

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 14<sup>th</sup> OF SEPTEMBER 2020, AT LEVELLAND CITY HALL, R. O. DENNIS COUNCIL CHAMBERS, 1709 AVENUE H, WITH THE FOLLOWING MEMBERS PRESENT:

Barbra Pinner	Honorable Mayor	Present
Jim Myatt	Council Member	Present
Max Ledesma	Mayor Pro-Tem	Absent
Breann Buxkemper	Council Member	Present
Joe Bill Vardeman	Council Member	Present
Matt Wade	City Attorney	Present
Erik Rejino	City Manager	Present
Andréa Corley	City Secretary	Present

The Pledge was led by Mayor Barbra Pinner and the Invocation was given by City Manager Erik Rejino

*Statements by Citizens:*

There was a statement by a citizen regarding defunding the police

FIRST ITEM OF BUSINESS:

*Consider and take necessary action to approve the minutes of the August 24, 2020 regular meeting.*

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve the minutes of the August 24, 2020 regular meeting

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Consider and take necessary action to approve Resolution No. 2020-35 adopting the Fiscal Year 2020-2021 City of Levelland Budget.

Over the past several months city staff and Council have worked through the budget process and have developed the proposed FY 2020-2021 budget.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve Resolution No. 2020-35 adopting the Fiscal Year 2020-2021 City of Levelland Budget.

Motion carried unanimously.

THIRD ITEM OF BUSINESS:

*Consider and take necessary action to approve Ordinance No. 1049 setting the 2020 tax rate.*

Once the budget is adopted the tax rate can then be voted on. As you all know, the proposed tax rate was set at \$0.66514 which is less than the “No-New-Revenue Tax Rate” of \$0.670140. the “No-New-Revenue Tax Rate is the rate that would produce the same amount of taxes this year when applied to the same properties that were taxed last year.

At this time the proposed budget has been updated with the proposed tax rate of \$0.66514. Accordingly, City staff recommended that Council adopt the proposed tax rate of \$0.66514

Motion by Jim Myatt

Seconded by Breann Buxkemper

To approve Ordinance No. 1049 setting the 2020 tax rate at \$0.645

Motion Passed with Jim Myatt and Breann Buxkemper voting FOR the motion. Joe Bill Vardeman voted AGAINST.

FOURTH ITEM OF BUSINESS:

*Consider and take necessary action on Ordinance No. 1050 setting the garbage service rates on a first reading.*

During the budget process, with the extension of the Republic Contract, the City will be receiving a three (3) percent decrease in garbage rates from Republic effective October 1<sup>st</sup>. Accordingly, we are recommending that Council pass along the savings to the customer by reducing garbage rates. The current rate for a residential customer is as follows and the proposed decrease of three (3) percent is also reflected below.

Residential Customer Current Rate	\$28.38
Residential Customer Proposed Rate:	\$27.53

Commercial Customer Current Rate:	\$62.56
Commercial Customer Proposed Rate:	\$60.68

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve a replat for the Sykora Addition Tract A Lots 1 - 8 located at 502 College Ave Levelland, TX 79336.

The motion passed unanimously

FIFTH ITEM OF BUSINESS:

*Consider and take necessary action to approve a replat for the Sykora Addition Tract A Lots 1 - 8 located at 502 College Ave Levelland, TX 79336.*

Last month, a plat of the Sykora Addition was submitted to the City of Levelland. The area is located at 502 College Ave and is currently made up of six (6) separate lots. The owners of the property, Pat and Annette Sykora, owners of Sykora Enterprises, LTD, have requested that the six (6) lots be changed to one large lot as they are planning commercial development on the lot.

The proposed replat went before the Planning and Zoning Commission (P&Z) last month and at this time the P&Z is recommending the plat to the City Council for approval.

Motion by Breann Buxkemper

Seconded by Joe Bill Vardeman

To approve Resolution No. 2020-33 updating the City of Levelland authorized representatives for financial management purposes.

Motion passed unanimously.

#### SIXTH ITEM OF BUSINESS:

*Consider and take necessary action on procedures, processes, timelines, and priorities regarding lifting restrictions and regulations implemented during the COVID-19 Public health Emergency.*

Council extended the current reopening order last month through September 14th. At this time, it is necessary to extend the current order through next month. Below is a summary of cases as of September 10, 2020.

#### Hockley County COVID-19 Cases:

Total COVID-19 Cases: 287

Total Recovered: 231

Total Fatalities: 7

Total Active Cases: 49

Motion by Breann Buxkemper

Second by Joe Bill Vardeman

To approve Resolution No. 2020-36 extending the local disaster declaration.

Motion passed unanimously.

#### SEVENTH ITEM OF BUSINESS:

*Consider and take necessary action to appoint board members to the following boards and commissions:*

- *Economic Development Corporation.*
- *Levelland Community Development Corporation.*
- *Tax Increment Reinvestment Zone No. 1.*
- *Tax Increment Reinvestment Zone No. 2.*
- *Planning and Zoning Commission.*

- *Zoning Board of Adjustment.*
- *Housing Standards Commission.*
- *Canadian River Municipal Water Authority*
- *Levelland Housing Authority*

**Levelland Economic Development Corporation**

The Levelland Economic Development Corporation (LEDC) board consists of a five member board appointed by the City Council. The LEDC provides direction, planning, and oversight of funds collected by the Economic Development Sales Tax. The purpose of the corporation is to develop, and as necessary update and modify, strategies and plans to implement the purposes of the corporation; to efficiently and without unnecessary duplication utilize local resources to effect its purposes; and to see to the efficient use of its available revenues to further economic development in Levelland. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Tushar Bhakta	2020
Elgin Conner	2021
Sham Myatt	2021
Jody Rose	2022
Rob Blair	2022

Mr. Bhakta is interested in serving another three year term on the LEDC Board.

Recommendation: Appoint Tushar Bhakta to serve another term on the LEDC Board.

**Levelland Community Development Corporation**

The Community Development Corporation (LCDC) board consists of a seven member board appointed by the City Council. Each board member serves 2-year staggered terms. The LCDC has been tasked with developing the Levelland-Oxy Sports Complex, a multi-purpose youth sports complex, as well as making improvements in the overall park and recreation system in Levelland. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Barry Royal	2020
Bruce White	2020
Tushar Bhakta	2020
Vacancy	2020
Michael Wiest	2021
Frankie Ruiz	2021
Kelly Read	2021

Mr. Royal, Mr. White, Mr. Bhakta are all interested in serving another two year term. There is also currently a vacancy on the LCDC Board.

Recommendation: Appoint Barry Royal, Bruce White, Tushar Bhakta, and Bobby Neal or Veronica Muniz to serve a two year term on the LCDC Board.

**Tax Increment Reinvestment Zone Board No. 1**

The City has created two Tax Increment Financing Reinvestment Zones (TIF), each governed by a separate board. TIF #1 was created in 2006 to encourage housing development, and is governed by a seven member board, four of which are local citizens appointed by the City Council. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>		
Russell Vest	2020		
Ty Gregory	2020		
Sham Myatt	2021		
Todd Paxton	2021		
Whitey Barnett	County		Representative
Jason Coleman	Water	District	Representative
Joe Bill Vardeman	City Representative		

Mr. Vest and Mr. Gregory are interested in serving another two year term.

Recommendation: Appoint Russell Vest and Ty Gregory to serve a two year term on Tax Increment Reinvestment Zone Board No. 1.

**Tax Increment Reinvestment Zone No. 2**

TIF #2 is charged with assisting in the development of the Levelland Industrial Rail Park and is governed by a board of five, two of whom are local citizens appointed by the City Council. The board meets as needed. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>		
Todd Paxton	2020		
Sham Myatt	2021		
Whitey Barnett	County		Representative
Jason Coleman	Water	District	Representative
Joe Bill Vardeman	City Representative		

Mr. Paxton is interested in serving another two year term.

Recommendation: Appoint Todd Paxton to serve a two year term on the Tax Increment Reinvestment Zone Board No. 2.

**Planning and Zoning Commission**

The purpose of the Planning and Zoning Commission is to make recommendations to the City Council for the adoption of and amendments to the Levelland Zoning Ordinance, to exercise control over the platting and subdivision of land within the City limits and within the extraterritorial area, to formulate and to recommend a comprehensive plan for the City and extraterritorial area. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Michael Stueart	2020
Kayla Neuhaus	2020
Roger Lindsey	2020
Dallas Pena	2020
Butch Wade	2021
Devin Sonnenburg (2 <sup>nd</sup> Alternate)	2021
Pete Cunningham (1 <sup>st</sup> Alternate)	2021

Mr. Stueart, Ms. Neahaus, Mr. Lindsey, and Mr. Pena are all interested in serving another two year term.

Recommendation: Appoint Michael Stueart, Kayla Neauaus, Roger Lindsey, and Dallas Pena to serve a two year term on the Planning and Zoning Commission.

### **Zoning Board of Adjustment**

The Zoning Board of Adjustment considers variances and special uses to the zoning ordinance and building codes, and hears appeals regarding land use decisions made by the Building Official. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Vacancy	2020
Pete Cunningham	2020
Vacancy (1 <sup>st</sup> Alternate)	2020
Vacancy	2020
Butch Wade	2021
Diane Lane	2021
Ray Scifres (2 <sup>nd</sup> Alternate)	2021
Tim Cook (3 <sup>rd</sup> Alternate)	2021

Mr. Cunningham is interested in serving another two year term on the Zoning Board of Adjustment. There are also three vacancies on the board.

Recommendation: Appoint Pete Cunningham as a full member, Jim Mara as a full member, Donny Barry as 1<sup>st</sup> Alternate, Pat Sykora as 2<sup>nd</sup> Alternate all to serve a two year term and move Ray Scifres to a full member on the Zoning Board of Adjustment for the remainder of his current term.

### **Housing Standards Commission**

The Housing Standards Commission provides for inspection and enforcement of uninhabitable and dangerous dwellings and buildings, declaring as unfit for human occupation and violations as recommended by the Building Inspector. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
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Michael Stueart	2020
Vacancy	2020
Diane Lane	2021
Vacancy	2021
Kayla Neuhaus	2021

Mr. Stueart is interested in serving another two year term on the Housing Standards Commission. There are also to vacancies on the Housing Standards Commission.

Recommendation: Appoint Michael Stueart, Amber Hinson, and Kris Phillips to serve a two year term on the Housing Standards Commission.

### **Main Street Advisory Board**

The Levelland Main Street Program (LMSP) board consists of a ten-member board appointed by the City Council. The LMPS Advisory Board is a strong, working board capable of creating positive change for downtown. The success of a commercial district's preservation and revitalization effort depends largely on the board's ability to identify and mobilize resources, build volunteer support, develop new leadership, work effectively with merchants, and maintain clear focus on the district's needs and opportunities. All members of the LMSP Advisory Board and additional volunteers for the program should be historic preservation advocates. Advisory Board members serve one three-year term and must rotate off of the Advisory Board for at least one fiscal year. Advisory Board members are encouraged to have served on a LMSP committee before serving on the Advisory Board. Board members and terms are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Valentina Soto	2022
Aryn Corley	2022
Nicole Campbell	2022
Vacancy (Termed Out)	2020
Vacancy (Termed Out)	2020
Vacancy (Termed Out)	2020
Jody Drennan	2021
Angie Vest	2021
Vacancy	2021
Vacancy	2021

The Main Street Advisory Board has three people that have termed out and two board members that have moved are will be moving from the community. The Main Street Advisory Board met and their recommendation is as follows.

Recommendation: Appoint Devin Sonnenburg, Meleta Atchison, and Jeb Wilcox to serve a three year term on the Main Street Advisory Board. Appoint Iris Keeling and Rob Martin to each serve an unexpired term for one year.

Motion by Joe Bill Vardeman  
Second by Jim Myatt  
To approve all recommended board appointments  
Motion passed unanimously.

EIGHTH ITEM OF BUSINESS:

*Consider and take necessary action on Resolution No. 2020-37 appointing board member to the Canadian River Municipal Water Authority.*

As a member of the Canadian River Municipal Water Authority (CRMWA) the City of Levelland appoints two Levelland citizens to represent us on the CRMWA board of directors. These board members serve staggered terms so that the Council has a CRMWA appointment to consider each summer. Due to having a reliable supply of water being so important to the city, the City Council has historically appointed two of Levelland's most outstanding community leaders as our representatives to the CRMWA board. Our current representatives, Richard Ellis and Scott Wade, are two such individuals and have done a great job of representing Levelland and looking out for our interests. Mr. Wade was first appointed in 2015 and Mr. Ellis has represented Levelland on the board since 2006 and is currently serving as the board President.

The term of Mr. Wade has expired and he has decided not to serve another term.

Motion by Breann Buxkemper  
Second by Joe Bill Vardeman  
To approve Resolution No. 2020-37 appointing Buddy Moore to a two year term on the Canadian River Municipal Water Authority Board of Directors.  
Motion passed unanimously.

NINTH ITEM OF BUSINESS:

Advising City Council on Mayor's appointments to the Levelland Housing Authority Board.

The Levelland Housing Authority Board consists of five members appointed by the Mayor for two-year terms. The purpose of this board is to oversee the Levelland Housing Authority (LHA) and assure that there are safe and sanitary dwelling accommodations for families of low income. The LHA operates public housing units funded through the U.S. Department of Housing and Urban Development. Current board members are as follows:

<u>Board Member</u>	<u>Term Expires</u>
Butch Wade	2020
Lisa Hanna	2020
Micki R. Lotz	2020
Jody Rose	2021
Cindy Terzenbach	2021



Mr. Wade, Ms. Hanna, and Ms. Lotz would all like to serve another two year term on the board. Mayor Pinner is proposing to reappoint all three board members to the Levelland Housing Authority.

No action taken.

TENTH ITEM OF BUSINESS:

*Consider and take necessary action on an agreement with the Texas Department of Transportation for the Fiscal Year 2020/2021 Routine Airport Maintenance Program*

The Texas Department of Transportation (TxDOT) Aviation Division has an annual grant program called the Routine Airport Maintenance Program (RAMP) that is targeted towards routine maintenance and improvement items for qualified airports. Items such as repairing or improving airport pavement, signage, drainage, approach aids, lighting systems, utility infrastructure, hangars, fencing, as well as work on terminal buildings is allowed. The program requires a cash match of 50 percent of the total project cost with a maximum contribution from TxDOT in the amount of \$50,000.

The City of Levelland and Hockley County have utilized the program in the past for items such as hangar repair, repairing the pavement, utility improvements, and replacing the fuel system. Historically Council has budgeted \$25,000 in the airport fund to match the grant program which allows the City and County to request up to \$25,000 from TxDOT for airport improvements.

Many routine airport maintenance items that come up throughout the year are often eligible for the program.

Motion by Joe Bill Vardeman

Second by Breann Buxkemper

To approve agreement with the Texas Department of Transportation for the Fiscal Year 2020/2021 Routine Airport Maintenance Program.

Motion passed unanimously.

ELEVENTH ITEM OF BUSINESS:

*Presentation and discussion regarding Levelland Housing Study conducted by CDS Resintel.*

In February of this year the City and LEDC authorized staff to move forward with conducting a housing study for the City of Levelland. As you know housing continues to be a very heavy focus for the City. One item that continues to be brought up by potential developers is that of a housing study showing the need for additional housing in Levelland. Accordingly we engaged CDS Resintel, an independent consultant, that conducts housing studies for communities and both the City and LEDC shared in the cost to conduct the study. The scope of work would include the following: 1)an economic and demographic profile, housing demand factors, and current consumption, 2) assessment of current housing supply and development environment, 3) demand and supply gap analysis and recommendations.

At this time the final report has been provided.

Director of Economic Development David Rushing will presented an overview of the findings.

No action taken.

**TWELTH ITEM OF BUSINESS:**

*Consider and take necessary action on Ordinance No. 1051 approving a negotiated settlement with Atmos West Texas on a first reading.*

The City along with other cities served by Atmos Energy Corp, West Texas Division, (Atmos West Texas) is a member of the West Texas Cities Steering Committee (WTC Cities). Earlier this year in March Atmos West Texas submitted a rate increase request of \$6.6 million. The WTC Cities collectively engaged Geoffrey Gay of Lloyd Gosselink Attorneys, the firm that has worked for the cities in analyzing Atmos rate filings over the past several years.

After working with the designated legal counsel and rate consultants, the executive committee for the WTC Cities was able to negotiate a lower rate increase which is demonstrated in the proposed ordinance following this memo. The settlement reflects a \$5.9 million increase, down from the initial request of \$6.6 million with the proposed rates taking effect December 1<sup>st</sup>.

Motion by Breann Buxkemper

Second by Joe Bill Vardemen

To approve Ordinance No. 1051 approving the negotiated rate settlement with Atmos West Texas on a first reading.

Motion passed unanimously.

**THIRTEENTH ITEM OF BUSINESS:**

*Convene into executive session in accordance with Tex. Gov't Code §551.071 to seek the advice about pending or contemplated litigation, settlement offers or on matters in which duty of the attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Tex. Gov't Code Ch. 551 (Speedcrete Inc.).*

Mayor Pinner declared Council to be in Executive Session at 8:04p.m. She returned Council to regular session at 8:15p.m.

There being no further business the meeting was adjourned at 8:15p.m.

Respectfully Submitted,

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Andréa Corley, City Secretary