

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 28th 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	Present
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 Councilmember Breann Buxkemper

Statements by Citizens:

There were no statements by citizens

FIRST ITEM OF BUSINESS:

Consider and take necessary action to approve the minutes of the September 14, 2020 regular meeting and the September 21, 2020 special meeting

Motion by Breann Buxkemper

Seconded by Joe Bill Vardeman

To approve the minutes of the September 14, 2020 regular meeting and the September 21, 2020 special meeting

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Consider and take necessary action on Resolution No. 2020-38 amending the FY 2019-2020 budget.

Below is a summary of the proposed budget amendments:

General Fund: The current General Fund budget shows funds in the amount of \$160,000 being transferred from the internal Capital Finance Fund budget to cover the three police vehicles that were purchased. However, as a result of department heads projecting to come in well under budget these proceeds are not needed. Accordingly, this proposed budget amendment shows these funds remaining in the Capital Finance Fund.

Enterprise Fund: The current Enterprise Fund budget will also be coming in well under budget. While we were proposing to utilize proceeds from the internal Capital Finance Fund in the amount of \$85,000 to fund the landfill fence project and a pickup in the Wastewater

Department, the funds will not be needed. In addition, as we discussed during the budget process, we are proposing to pay down an existing loan in the Capital Finance Fund that was made to the Enterprise Fund. As you recall the Adams Street Water Tower Improvements that were completed last year were financed by the Capital Finance Fund. The budget amendment reflects paying down that particular loan by \$400,000 which frees up the Capital Finance Fund to help fund other capital needs in next year's budget.

Capital Finance Fund: The proposed budget amendments in the Capital Finance Fund reflect the loans in the General and Enterprise fund not being made and the funds remaining in the Capital Finance Fund. The proposed budget amendments also show the Adams Street Water Tower being paid down by \$400,000. The remaining amount in the budget amendment reflects existing loan payments from other funds into the Capital Finance Fund. While the expenditure was shown in the other funds, the incoming revenue for these loans is not currently reflected in this year's budget.

Coronavirus Relief Fund: We are currently in the process of administering the Coronavirus Relief Fund. This particular budget amendment reflects the activity for this fiscal year.

Police & Court Special Funds: There are several special funds that the Municipal Judge and Chief of Police oversee. These funds are unique in that the Judge and Chief have sole authority and discretion as to how the funds are spent as defined in State statute. Oftentimes, especially the Police funds, the funding is very sporadic. As a result, in recent years, we typically implement a zero-based budget, meaning, we don't budget expenses. At the end of the year we review the funding received and the expenses made and add it to the budget through a budget amendment.

Main Street Activities: Several years ago we created Fund 45 labeled Main Street Activities. This fund is used to track non-tax revenue Main Street funding sources and projects. Most events, such as the Sip & Swirl, are self-funded events, meaning they pay for themselves and sometimes generate additional funds that can be used for special projects such as the Christmas lights downtown. The budget amendment simply includes the activity for this year.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve Resolution No. 2020-38 amending the FY 2019-2020 budget.

Motion carried unanimously.

THIRD 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 at the last regular meeting. Following that meeting Governor Abbot issued a new Executive Order, GA-30, that resulted in a further

reopening of the Texas Economy this past Monday. Mayor Pinner executed a Mayoral; Order adopting GA-30 this past Monday. The order that she issued expires on September 28th so Council will need to consider taking action to extend our local order. The primary change that was made in the Governor's order is that the following businesses can now operate at 75 percent capacity (currently at 50 percent).

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Resolution No. 2020-39 extending the local disaster declaration and adopting GA-30.

Motion carried unanimously

FOURTH ITEM OF BUSINESS:

Consider and take necessary action to amend a contract with Parkhill, Smith, & Cooper, Inc. for engineering services for infrastructure improvements in the Levelland Industrial Rail Park.

No action was taken

FIFTH ITEM OF BUSINESS:

Discussion and update regarding the 2020 Regional Group Seal Coat Program.

For many years, the City of Levelland has participated in a regional seal coat program with several other cities in the region. By combining our individual seal coat projects into a single large project, we feel we have been receiving a better price due to the larger volume. Each year, about ten cities in the region enter an interlocal agreement for this program. Earlier this fiscal year, Council approved participation in the program once again.

During a normal year, the seal coat is completed toward the end of summer while daily temperatures are still relatively high. High temperatures are ideal when putting down a seal coat. Unfortunately, due to COVID-19, the contractor has had a delay in being able to acquire the appropriate material for the regional seal coat which has delayed the project. We were hopeful that we would be able to complete the seal coat this month, but at this time it does not appear that is going to happen.

While it is likely the materials will be available in the coming weeks, in visiting with the contractor and engineer, temperatures are no longer ideal for a seal coat. Accordingly, we will need to postpone the 2020 seal coat to the spring of 2021 when temperatures begin to rise again.

No action was taken

SIXTH ITEM OF BUSINESS:

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

- . *Zoning Board of Adjustment.*
- a. *Housing Standards Commission.*

There are numerous board vacancies on various City boards. Accordingly, at the last meeting Council appointed several members to several City boards. Below are the last two boards that Council needs to consider.

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 st Alternate)	2020
Vacancy	2020
Butch Wade	2021
Diane Lane	2021
Ray Scifres (2 nd Alternate)	2021
Tim Cook (3 rd Alternate)	2021

Mr. Cunningham is interested in serving another two-year term on the Zoning Board of Adjustment. Also, contact has been made with Mr. Jim Mara and Mr. Donny Barry regarding serving on the ZBA and both are interested in serving. Staff recommendations are as follows:

Appoint Pete Cunningham, Jim Mara, and Donny Barry to a two-year term on the Zoning Board of Adjustment with Donny Barry serving as first alternate and Tim Cook serving as second alternate with the remaining members serving as full members.

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>
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 (HSC). Also, contact has been made with Amber Hinson and Kris Phillips regarding serving on the HSC and both are interested in serving.

Motion by Breann Buxkemper

Second by Joe Bill Vardeman

To approve and follow staff recommendation regarding the Zoning Board of Adjustments board nominees.

Motion passed unanimously.

Motion by Breann Buxkemper

Second by Joe Bill Vardeman

To table approval process for the Housing Standards Commission board, as Councilman Ledesma proposed another possible candidate.

Motion passed unanimously.

SEVENTH ITEM OF BUSINESS:

Consider and take necessary action to cast votes for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

TMLIRP- which provides our Worker's Compensation, Property and Liability coverage has sent the official ballot for the election of the Board of Trustees for Places 1-4. As a member of the Pool, the City of Levelland is entitled to vote in this election.

The officials listed on the ballot have been nominated to serve a six-year term. The candidates are elected officials and city management.

- PLACE 1 Incumbent Robert T. Herrera or write-in
- PLACE 2 Chris Armacost, Incumbent John W. (Buzz) Fullen or write-in
- PLACE 3 George Hyde, Roy E. Maynor, Incumbent Jeffrey Snyder or write-in
- PLACE 4 Dave Martin, Kimberly Meismer, Sean Overeynder, Incumbent Robert S. Hauck or write-in

Motion by Joe Bill Vardeman

Second by Breann Buxkemper

To cast the City of Levelland votes for Incumbents in Places 1, 2 and 3, and to cast a vote for Lamesa's Sean Overeynder (not an incumbent) in Place 4.

Motion passed unanimously.

EIGHTH ITEM OF BUSINESS:

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

Motion by Joe Bill Vardeman

Second by Jim Myatt

To approve on Ordinance No. 1050 setting the garbage service rates on a second and final reading.

Motion passed unanimously.

NINTH ITEM OF BUSINESS:

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

Motion by Breann Buxkemper

Second by Joe Bill Vardeman

To approve on Ordinance No. 1051 approving a negotiated settlement with Atmos West Texas on a second and final reading.

Motion passed unanimously.

TENTH 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.; Hockley County Fire Service Agreement).

Mayor Pinner declared Council to be in Executive Session at 7:40p.m. She returned Council to regular session at 8:00p.m.

ELEVENTH ITEM OF BUSINESS:

Consider and take necessary action on the Fire Service Agreement with Hockley County to provide fire suppression in the county.

Motion by Joe Bill Vardeman

Second by Breann Buxkemper

To approve the Fire Service Agreement in the Hockley County to provide fire suppression in the county

Motion passed unanimously.

There being no further business the meeting was adjourned at 8:03p.m.

Respectfully Submitted,

Andréa Corley, City Secretary