

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 19th OF OCTOBER 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 US Pledge was led by Riley Siders, Levelland 4-H, the Texas Pledge was led by McKinley Tucker, Levelland 4-H and the Invocation was given by Machayla Parkinson, Levelland 4-H

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 28, 2020 regular meeting and the October 2, 2020 special meeting

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve the minutes of the September 28, 2020 regular meeting and the October 2, 2020 special meeting

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Consider and take necessary action on requests for funding under the Main Street Façade Grant Program pursuant to Chapter 380 of the Texas Local Government Code

In August of this year Council approved the establishment of the Levelland Main Street Façade Grant Program under the City's Chapter 380 Program. As you know this was an expansion of the Sign and Paint Grant Program which had approximately \$850 remaining. The Main Street Façade Grant Program expanded the scope of allowable projects and the amount of the grant. In order to spur the program Council allocated \$8,000 more towards the program from the Chapter 380 grant program set up for Main Street last year.

At this time, we have received five (5) grant requests from four downtown businesses as follows:

1. Kim Price, Billy Price Furniture Mini Mall – they would like to clean up and repaint their already painted brick on their building and the awning and legs for the awning.
2. Bill Ashley, State Farm Ins. – Replace existing glass front and upgrade with glass that is up to code.
3. Meleta Atchison, Atchison’s Jewelry – Repair awning that was vandalized.
4. Phil & Anna Ricker, Old Nock’s Print Shop building – repair and repaint masonry and canopy, replace storefront frames and glass and door.
5. Phil & Anna Ricker, Paw & Order Grooming – repair stucco, repair masonry surfaces and repaint facade.

The Main Street Advisory Board met last week and is recommending that Council fund all five applications. The applications submitted total \$8,600. There are approximately \$8,850 allocated currently towards the program which would cover the requests.

Motion by Joe Bill Vardeman

Seconded by Jim Myatt

To approve requests, as submitted, for funding under the Main Street Façade Grant Program pursuant to Chapter 380 of the Texas Local Government Code and to authorize the City Manger to enter into agreements on each

Motion carried unanimously.

THIRD ITEM OF BUSINESS:

Consider and take necessary action to approve Resolution No. 2020-40 authorizing the submission of an application to the Events Trust Fund Program for the 2020 Clovis Horse Sales Breeder’s Futurity

The Events Trust Fund Program was created by the Texas Legislature in order to encourage cities to attract sporting and other major events that will have a significant economic impact on not only a particular City but also the State of Texas. In summary, the program estimates the amount of State revenue that will be generated as a result of the event taking place in the State and in turn deposits that amount into a trust fund. In order to capitalize on the opportunity to receive the State funds the City must be willing to match 1/6th of the State amount to be contributed into the trust fund. The local match is based upon local sales tax rates being approximately 1/6th of the state sales tax rate. After the event has been successfully held, eligible expenses incurred in bringing and hosting the event can be reimbursed from the trust fund. While the City is required to provide a match equal to 1/6th of the state amount, the funds come back to the community hosting the event to offset expenses associated with the event. In addition, the event must be competitively bid, and the community must be competing with cities outside of Texas for the right to host the event in order for the event to be eligible.

The City of Levelland has utilized the Event Trust Fund Program on various occasions in the past. The City qualified for a trust fund in 2010 for the Babe Ruth World Series in which

\$47,516 in state money was received and again in 2011 for the annual Little Dribblers' Tournament in which \$2,727 in state money was received. In 2015 and 2016 the State approved the establishment of an Event Trust for the NJCAA Half Marathon Classic and the NJCAA Outdoor Track and Field Championship for each event totaling \$63,415 in State funds.

We are currently working with the Chamber of Commerce who is working with the Event Organizers of the 2020 Clovis Horse Sales Breeder's Futurity. We recently submitted a request to the State to establish a trust fund for this event as the event is next month. The Event Trust Fund is one way we as a City can incentivize our partners to continue to host these events in our community.

With the various changes and increased scrutiny of the program and the program being moved to the Office of the Governor from the Texas Comptroller's Office, we have been working with Dr. Don Hoyte with TexasTrustFunds.com, a consultant, for assistance. The Lubbock Sports Authority, which uses the program regularly for various events, including various SPC events, has used this consultant during the application process. The fee structure for the consultant consists of a fee which is 10 percent of the state portion trust fund amount. The fee is only charged upon successfully receiving funds from the established trust fund. In the past utilizing the consultant has proven to be valuable as we have received several trust funds with his assistance. The largest part of being able to apply for funds is that of conducting an economic impact study.

The consultant fee can be paid for by utilizing the Hotel Occupancy Tax (HOT) funds to cover the consultant fee was discussed with the HOT committee. Utilizing the data that was given to the City and Chamber by the event organizer and submitting it to the State, the event can qualify for a trust fund in the amount of \$20,025 consisting of \$17,262 in State fund and \$2,763 in local funds. Keep in mind, when event expenses are submitted for reimbursement, the local funds come back to the community. Any unused local funds are reimbursed by the State.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Resolution No. 2020-40 authorizing the submission and of an application to the Events Trust Fund Program for the 2020 Clovis Horse Sales Breeder's Futurity

Motion carried unanimously

FOURTH ITEM OF BUSINESS:

Consider and take necessary action on the event application for the 2020 Ladies Night Out Event

The Levelland Main Street Board voted to move forward with the 2020 Ladies Night Out Event at the request of several downtown merchants. The event will be very similar but will

also have several additional precautionary measures to help prevent the spread of COVID-19. The event for this year is scheduled for November 19th.

The event review committee consisting of several people, including the Mayor and County Judge, met this week and considered the event and is recommending that the event move forward as planned with the additional precautionary measures.

All events where alcohol will be distributed require approval from the City Council. Since alcohol will be served at this event by various merchants the event application must be considered by the City Council.

Motion by Breann Buxkemper

Seconded by Joe Bill Vardeman

To approve the Event Application for the 2020 Ladies Night Out Event.

Motion carried unanimously

FIFTH ITEM OF BUSINESS:

Consider and take necessary action on Resolution No. 2020-41 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the 2020 Ladies Night Out Event

The Levelland Main Street Program is planning to hold the annual Ladies Night Out Event for Thursday November 19th. In order to hold the event the City and TxDOT will need to temporarily close several streets. When events are held downtown we normally have to close Houston Street on the north side of the square and Avenue H on the west side of the square. These two streets are State highways and in order to close them the State requires that the City approve an agreement for the temporary closure of state right of way. The agreement simply states the requirements the City has when closing down a State highway.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve Resolution No. 2020-41 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the 2020 Ladies Night Out.

Motion carried unanimously

SIXTH ITEM OF BUSINESS:

Consider Resolution No. 2020-42 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the 2020 Trunk or Treat Event.

Main Street Manager Missy Passmore is currently working with the Levelland Noon Lions Club to plan for the Trunk or Treat event which is scheduled for Saturday October 31st. In order to hold the event the City and TxDOT will need to temporarily close several streets. When events are held downtown we normally have to close Houston Street on the north side of the square and Avenue H on the west side of the square. These two streets are State highways so in order to close them the State requires that the City approve an agreement for the temporary closure of state right of way. The agreement simply states the requirements the City has when closing down a State highway.

The event review committee consisting of several people, including the Mayor and County Judge, met this week and approved the event contingent on the City Council and TxDOT approving the appropriate road closures.

Motion by Breann Buxkemper

Second by Joe Bill Vardeman

To approve Resolution No. 2020-42 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the 2020 Trunk or Treat Event.

Motion passed unanimously.

SEVENTH ITEM OF BUSINESS:

Consider and take necessary action on Resolution No. 2020-43 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the 2020 Levelland Festival of Lights and Christmas on the Square Event.

The Levelland Main Street Program partners with several entities including South Plains College and the Marigolds to put on the Levelland Festival of Lights and Christmas on the Square. This year's event is scheduled for the evening of December 1st. In order to hold the event, the City and TxDOT will need to temporarily close several streets. When events are held downtown, we normally have to close Houston Street on the north side of the square and Avenue H on the west side of the square. These two streets are State highways so in order to close them for more than a few hours the State requires that the City approve an agreement for the temporary closure of state right of way. The agreement simply states the requirements the City has when closing down a State highway.

The event review committee consisting of several people, including the Mayor and County Judge, met this week and approved the event contingent on the City Council and TxDOT approving the appropriate road closures.

Motion by Joe Bill Vardeman

Second by Breann Buxkemper

To approve Resolution No. 2020-43 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the 2020 Levelland Festival of Lights and Christmas on the Square Event.

Motion passed unanimously.

EIGHTH 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 which adopted Governor Abbot's most current order at that time, GA-30, that resulted in a further reopening of the Texas Economy by taking several businesses to a capacity of 75 percent. Governor Abbot recently came out with GA-32 which allows bars to reopen at 50 percent at the discretion of the County Judge.

Also below is a summary of cases as of October 15, 2020. You will notice we have had an increase in the number of active cases. However, we have also not had a recent report from the State of new recoveries since the beginning of the month. We are anticipating a recovery report from the State soon.

Hockley County COVID-19 Cases:

Total COVID-19 Cases:	430
Total Recovered:	312
Total Fatalities:	7
Total Active Cases:	111

Motion by Joe Bill Vardeman

Second by Jim Myatt

To approve Resolution No. 2020-44 extending the local disaster declaration and adopting GA-32.

Motion passed unanimously.

NINTH ITEM OF BUSINESS:

Discussion, update, and necessary action regarding the Levelland CARES small business assistance grant program under the Coronavirus Relief Fund, Coronavirus Aid, Relief and Security Act (CARES) provided through the Texas Division of Emergency Management

One of the allowable provisions of the Coronavirus Relief Fund (CRF) was that of expenditures related to grants for small businesses to reimburse the costs of business interruptions caused by COVID-19. Accordingly over the past several weeks we have been working to administer the Levelland CARES Program, a small business assistance grant program that Council approved at the end of August.

Both the LEDC and Main Street Boards provided input in the development of the program. Also, the LEDC allocated \$75,000 of their budget towards the program. In reviewing the CRF expenses and abiding by the 75/25 restriction, the City was able to allocate \$75,000 out of CRF funds towards the program for a total of \$150,000. Under the program businesses are eligible for up to \$2,500 on a reimbursement basis.

At this time, we have received a total of 46 applications. Below is a summary of the status of the 46 applications:

- 34 approved for a grant award
- 23 grant agreements executed
- 10 reimbursements have been issued
- 3 applicants were ineligible

We are continuing to work with each applicant to disburse the funds as quickly as possible. Under the agreement with TDEM we have until the end of December to expend the CRF funds and all reimbursement requests must be submitted by December 15th. However, TDEM came out last week and issued an additional deadline of November 13th which is approaching quickly. Any reimbursements not submitted to TDEM by November 13th will require additional paperwork and documentation to secure the CRF funds. As a result of the new deadline we are going to work diligently to expend the City's funds by November 13th.

Motion by Breann Buxkemper

Second by Jim Myatt

To amend the current LevellandCares Small Business Assistance Program Resolution 2020-32 to include non-profits

Motion passed unanimously.

TENTH ITEM OF BUSINESS:

Consider and take necessary action to authorize staff to initiate competitive procurement for vehicles and equipment included in the FY 2020-2021 Budget

Our current budget includes a number of new vehicles and equipment which will need to be competitively purchased as required by law. As in the past the purchase of the equipment will be spread throughout the fiscal year, but some items have a limited window to be able to get the item here before the fiscal year ends. Accordingly, we need to be prepared to initiate the procurement process when the time is right. Vehicles and equipment included in the budget include:

Fire Department:

Command Unit

Grass Truck (only if grant is received)

Police Department:

3 – Unmarked Vehicles

Emergency Management: Pickup

Street Department: Mower and Deck
Dump Truck

Sanitation Department: Front End Loader
Landfill Fence

While all of the vehicles and equipment referenced above are being paid for out of the internal finance fund, we will be monitoring the economy and sales tax throughout the year and will time the purchases appropriately.

Motion by Breann Buxkemper

Second by Jim Myatt

To authorize staff to initiate competitive procurement for vehicles and equipment included in the FY 2020-2021 Budget

Motion passed unanimously.

ELEVENTH ITEM OF BUSINESS:

Consider and take necessary action on resale properties.

- a. Lot Thirty-Eight (38), of the Smallwood Addition to the City of Levelland, Hockley County, Texas, (R17726), 621 TX 114, Levelland, TX 79336.
- b. Lot Forty (40), of the Smallwood Addition to the City of Levelland, Hockley County, Texas, (R17727), 619 TX 114, Levelland, TX 79336.
- c. Lot 20, of the Smallwood Addition to the City of Levelland, Hockley County, Texas, (R22793), 111 Lucile Ave, Levelland, TX 79336.
- d. Lot Eighteen (18), of the Smallwood Addition to the City of Levelland, Hockley County, Texas, (R17721), 624 W. Washington, Levelland, TX 79336.

Motion by Breann Buxkemper

Second by Jim Myatt

To approve the resale of the trust properties to the highest bidder for each property.

Motion passed unanimously.

There being no further business the meeting was adjourned.

Respectfully Submitted,

Andréa Corley, City Secretary