

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 7th OF JANUARY, 2019 AT LEVELLAND CITY HALL, R. O. DENNIS COUNCIL CHAMBERS, 1709 AVENUE H, WITH THE FOLLOWING MEMBERS PRESENT:

Barbra Pinner	Honorable Mayor	Present
Jim Myatt	Councilmember	Present
Max Ledesma	Mayor Pro-Tem	Present
Breann Buxkemper	Councilmember	Present
Joe Bill Vardeman	Councilmember	Present
Matt Wade	City Attorney	Present
Erik Rejino	City Manager	Present
Beth A. Walls	City Secretary	Present

Pledge of Allegiance and Invocation was given by Mayor Pinner and Albert Garcia.

Statements by Citizens: Pete Cunningham

FIRST ITEM OF BUSINESS:

Consider and take necessary action to approve the minutes of the December 17, 2018 meeting.

Motion by Breann Buxkemper

Seconded by Max Ledesma

To approve minutes of the December 17, 2018 meeting.

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Presentation and discussion of Texas Municipal League “Our Home, Our Decisions” video and campaign.

Texas Municipal League (TML) has launched the “Our Home, Our Decisions” campaign and is encouraging Texas cities to participate state-wide. The goal of the campaign is to raise awareness about the State of Texas eroding the ability of Texans to have a voice in developing local solutions to local problems that affect communities such as Levelland. This is especially critical as the 86th Legislature will be convening on January 8th.

In prior legislative sessions city staff has kept up and followed legislation that impacts cities. Some council members as well as staff have communicated concerns to our elected officials by meeting with them or writing to them. In addition, TML provides a series of webinars as well as a follow up meeting that staff as well as Councilmembers have attended in the past to track legislation that affects cities. Various department heads, through their respective professional associations have also been involved in the legislative process. Historically the City of Levelland has done a good job of ensuring we maintain a voice at the State Capitol.

Based on what we witnessed during the previous legislative session, it is even more important this year for Texas cities to be fully engaged in the legislative process in order to protect local decision making by locally elected officials.

Council watched a short video that TML has put together and received a presentation that we plan to share in the community to also engage the general public in the 86th legislative session.

THIRD ITEM OF BUSINESS:

Consider and take necessary action on Resolution 2019-01 expressing opposition to legislative interference with local decision making.

Council considered resolution that expresses opposition to legislative interference with local decision making. Many cities across the state have already adopted a similar resolution. This Resolution will be sent to our elected officials.

Motion by Joe Bill Vardeman

Seconded by Jim Myatt

To approve Resolution 2019-01 expressing opposition to legislative interference with local decision making.

Motion carried unanimously.

FOURTH ITEM OF BUSINESS:

Consider and take necessary action concerning Street Maintenance Sales Tax.

In May of 2007 Levelland voters approved a one quarter percent increase in the sales tax to be used for street maintenance. The Street Maintenance Sales Tax was created by the Texas legislature in 2001 to provide cities an additional source of revenue to pay for street maintenance. As long as it is within the 2 percent local limit, cities may adopt a one-eighth or one-quarter percent sales tax to be used for street maintenance. In 2007 Levelland voters adopted a one-quarter Street Maintenance Sales Tax in order to help keep property taxes down as the City took on additional debt to pay for the reconstruction of Alamo Road and Ellis Street to serve the two new campuses that LISD had constructed on Alamo Road and Ellis Street.

This particular sales tax, unlike the other sales taxes the City collects, must be authorized by the voters every four (4) years. Once passed the sales tax is only good for four years then it expires. But on the positive side, each time the tax is set to expire the voters can reauthorize it for another four years. In May 2015 our local voters reauthorized the one-quarter percent Street Maintenance Sales Tax with 76% voting for it. It has nearly been four years since that reauthorization and unless it is again reauthorized by the voters the tax will expire at the end of October of this year.

Last year the one-quarter Street Maintenance Sales Tax generated \$604,346 which was used for seal coat and other street maintenance activities. The total Street Department budget is approximately \$1.24 million. If this revenue is lost the property tax rate would need to be increased approximately \$.12, or about 17%, to make up this revenue loss. In addition, we must remember that with property taxes property owners would be paying all the property taxes. With a sales tax however, much of it is paid by visitors that come to Levelland, and does not fall strictly on the local taxpayer. It makes economic sense to keep the Street Maintenance Sales Tax so that our visitors, who also use our streets, are helping to maintain them which reduces the burden of the local taxpayer.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To include the reauthorization of the Street Maintenance Sales Tax in the May 2019 election.

Motion carried unanimously.

FIFTH ITEM OF BUSINESS:

Consider and take necessary action regarding parking on city streets in the Holly Heights Addition.

City Attorney Matt Wade has drafted an ordinance that would restrict parking on city streets in the Holly Heights Addition during school hours. Council reviewed and discussed this ordinance, but felt they needed more time to collect additional information.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To table action on this item to no later than the second meeting in February, 2019.

Motion carried unanimously.

SIXTH ITEM OF BUSINESS:

Consider and take necessary action on Ordinance No. 1037 on a first reading granting to Lamb County Electric Cooperative right, privilege and franchise to conduct within the City of Levelland, Texas an electrical lighting and power business on first reading.

The current 10 year franchise agreement with Lamb County Electric Cooperative (LCEC) has expired. The franchise agreement essentially provides LCEC the right to conduct an electrical lighting and power business within the boundaries of the City of Levelland. The agreement addresses items such as how the utility constructs, operates, and maintains its infrastructure. It also addresses items such as tree trimming and roadway restoration when a utility project has been completed.

The proposed franchise agreement is very similar and almost identical to what the City Council and LCEC executed 10 years ago. The City Charter allows the City to enter into a franchise

agreement for up to 25 years. In reviewing the agreement we are not recommending any changes at this time. City Attorney Matt Wade is in the process of reviewing the agreement and we will bring any changes to Council before the third and final reading. Per the City Charter, franchise agreements must be read a total of three (3) times, instead of simply two (2) times like other ordinances.

City Attorney Matt Wade read Ordinance 1037.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Ordinance No. 1037 on a first reading granting to Lamb County Electric Cooperative right, privilege and franchise to conduct within the City of Levelland, Texas an electrical lighting and power business on first reading.

Motion carried unanimously.

SEVENTH ITEM OF BUSINESS:

Convene into executive session pursuant to Texas Gov't Code 551.071 to seek advice from legal counsel about pending or contemplated litigation, settlement offers or as required under the Texas Disciplinary Rules of Professional Conduct of the State of Texas when in conflict with Texas Gov't Code Chapter 551(Speedecrete Inc.)

The mayor announced that Council was going into Executive Session at 8:10 PM.

Regular session was resumed at 8:25 PM.

There being no further business the meeting was adjourned at 8:25p.m.

Respectfully Submitted,

Beth A Walls, TRMC, IPMA-SCP, City Secretary