deescalating potential use of force situations.

The Pampa Police Department requires a use of force test be completed and passed by each officer during the firearms qualification test. This test is a compilation of department policy and state law. It is recommended that this procedure be continued, and that a goal is set for each officer to make at least a 90 percent on the test.

It is also recommended that officers are trained and frequently reminded that the Taser does not replace any method or form of use of force, and that it is merely another tool available. If the Taser is used in a potential deadly force situation, it should always be accompanied by a deadly force instrument, like a firearm.

No policy changes are recommended for this reporting year. This is due to there being no areas of concern surrounding the policy already in place.

A handwritten signature in black ink, appearing to read "Kelly R." with a stylized flourish at the end.

01-30-2014



## CITY OF PAMPA AGENDA INFORMATION SHEET

### AGENDA ITEM NO. 1

**ITEM/PROJECT:**

MINUTES

**MEETING DATE:**

FEBRUARY 11, 2014

**DESCRIPTION:**

Consider approving the minutes of the January 28, 2014 regular City Commission Meeting as presented.

**STAFF CONTACT:**

Karen Price

**FINANCIAL IMPACT:**

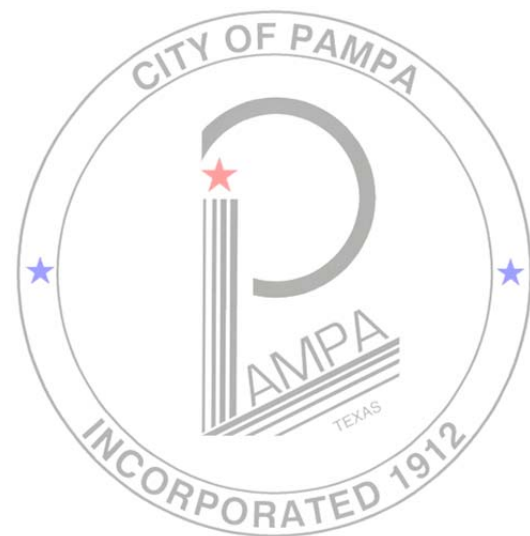
**SOURCE OF FUNDS:**

**START/COMPLETION  
SCHEDULE:**

**RECOMMENDED  
ACTION:**

**BACKGROUND/  
ADDITIONAL  
INFORMATION:**

Minutes attached.



**MINUTES OF THE  
CITY COMMISSION OF THE CITY OF PAMPA, TEXAS  
REGULAR MEETING  
TUESDAY, JANUARY 28, 2014**

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

**PRESENT:** Brad Pingel Mayor  
John Studebaker Commissioner  
Chris Porter Commissioner  
Robert Dixon Commissioner

**ABSENT:** Karen McLain 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  
Gayla Pickens Asst. Finance Director  
Kevin Webb IT Managers  
Jil Arias Engineer  
Cary Rushing Code Enforcement  
Brady Lackey Code Enforcement

**VISITORS:** Lynn Hancock Briarwood Church  
Kathy Cota PEDC  
Clay Rice PEDC  
Lori Byrne Chamber of Commerce  
Danny Martin VFW  
Marvin Lee  
Justin Novell  
Jonathan Waggoner  
Jerry Bird

**NEWS MEDIA:** Tim Howsare Pampa News  
Mike Ehrle KGRO Radio

**INVOCATION:** Lynn Hancock City Commission Chaplain

**PLEDGE OF ALLEGIANCE**

**PLEDGE OF ALLEGIANCE TO TEXAS FLAG**

**PUBLIC COMMENTS: NONE**

**AUTHORIZATIONS BY COMMISSION:**

14-007

1. Consider approving the minutes of the January 14, 2014 regular City Commission Meeting as presented.

A motion was made by Commissioner Dixon and Seconded by Commissioner Porter to approve the minutes of the January 14, 2014 regular City Commission Meeting as presented, with each Commission Member voting AYE, the motion carried.

14-008

2. Excuse the absence of Commissioner John Studebaker from the January 14, 2014 regular City Commission Meeting.



A motion was made by Commissioner Porter and Seconded by Commissioner Dixon to excuse the absence of Commissioner John Studebaker from the January 14, 2014 regular City Commission Meeting, with each Commission Member voting AYE, the motion carried.

14-009

3. Consider adopting on second and final reading Ordinance No. 1611, an Ordinance of the City of Pampa providing that its Code of Ordinance, Chapter 4, "Business Regulations" be amended by adding Article 4.09, "Regulation of Game Rooms and Amusement Redemption Machines".

**Danny Martin – Ask Commission if they would consider changing age limit from twenty-one years of age to eighteen year of age.**

**ORDINANCE NO. 1611**

**AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT ITS CODE OF ORDINANCES, CHAPTER 4, BUSINESS REGULATIONS, BE AMENDED BY ADDING ARTICLE 4.09 REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES, PROVIDING FOR ACCESS FOR INSPECTION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES, PROVIDING FOR SIGNAGE AND TRANSPARENT GAME ROOM WINDOWS, PROVIDING FOR THE PROHIBITION OF ALCOHOL IN GAME ROOMS, PROVIDING FOR THE PROHIBITION OF THE PRESENCE OF PERSONS UNDER TWENTY-ONE YEARS OF AGE IN GAME ROOMS, PROVIDING FOR ANNUAL FEES FOR CITY SEALS, PROVIDING FOR PENALTIES, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion was made by Commissioner Studebaker and Seconded by Commissioner Porter to adopt on second and final reading Ordinance No. 1611, an Ordinance of the City of Pampa providing that its Code of Ordinance, Chapter 4, "Business Regulations" be amended by adding Article 4.09, "Regulation of Game Rooms and Amusement Redemption Machines".

14-010

A motion was made by Commissioner Porter and Seconded by Commissioner Studebaker to table the Motion to adopt Ordinance No. 1611 until the next regular scheduled City Commission Meeting, with each Commission Member voting AYE, the motion carried.

14-011

4. Consider adopting on second and final reading Resolution No. R14-001, a Resolution of the City of Pampa approving a grant from the Pampa Economic Development Corporation to Hidden Hills Golf Course in the amount of \$20,000.00.

**RESOLUTION NO. R14-001**

**A RESOLUTION APPROVING A GRANT BY THE PAMPA ECONOMIC DEVELOPMENT CORPORATION TO THE CITY OF PAMPA FOR CONSTRUCTION OF CART PATHS AND IMPROVEMENTS AT HIDDEN HILLS PUBLIC GOLF COURSE.**

A motion was made by Commissioner Dixon and Seconded by Commissioner Porter to adopt on second and final reading Resolution No. R14-001, a Resolution of the City of Pampa approving a grant from the Pampa Economic Development Corporation to Hidden Hills Golf Course in the amount of \$20,000.00, with each Commission Member voting AYE, the motion carried.

14-012

5. Consider adopting on second and final reading Resolution No. R14-002, a Resolution of the City of Pampa approving a grant in the amount of \$227,515.00 from the Pampa Economic Development Corporation to CP 45 (TX), LLC for the construction of Stoney Brook Lane.

**RESOLUTION NO. R14-002**

**A RESOLUTION APPROVING A GRANT BY THE PAMPA ECONOMIC DEVELOPMENT CORPORATION TO CP 45(TX), LLC FOR CONSTRUCTION OF A STREET TO BE KNOWN AS STONEY BROOK LANE.**

A motion was made by Commissioner Porter and Seconded by Commissioner Dixon to adopt on second and final reading Resolution No. R14-002, a Resolution of the City of Pampa approving a grant in the amount of \$227,515.00 from the Pampa Economic Development Corporation to CP 45 (TX), LLC for the construction of Stoney Brook Lane, with each Commission Member voting AYE, the motion carried.

14-013

6. Consider adopting Resolution No. R14-003, a Resolution of the City of Pampa suspending the effective date connected with the rate increase filing of Southwestern Public Service Company made on January 7, 2014.

**RESOLUTION NO. R14-003**

**RESOLUTION BY THE CITY OF PAMPA, TEXAS (“CITY”) SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE RATE INCREASE FILING OF SOUTHWESTERN PUBLIC SERVICE COMPANY MADE ON OR ABOUT JANUARY 7, 2014; AUTHORIZING THE CITY TO JOIN WITH OTHER CITIES IN THE ALLIANCE OF XCEL MUNICIPALITIES (“AXM”) TO DIRECT THE ACTIVITIES OF LAWYERS AND CONSULTANTS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; 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; AND DECLARING AN EFFECTIVE DATE.**

A motion was made by Commissioner Dixon and Seconded by Commissioner Studebaker to adopt Resolution No. R14-003, a Resolution of the City of Pampa suspending the effective date connected with the rate increase filing of Southwestern Public Service Company made on January 7, 2014, with each Commission Member voting AYE, the motion carried.

14-014

7. Consider approving on first reading Resolution No. R14-004, a Resolution of the City of Pampa approving a grant from the Pampa Economic Development Corporation to Pampa Energy Center in the amount of \$250,000.00.

**RESOLUTION NO. R14-004**

**A RESOLUTION APPROVING A GRANT BY THE PAMPA ECONOMIC DEVELOPMENT CORPORATION TO PAMPA ENERGY CENTER, LLC FOR UPGRADES TO THE FLOGISTIX BUILDING AND ELECTRICAL UPGRADES FOR RETENTION OF TENANTS AND EXPANSION OF BUSINESS SITES AT THE INDUSTRIAL PARK.**

A motion was made by Commissioner Porter and Seconded by Commissioner Studebaker to approve on first reading Resolution No. R14-004, a Resolution of the City of Pampa approving a grant from the Pampa Economic Development Corporation to Pampa Energy Center in the amount of \$250,000.00, with each Commission Member voting AYE, the motion carried.

14-015

8. Consider approving the List of Disbursements dated December 2013.

A motion was made by Commissioner Dixon and Seconded by Commissioner Studebaker to approve the List of Disbursements dated December 2013, with total Disbursements being \$1,901,918.00 and amount after balance sheet and income accounts being \$1,342,516.12, with each Commission Member voting AYE, the motion carried.

14-016

9. CONSENT AGENDA – All Consent Agenda items listed are considered to be routine in nature by the City Commission and will be enacted by one motion. There will be no separate discussion on these items unless a Commissioner so request, in which event, that item will be removed from the Consent Agenda and considered in normal sequence on the agenda. Information concerning Consent Agenda items is attached.
- a. Consider awarding a bid from Randy & Gloria Harris in the amount of \$500.00 for delinquent tax property located at N50' of Lot 10, Block 2, Seeds Subdivision, commonly known as 1017 S. Hobart.
  - b. Consider awarding a bid from Crystal Ann Smith in the amount of \$305.00 for delinquent tax property located at Lot 37, Block 40, Wilcox Addition, commonly known as 925 E. Albert.
  - c. Consider awarding a bid from Crystal Ann Smith in the amount of \$405.00 for delinquent tax property located at Lots 19 through 22, Block 22, Wilcox Addition, commonly known as 734 Murphy.
  - d. Consider awarding a bid from Jesus A. Castillo in the amount of \$9,100.00 for delinquent tax property located at Lot 4, Block 6, East End Addition, commonly known as 704 E. Kingsmill.
  - e. Consider awarding a bid from Cynthia Mendoza in the amount of \$555.00 for delinquent tax property located at Lots 25 through 27, Block 22, Wilcox Addition, commonly known as 745 Denver.
  - f. Consider awarding a bid from Crystal Ann Smith in the amount of \$305.00 for delinquent tax property located at N25' of Lot 9, Block 5, Wynnelea Addition, commonly known as Lots on N. Nelson.
  - g. Consider awarding a bid from M & S Land & Cattle Company in the amount of \$1,500.00 for delinquent tax property located at Lots 25 & 26, Block 30, Wilcox Addition, commonly known as 947 Brunow.
  - h. Consider awarding a bid from M&S Land & Cattle Company in the amount of \$2,000.00 for delinquent tax property located at Lot 11, Block 1, John Bradley Addition, commonly known as 736 N. Sloan.

**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



## CITY OF PAMPA AGENDA INFORMATION SHEET

### AGENDA ITEM NO. 2

**ITEM/PROJECT:**

COMMISSION ABSENCE

**MEETING DATE:**

FEBRUARY 11, 2014

**DESCRIPTION:**

Excuse the absence of Commissioner Karen McLain from the January 28, 2014 regular City Commission Meeting.

**STAFF CONTACT:**

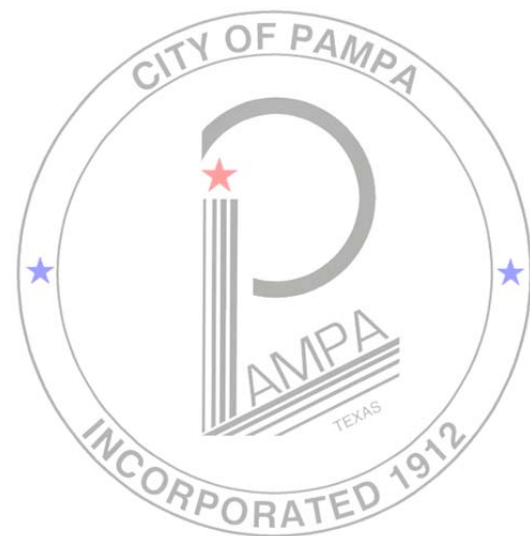
**FINANCIAL IMPACT:**

**SOURCE OF FUNDS:**

**START/COMPLETION  
SCHEDULE:**

**RECOMMENDED  
ACTION:**

**BACKGROUND/  
ADDITIONAL  
INFORMATION:**





## CITY OF PAMPA AGENDA INFORMATION SHEET

### AGENDA ITEM NO. 3

**ITEM/PROJECT:**

BOARD APPOINTMENT

**MEETING DATE:**

FEBRUARY 11, 2014

**DESCRIPTION:**

Consider appointing Lucinda George to a vacant position on the Lovett Memorial Library Advisory Board for a two year term, with term ending September 30, 2015.

**STAFF CONTACT:**

Misty Guy

**FINANCIAL IMPACT:**

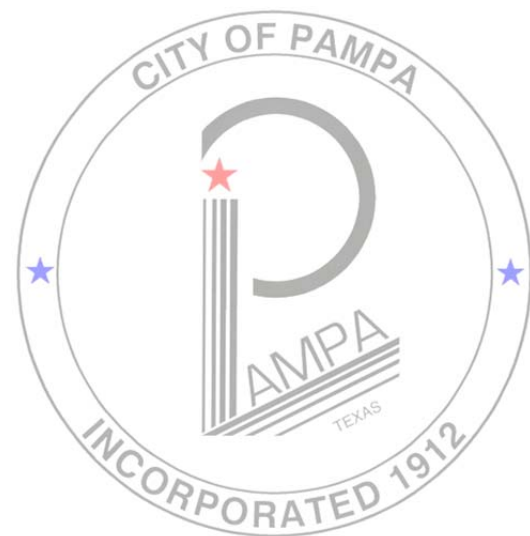
**SOURCE OF FUNDS:**

**START/COMPLETION  
SCHEDULE:**

**RECOMMENDED  
ACTION:**

**BACKGROUND/  
ADDITIONAL  
INFORMATION:**

Board Appointment application attached.



CITY OF PAMPA  
ADVISORY BOARD AND COMMISSIONS

INFORMATION STATEMENT/APPLICATION

Please place a check mark by the board or commission you are interested in serving:

Planning and Zoning Commission

Board of Adjustments

Construction Board of Appeals

Lovett Memorial Library Board

Hidden Hills Golf Course Advisory Board

Parks, Recreation and Auditorium Advisory Board

Name: Lucinda L. George Age (optional): 58

Home Address: 1225 Charles St.

Home Phone: 806-664-0980 Business Phone: N/A

Business Address: N/A

Resident of the City for \_\_\_\_\_ years. Voter Registration No.: N/A

Occupations: Homemaker

Other Information (Civic Activities, Volunteer Work, Etc.) N/A

I have attended one or more meetings of the board or commission for which I have applied:

Yes  No

Date: 1-23-14 Signature: Lucinda George

Return completed form to the City Secretary's office: 201 W. Kingsmill, Room 205 or P.O. Box 2499, Pampa, Texas, 79065. For further information call 669-5750 or email at [kprice@cityofpampa.org](mailto:kprice@cityofpampa.org)  
Completed form may be faxed to 669-5767.

This application will be kept on file in the Office of the City Secretary for one year.



## CITY OF PAMPA AGENDA INFORMATION SHEET

### AGENDA ITEM NO. 4

**ITEM/PROJECT:** UNTABLE MOTION FROM THE JANUARY 28, 2014 MEETING

**MEETING DATE:** FEBRUARY 11, 2014

**DESCRIPTION:** Consider a motion to take from the table the motion to adopt Ordinance No. 1611.

**STAFF CONTACT:** Lee Waters  
Kelly Rushing

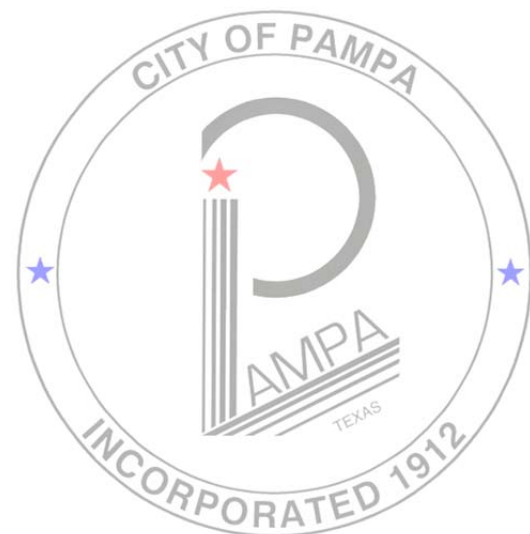
**FINANCIAL IMPACT:**

**SOURCE OF FUNDS:**

**START/COMPLETION SCHEDULE:**

**RECOMMENDED ACTION:**

**BACKGROUND/ ADDITIONAL INFORMATION:** Ordinance No. 1611 attached





**ORDINANCE NO. 1611**

**AN ORDINANCE OF THE CITY OF PAMPA, TEXAS, PROVIDING THAT ITS CODE OF ORDINANCES, CHAPTER 4, BUSINESS REGULATIONS, BE AMENDED BY ADDING ARTICLE 4.09 REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES, PROVIDING FOR ACCESS FOR INSPECTION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES, PROVIDING FOR SIGNAGE AND TRANSPARENT GAME ROOM WINDOWS, PROVIDING FOR THE PROHIBITION OF ALCOHOL IN GAME ROOMS, PROVIDING FOR THE PROHIBITION OF THE PRESENCE OF PERSONS UNDER TWENTY-ONE YEARS OF AGE IN GAME ROOMS, PROVIDING FOR ANNUAL FEES FOR CITY SEALS, PROVIDING FOR PENALTIES, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, the City Commission finds that there are game rooms operating within the City which contain amusement redemption machines and which, though purporting to be open to the public, in fact restrict access to all or portions of the game rooms; and

**WHEREAS**, game rooms often have no signage or limited signage and often obscure windows with black paint or dark materials; and

**WHEREAS**, the City Commission deems it to be in the best interest of the citizens and residents of the City of Pampa to provide for reasonable regulation of game rooms, including providing for unrestricted access by City police officers to all areas of game rooms and all amusement redemption machines for inspection by City police officers, providing for transparent glass and uncovered windows, and providing for the prohibition of minors and alcohol in game rooms.

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

**Section 1.**

That the findings set forth in the preamble to this Ordinance are hereby found to be true and correct and are hereby approved and adopted.

**Section 2.**

That the Code of Ordinances of the City of Pampa, Texas, Chapter 4, Business Regulations, is hereby amended by adding Article 4.09 Regulation of Game Rooms and Amusement Redemption Machines, to read as follows:

**ARTICLE 4.09 REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES**

#### **Sec. 4.09.001 Definitions**

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

Amusement Redemption Machine. A recreational machine that provides the user with an opportunity to receive something of value other than a right of replay.

Game Room. A building, facility, or other place that is or appears to be open to the public and that contains one or more operational amusement redemption machines.

Game Room Owner. A person or entity which has an ownership interest in a Game Room.

Operational Machine. An Amusement Redemption Machine that is ready to be played and that is or appears to be accessible to the public.

Police Officer. A Pampa Police Department police officer.

#### **Sec. 4.09.002 Unrestricted Access by Police Officer**

A Game Room Owner, or an employee of a Game Room Owner, or a person exercising control over a Game Room or portion of a Game Room or Operational Machine, shall provide a Police Officer with immediate unrestricted access during business hours to all areas of the Game Room and to all Operational Machines located in the Game Room.

#### **Sec. 4.09.003 Inspection by Police Officer**

(a) A Police Officer may inspect a Game Room or an Operational Machine located within the City of Pampa, Texas incorporated city limits to determine whether the Game Room or Operational Machine complies with this Article and all requirements of the City of Pampa Code of Ordinances and laws and regulations of the State of Texas.

(b) It shall be unlawful for a Game Room Owner, or an employee of a Game Room Owner, or a person exercising control over a Game Room or portion of a Game Room or Operational Machine, to prevent a Police Officer from inspecting a Game Room or Operational Machine.

#### **Sec. 4.09.004 Game Room Sign Required**

A Game Room Owner shall mark each entrance to a Game Room with a sign which bears the words "GAME ROOM" in one and one-half inch (1 ½") or larger block letters and which is legible from a distance of at least twenty-five feet (25').

**Sec. 4.09.005 Transparent, Uncovered Windows Required**

- (a) A Game Room Owner shall provide transparent glass in each Game Room window.
- (b) A person may not cover a Game Room Window or otherwise block or obscure the view through a Game Room window.

**Sec. 4.09.006 Alcoholic Beverages Prohibited**

- (a) The presence of any alcoholic beverage in a Game Room is prohibited. No Game Room Owner, or an employee of a Game Room Owner, or a person exercising control over a Game Room or portion of a Game Room or Operational Machine, shall allow any person to consume any alcoholic beverage in a Game Room. No Game Room Owner, or an employee of a Game Room Owner, or a person exercising control over a Game Room or portion of a Game Room or Operational Machine, shall bring or allow the bringing of any alcoholic beverage into a Game Room.
- (b) A sign notice, informing the public of the above prohibition, shall be displayed conspicuously at each entrance to a Game Room.

**Sec. 4.09.007 Persons Under Twenty-One (21) Years of Age Prohibited**

- (a) The presence of a person under twenty-one (21) years of age in a Game Room, other than a bona fide employee of a Game Room Owner, is prohibited.
- (b) A sign notice, informing the public of the prohibition described in (a) above, shall be displayed conspicuously at each entrance to a Game Room.

**Sec. 4.09.008 Seals Required; Fees**

- (a) A tax permit issued by the State of Texas and all seals required by the State shall be securely affixed to each Amusement Redemption Machine.
- (b) A current seal issued by the City of Pampa shall be securely affixed to each Amusement Redemption Machine.
- (c) The annual seal fee of the City of Pampa for each Amusement Redemption Machine is Two Hundred Fifty Dollars (\$250.00), which fee shall be paid before a seal may be issued.
  - (1) As a condition for the issuance of a seal, a Game Room Owner shall agree to maintain the Game Room in compliance with requirements of the City of Pampa Code of Ordinances and to authorize the agents and employees of the City of Pampa to inspect the Game Room at any time during business hours.

(2) All seal fees shall be issued on the basis of a calendar year. Seal fees shall not be prorated. Seals issued at any time during a calendar year shall automatically expire on December 31.

**Sec. 4.09.009 Existing Laws**

Nothing contained in this article shall be construed or have the effect of permitting, authorizing or legalizing any Game Room Machine, device, table or coin operated or slot machine the keeping, exhibition, operation, display or maintenance of which is now illegal or in violation of the laws of the State of Texas and/or the United States of America.

**Sec. 4.09.010 Offense; Penalties**

- (a) A person who fails to comply with the requirements of this article commits a Class C misdemeanor punishable by a fine not to exceed Five Hundred Dollars (\$500.00).
- (b) Proof of a culpable mental state is not required for a conviction of an offense under this article.
- (c) Each day that a violation occurs is a separate offense.
- (d) In addition to the penalty described in (a) above, the City may pursue other remedies such as injunctive relief, abatement of nuisance, revocation and removal of current seal(s), and securing an Amusement Redemption Machine so as to render it inoperable.

**Section 3.**

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

**Section 4.**

This Ordinance shall become effective upon its adoption and shall be enforceable ten (10) days after its publication as provided by law.

INTRODUCED, PASSED, and APPROVED on its first reading this 14<sup>th</sup> day of January, 2014.

INTRODUCED, PASSED and APPROVED on its second and final reading this 11<sup>th</sup> day of February, 2014.

CITY OF PAMPA, TEXAS

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Leland W. Waters, City Attorney



## CITY OF PAMPA AGENDA INFORMATION SHEET

### AGENDA ITEM NO. 5

**ITEM/PROJECT:**

RESOLUTION NO. R14-004 – GRANT FROM  
PEDC TO PAMPA ENERGY CENTER

**MEETING DATE:**

FEBRUARY 11, 2014

**DESCRIPTION:**

Consider adopting on second and final reading  
Resolution No. R14-004, a Resolution of the City of  
Pampa approving a grant from the Pampa Economic  
Development Corporation to Pampa Energy Center in  
the amount of \$250,000.00.

**STAFF CONTACT:**

Clay Rice

**FINANCIAL IMPACT:**

\$250,000.00

**SOURCE OF FUNDS:**

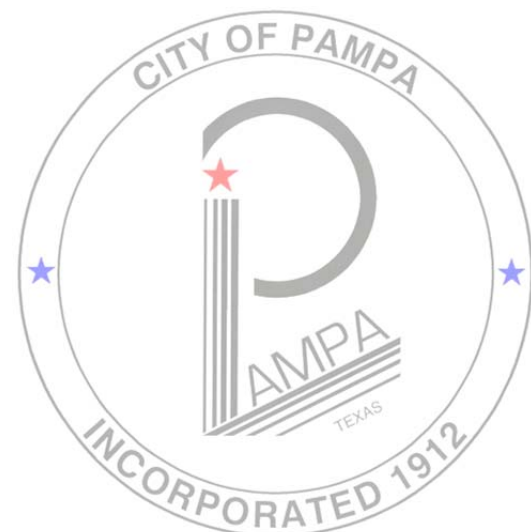
PEDC Operating Budget

**START/COMPLETION  
SCHEDULE:**

**RECOMMENDED  
ACTION:**

**BACKGROUND/  
ADDITIONAL  
INFORMATION:**

Resolution No. R14-004 attached.



**RESOLUTION NO. R14-004**

**A RESOLUTION APPROVING A GRANT BY THE PAMPA ECONOMIC DEVELOPMENT CORPORATION TO PAMPA ENERGY CENTER, LLC FOR UPGRADES TO THE FLOGISTIX BUILDING AND ELECTRICAL UPGRADES FOR RETENTION OF TENANTS AND EXPANSION OF BUSINESS SITES AT THE INDUSTRIAL PARK**

---

**WHEREAS**, the Pampa Economic Development Corporation (“Pampa EDC”) has presented a request to grant \$250,000 to Pampa Energy Center, LLC for upgrades to the Flogistix Building and electrical upgrades for retention of tenants and expansion of business sites at the industrial park;

**AND WHEREAS**, the Pampa EDC will hold a public hearing on February 20, 2014;

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

That the grant of \$250,000 by the Pampa EDC to Pampa Energy Center, LLC for upgrades to the Flogistix Building and electrical upgrades for retention of tenants and expansion of business sites at the industrial park, be and it is hereby APPROVED.

INTRODUCED, READ and APPROVED on its first reading this the 28<sup>th</sup> day of January, 2014.

READ, APPROVED and ADOPTED on its second and final reading on this the 11<sup>th</sup> day of February, 2014.

CITY OF PAMPA, TEXAS

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Leland W. Waters, City Attorney



## CITY OF PAMPA AGENDA INFORMATION SHEET

### AGENDA ITEM NO. 6

**ITEM/PROJECT:**

EXECUTIVE SESSION

**MEETING DATE:**

FEBRUARY 11, 2014

**DESCRIPTION:**

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 Manager’s Evaluation

RECONVENE – Into open session with or without action taken.

