

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 26th OF AUGUST, 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 Erik Rejino.

Statements by Citizens: NONE

FIRST ITEM OF BUSINESS:

Consider and take necessary action to approve the minutes of the August 19, 2019 regular meeting and the August 22, 2019 special meeting.

Motion by Joe Bill Vardeman

Seconded by Max Ledesma

To approve minutes of the approve the minutes of the August 19, 2019 regular meeting and the August 22, 2019 special meeting.

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Consider and take necessary action on Ordinance 1043 approving an amendment to the Levelland Zoning Code adding Article 9.300 entitled Sign Regulations providing a purpose, definitions, standards and regulations for signs, providing for permitting procedures, providing prohibitions, providing for the removal of signs, providing for regulating signs and amending Section 9.500 Zoning Regulations as it relates to signs on a first reading.

At the last Council meeting a public hearing and work session were held concerning Ordinance No. 1043. As we discussed, this is an ordinance that City staff has been working on with Keep Levelland Beautiful (KLB). The purpose of the ordinance is to create the legal framework for a comprehensive and balanced system of sign regulations within the City of Levelland that protects the health, safety, comfort, convenience, prosperity and general welfare of the citizens of Levelland.

Keep Levelland Beautiful was actively involved in the initial development of the ordinance. Most recently, the Planning and Zoning Commission met a total of three times to discuss the ordinance and held two public hearings over the past several months. Several changes were made as a result of the meetings with the P&Z and the public hearings. At the P&Z meeting last month the P&Z voted to recommend the sign ordinance to the City Council.

After discussing the ordinance with Council earlier this week and holding another public hearing and receiving no additional public comment, we are recommending the adoption of the ordinance on first reading with the changes we discussed earlier this week.

Motion by Breann Buxkemper

Seconded by Max Ledesma

To approve Ordinance 1043 approving an amendment to the Levelland Zoning Code adding Article 9.300 entitled Sign Regulations providing a purpose, definitions, standards and regulations for signs, providing for permitting procedures, providing prohibitions, providing for the removal of signs, providing for regulating signs and amending Section 9.500 Zoning Regulations as it relates to signs on a first reading.

Motion carried unanimously.

THIRD ITEM OF BUSINESS:

Consider and take necessary action on Ordinance 1044 approving a negotiated settlement with Atmos West Texas on a second and final reading.

As we discussed at the last meeting the City of Levelland 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 April Atmos West Texas submitted a rate increase request of \$17.27 million system-wide which was reduced to \$14.82 million after the application of a credit for excess accumulated deferred income taxes. Of that amount the amount attributed to cities is \$6.23 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 an \$11.1 million increase and of that \$4.7 million is attributed to cities. The effective date for the new rates is October 1st of this year.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve Ordinance 1044 approving a negotiated settlement with Atmos West Texas on a second and final reading.

Motion carried unanimously.

FOURTH ITEM OF BUSINESS:

Consider and take necessary action on a request for funding from the Hotel Occupancy Tax Fund for M2 Livestock and M2 Show Camps, Texas Tech Judging Team Heifer, Steer, and Swine Futurity, Association of Texas Small School Bands Area West Auditions 2020, and Christmas Cash Classic.

The Tourism & Lodging Committee recently met and considered multiple requests for funding from HOT funds for multiple events within the community. During the meeting, the committee recommended funding as follows:

M2 Livestock & M2 Show Camps

Event Date: December 6-8, 2019

Location: Mallet Event Center & Arena

Recommendation – Approve Hotel Occupancy Tax funds request for the M2 Livestock and M2 Show Camps in the amount of \$1,500.

Texas Tech Judging Team Heifer, Steer, and Swine Futurity

Event Date: November 22-24, 2019

Location: Mallet Event Center & Arena

New event requesting funding

Recommendation – Approve Hotel Occupancy Tax funds request for the Texas Tech Judging Team Heifer, Steer, and Swine Futurity in the amount of \$5,000. (Base of \$1,500 and up to \$5,000 based on room nights)

Association of Texas Small School Bands Area Auditions 2020

Event Date: January 11, 2020

Location: Levelland High School

Recommendation – Approve Hotel Occupancy Tax funds request for the Association of Texas Small School Bands Area West Auditions 2020 in the amount of \$1,400.

Christmas Cash Classic

Event Date: December 20-22, 2019

Location: Mallet Event Center

Recommendation – Approve Hotel Occupancy Tax funds request for the Christmas Cash Classic in the amount of \$7,000. (Base of \$1,000 and up to \$7,000 based on room nights)

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve funding as recommended from the Hotel Occupancy Tax Fund for M2 Livestock and M2 Show Camps, Texas Tech Judging Team Heifer, Steer, and Swine Futurity, Association of Texas Small School Bands Area West Auditions 2020, and Christmas Cash Classic.

Motion carried unanimously.

FIFTH ITEM OF BUSINESS:

Consider and take necessary action on Resolution 2019-25 reviewing and approving the City of Levelland Investment Policy.

To be in accordance with the State of Texas Public Funds Investment Act, City Council is to review and adopt by resolution its Investment Policy on an annual basis.

The City's Investment Policy provides the expectations and guidance as to how the City's investments are to be administered.

There are two proposed changes since the policy was last reviewed and adopted, both in Section VI regarding the selection of financial institutions and dealers. The updated policy removes language from the previous version that stipulated contract and extension time frames. The proposed policy also strikes the final sentence of the last paragraph under the depository section, as certification by the depository bank is no longer a requirement.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve Resolution 2019-25 reviewing and approving the City of Levelland Investment Policy.

Motion carried unanimously.

SIXTH ITEM OF BUSINESS:

Consider and take necessary action on Resolution 2019-24 authorizing staff to request funding from the Texas Department of Transportation for an automated weather observing system and authorizing the Mayor to accept and execute all documents related to the grant.

Over the past several years the City and County have been accumulating entitlement funds from the Federal Aviation Administration (FAA) for use at the Levelland Municipal Airport. Those funds are then passed on to the Texas Department of Transportation (TXDOT) Aviation Division for distribution to qualified airports. As many of you recall a few years ago the City and County, with the assistance of entitlement funds, constructed a new box hangar at the Airport in 2010. Most recently in 2017, the City and County completed a seal coat and fog seal of the existing runway. This was the result of several years of accumulation of entitlement funds. At this point the City and County have accumulated additional entitlement funds over the past couple of years to be used at the Levelland Municipal Airport.

Following the completion of the runway project we began discussions with the Airport Advisory Board and TxDOT Aviation regarding the addition of an automated weather observing system (AWOS). An AWOS is a fully configurable airport system that provides continuous, real time information and reports on airport weather conditions. The AWOS provides real time information on items such as barometric pressure, wind speeds, wind gusts, visibility, precipitation, etc. This provides a great deal of flexibility and safety when it comes to pilots landing or taking off at the Levelland Municipal Airport.

The AWOS is set to go before the TxDOT Commission for consideration in October. Prior to that, they need a commitment from the City and County to proceed with the project. The project is estimated to cost \$200,000. Of that the City and County are responsible for \$50,000 which leaves each entity responsible for \$25,000. Over the past several years the City and County have been able to accumulate oil royalties at the airport. In order to continue to remain eligible for funds from the FAA and TxDOT Aviation, any funds generated at the airport must be used by the airport. At this time the City and County each have over \$100,000 in airport oil royalties. My recommendation is that each entity allocates \$25,000 from the airport oil royalties funds towards this project. That will still leave sufficient funds to go towards future projects such as runway lights which is also being planned for the future.

The airport advisory board has been actively engaged in the AWOS project discussions and is recommending the project to both the City and County. This investment will likely result in additional air traffic at the Levelland Municipal Airport and could generate additional interest in hangar rentals and land leases.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Resolution 2019-24 authorizing staff to request funding from the Texas Department of Transportation for an automated weather observing system and authorizing the Mayor to accept and execute all documents related to the grant.

Motion carried unanimously.

SEVENTH ITEM OF BUSINESS:

Hold a public hearing on the proposed Fiscal Year 2019/2020 budget.

One of the many steps that the City needs to take in order to adopt a budget is to hold a public hearing on the proposed budget. The vote on the proposed Fiscal Year 2019/2020 Budget is scheduled for Monday September 9, 2019.

At the conclusion of the hearing Council must take some sort of formal action on the budget. Since we have indicated Council would adopt the proposed budget on September 9th, a vote to set that date meets this requirement.

Mayor Pinner announced the opening of the public hearing on the proposed Fiscal Year 2019/2020 at 7:13 pm. Having no one in attendance to speak at the hearing, the Mayor announced the meeting closed at 7:14 pm.

EIGHTH ITEM OF BUSINESS:

Consider and take necessary action to set a date to adopt the Fiscal Year 2019/2020 City of Levelland Budget.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To set the date of September 9, 2019 to adopt the Fiscal Year 2019/2020 City of Levelland Budget.

Motion carried unanimously.

NINTH ITEM OF BUSINESS:

Hold a public hearing on the proposed 2019 tax rate.

Council will conduct the second of two public hearings on the proposed tax rate.

Current Tax Rate	\$0.70
Effective Tax Rate	\$0.679281
Rollback Rate	\$0.733789
Proposed Tax Rate	\$0.68

The vote on the tax rate is scheduled for Monday, September 9, 2019. At that time Council can adopt any rate up to the proposed rate.

Mayor Pinner announced the opening of the public hearing on the proposed 2019 tax rate at 7:15 pm. Having no one in attendance to speak at the hearing, the Mayor announced the meeting closed at 7:16 pm.

There being no further business the meeting was adjourned at 7:16 p.m.

Respectfully Submitted,

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