

THE LEVELLAND CITY COUNCIL MET IN A REGULAR MEETING ON MONDAY, THE 7<sup>th</sup> DAY OF MARCH 2022, 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
Mary Engledow	Council Member	Present
Breann Buxkemper	Mayor Pro Tem	Present
Michael Stueart	Council Member	Present
Matt Wade	City Attorney	Present
José Cavazos	Interim City Manager	Present
Andréa Corley	City Secretary	Present

The meeting was called to order at 7:00pm.

The Pledge was led by Mayor Barbra Pinner and the Invocation was given by Council Member Michael Stueart

*Statements by Citizens:*

There were two statements by citizens: 1) Not spending City money wisely 2) Streetlights on Hickory Street

**FIRST ITEM OF BUSINESS:**

*Consider and take necessary action to approve the minutes of the February 21, 2022 regular meeting*

Motion by Breann Buxkemper

Seconded by Michael Stueart

To approve the minutes of the February 21, 2022 regular meeting

Motion carried unanimously.

**SECOND ITEM OF BUSINESS:**

Hold a public hearing regarding a substandard structure located at 1624 McKinley Legal Description - GOODRICH & BLAKE (LEV), BLOCK 1, LOT 14, City of Levelland, Hockley County, Texas.

In June of 2017 Council adopted an ordinance which revised the housing standards ordinance addressing the abatement, repair, and demolition of substandard structures that are declared a public nuisance. The revisions were necessary as a result of changes in legislation as well as recent court cases.

With the new ordinance in place the Levelland Housing Standards Commission met and considered action on a structure that has been identified as substandard by the Building Inspections Department.

The structure that the Housing Standards Commission considered is located at 1624 McKinley. In this case the property owners have been contacted with the appropriate notice. Accordingly, the Housing Standards Commission voted to recommend to the Council to order the demolition of the structures. In order to take the next step a second public hearing is required before the City Council. The appropriate notice was published and sent via certified mail. After the conclusion of the public hearing Council can then take action on the recommendation from the Housing Standards Commission.

It is the recommendation of the Housing Standards Commission and City staff that Council vote to order the abatement of the substandard structure. Once the order is issued to the property owner, they will have 30 days to demolish the structures. If they do not then the City will step in and demolish the structures and assess the charges for to the property owner for doing so.

Mayor Pinner opened the Public Hearing at 7:08pm. Mayor Pinner closed the Public Hearing at 7:09pm.

**THIRD ITEM OF BUSINESS:**

*Consider and take necessary action and issue any necessary order to abate, repair, secure or demolish regarding substandard structure at 1624 McKinley Legal Description - GOODRICH & BLAKE (LEV), BLOCK 1, LOT 14 City of Levelland, Hockley County, Texas.*

Information was presented under Item #2.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To Issue order to demolish regarding substandard structure at 1624 McKinley Legal Description - GOODRICH & BLAKE (LEV), BLOCK 1, LOT 14 City of Levelland, Hockley County, Texas, within 30 days

Motion carried unanimously.

**FOURTH 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 – Resolution No. 2022-09*

We are asking Council to consider extending the local order and will also provide an update regarding our local COVID numbers. Staff is recommending that we extend our local order, keeping us in line with Governor Abbott and the continued state-wide COVID order. Local information is as follows:

## Case Summary 2022

Date	Feb 3	Feb 18	Mar 3
Confirmed	1,550	1603	1672
Fatalities	9	10	14
(active)	253	68	16

\*\*Active cases estimated based on (10) Day period

## Trauma Service Area B- Hospitalizations

• Total Population : 492,885

Date	Feb 3	Feb 18	Mar 3
Staffed Beds	1,438	1,478	1,489
Available Beds	286	317	418
Available ICU Beds	A-5 P-22	A-8 P-14	A-15 P-23
Hospitalization %	19.12%	8.73%	4.03%
Confirmed COVID Patients	275	129	60
Total Hospitalizations	1,152	1,161	1,071

## Hockley County Vaccinations

Date	February 3	February 18	March 3
State Doses Administered	41,638,843	42,184,708	42,623,293
County Doses Administered	22,846 (+628)	23,060 (+214)	23,220 (+160)
State Pop. % Vaccinated	74.39%(+1.54)	75.04% (+.65%)	75.67% (+.63%)
County Pop. % Vaccinated	51.90%(+.73%)	52.13% (+.23%)	52.35% (+.22%)

Motion by Mary Engledow  
Seconded by Jim Myatt  
To approve Resolution No. 2022-09 extending the local disaster declaration.  
Motion carried unanimously.

**FIFTH ITEM OF BUSINESS:**

*Consider and take necessary action on Resolution 2022-10 to declare unopposed candidates elected to office and cancelling the 2022 General City Officer's Election for District C.*

For the 2022 General Election, we have two seats up for election; District A and District C. District C has only one unopposed candidate; Breann Buxkemper. As a result, we are able to cancel the election and declare the winner in district C. Council Member Buxkemper's current term expires in May and we will swear her in at the second meeting in May.

Since we called the Election by resolution, we must cancel it by resolution. In addition, the Secretary of State requires the City Secretary certify the unopposed status of the candidates and an Order of Cancellation must be signed by the Mayor and City Secretary and placed at the polling place during the General Election period.

Motion by Mary Engledow  
Seconded by Michael Stueart  
To approve Resolution 2022-10 declaring unopposed candidates elected to office and cancelling the District C general city officer's election previously called on January 3, 2022.  
Motion carried unanimously.

**SIXTH ITEM OF BUSINESS:**

*Consider and take necessary action on the event application for the Levelland Main Street Sip and Swirl event scheduled for June 10, 2022*

In 2021, the Levelland Main Street Program held the fourth annual Levelland Sip and Swirl event in downtown Levelland. The event included multiple wineries, food vendors, shopping, music, a VIP pre-event, craft beer and was a fundraiser for the Levelland Mainstreet program's downtown projects. At this time, the Levelland Main Street Program has put together an event application in accordance with the City's ordinance to hold the event once again this June.

**THE LEVELLAND SIP & SWIRL PROCEEDS WILL BENEFIT DOWNTOWN REVITALIZATION EFFORTS. ONLY 400 GENERAL ADMISSION TICKETS AND 75 VIP TICKETS WILL BE SOLD. THE EVENT WILL INCLUDE TASTING TEXAS' TOP WINES FROM 10+ WINERIES, TASTINGS FROM TEXAS BRWERIES, FOOD TRUCKS AND DOWNTOWN SHOPPING. MUSIC WILL PLAY FROM THE GAZEBO**

**ON THE COURTHOUSE LAWN. THE VIP EVENT WILL BEGIN AN HOUR BEFORE GENERAL ADMISSION AND WILL BE HOSTED BY STUDEBAKER EVENTS. VIP TICKET WILL INCLUDE HEAVY HORS D'OEUVRES, WINE PAIRINGS, SPECIALTY COCKTAIL, ONE ADDITIONAL HOUR TO ENJOY THE EVENT, & ADMISSION ITEMS THAT INCLUDE 1 WINE GLASS, 10 WINE SAMPLES, 1 WINE BAG, & COMMEMORATIVE MAIN STREET SWAG.**

This event supports the mission of the Levelland Main Street Program by drawing visitors to the designated Main Street area, creating economic opportunity for local businesses, and creating a quality-of-life event for area residents and visitors.

All events where alcohol will be distributed require approval from the City Council in accordance with the special events ordinance adopted by Council a couple of years ago.

Motion by Breann Buxkemper

Seconded by Mary Engledow

To approve the Event Application for the Levelland Main Street Sip and Swirl.

Engledow, Buxkemper and Stueart voted FOR approval of the application

Myatt voted AGAINST approval of the application

Moton passed on a 3-1 vote.

**SEVENTH ITEM OF BUSINESS:**

*Consider and take necessary action on Resolution No. 2022-11 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the Levelland Sip and Swirl event.*

In regards to the Sip & Swirl event, in order to hold the event, the City and TxDOT will need to temporarily close several streets. When events are held downtown, we normally 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. In order to close those streets, the State requires that the City approve an agreement for the temporary closure of state right of way. The agreement states the requirements of the City when closing down a State highway.

Motion by Michael Stueart

Seconded by Breann Buxkemper

To approve Resolution No. 2022-11 approving an agreement with the Texas Department of Transportation regarding the closing of two blocks of state highway for the Levelland Sip and Swirl event.

Motion carried unanimously.

### **EIGHTH ITEM OF BUSINESS:**

*Consider and take necessary on Resolution No. 2022-12 authorizing the submission of a grant application to the Texas Department of Agriculture Texas Rural Business Fund Grant Program and authorizing the mayor to approve final budget figures.*

The Texas Rural Business Fund (TxRBF) is a pilot program that provides funding at a minimum of \$250,000 and a maximum of \$1,000,000 to rural communities and counties to incentivize job creation and industry development in rural Texas. Applicants must demonstrate how the business recruitment or expansion significantly impacts the community and region. Applicants will also have to provide 10% matching funds of the amount requested for the grant project.

- Projects must support an established business in the agricultural & food manufacturing business, bio-technology & life sciences, energy, information technology, manufacturing, supply chain and logistics industries that will create a minimum of 25 full-time skilled jobs and have the potential to spur further economic development.
- Eligible applicants are rural cities located in counties with less than 200,000 population.

TxRBF funds must be used for public infrastructure improvements. Infrastructure includes road, rail, water, sewer, electric, and telecommunications. TxRBF funds may also be used for engineering costs related to the public infrastructure improvements. TxRBF funds may not be used for administrative costs.

At this time the Levelland Economic Development Corporation has a prospect that is considering locating their established business in the Levelland Industrial Rail Park. This project will need additional infrastructure in the form of a rail spur coming off of the main railroad and more roadwork in that immediate area. The project is still under negotiations and to this date nothing has been finalized. However, the project seems promising and accordingly we have been exploring some different avenues on how some of the additional infrastructure might be funded. In that process we have identified this one new funding source from TDA that looks like we are definitely eligible to apply for this project for the maximum grant funding amount of \$1,000,000 as described above.

Due to the structure of the program, while this would be an LEDC project, the City would need to be the applicant for the grant applications as we have done recently and to the past with TDA and EDA grants. While the City would be the applicant, since this would be an LEDC project, the LEDC would provide any necessary cash match for the grant program. The LEDC Board has been briefed on the project and will be considering a resolution in support of the project to accompany the grant application at their next regular meeting.

The project is getting closer to final negotiations and in order to move quickly with grant funding, if and when an agreement is reached between the LEDC and the prospect, we along with SPAG are recommending proceeding with a few of the initial steps in development grant applications for the program. The very first step is to enter into an interlocal agreement with SPAG to assist with the development of the grant application. SPAG does not charge for the development of the application. However, if the grant is awarded, they would then be allowed

to help the City administer the grant and charge an administration fee which would be paid for by the LEDC since this particular grant will not allow for funds to be used for administrative costs.

**Levelland Strategic Plan 2026, Job Creation: This grant will support an economic development project that could result in capital investment and new job creation for the community.**

Motion by Breann Buxkemper

Seconded by Michael Stueart

To approve Resolution No. 2022-12 authorizing the submission of a grant application to the Texas Department of Agriculture Texas Rural Business Fund Grant Program and authorizing the mayor to approve final budget figures

Motion carried unanimously.

#### **NINTH ITEM OF BUSINESS**

*Consider and take necessary action on an Interlocal Agreement with the South Plains Association of Governments to write the 2022 Texas Rural Business Fund Application on behalf of the City of Levelland and submit the final application to the Texas Department of Agriculture.*

The memo for Agenda Item #8 includes information on this agenda item.

Motion by Michael Stueart

Seconded by Breann Buxkemper

To approve an Interlocal Agreement with the South Plains Association of Governments to write the 2022 Texas Rural Business Fund Application on behalf of the City of Levelland and submit the final application to the Texas Department of Agriculture.

Motion carried unanimously.

#### **TENTH ITEM OF BUSINESS**

*Consider and take necessary action to authorize staff to issue a Request for Qualifications for engineering services related to the 2022 Texas Rural Business Fund Grant Program.*

As we look to move forward with the development of a grant application for the Texas Rural Business Fund Grant Program, one of the first steps is to competitively procure an engineering firm to assist with some of the preliminary engineering items needed to put a grant application together by issuing a Request for Qualifications (RFQ). These items include preliminary

drawings and opinion of probable costs (OPC). If the grant application is funded then the engineering firm selected would also serve as the design engineer and oversee construction. The competitive procurement of an engineering firm is a requirement to participate in the grant program. As part of the administration of the grant, South Plains Association of Governments will assist on compiling an RFQ together and assist with the advertisement for the procurement process.

Should Council decide to authorize us to proceed with the RFQ the next step is for Council to appoint a Selection Review Committee. The Selection Review Committee will review and score the engineering proposals and will develop a recommendation for Council to consider. In the past we have utilized a combination of Council and staff to serve on the Selection Review Committee. For this committee, since the LEDC would be providing the grant matching funds and administration costs, staff would like to recommend the Chair and the Vice Chair of the LEDC to be on the selection review committee as well as the Interim City Manager and an appointed Council member.

**Levelland Strategic Plan 2026, Infrastructure – This grant program will help with the replacement of aging infrastructure if funded.**

Motion by Mary Engledow

Seconded by Michael Stueart

To authorize staff to proceed with issuing a Request for Qualifications for engineering services related to the 2022 Texas Rural Business Fund Grant Program

Motion carried unanimously.

#### **ELEVENTH ITEM OF BUSINESS**

*Consider and take necessary action to appoint a selection review committee related to the procurement of engineering services for the 2022 Texas Rural Business Fund Grant Program.*

The memo for Agenda Item #10 includes information on this agenda item.

Motion by Mary Engledow

Seconded by Breann Buxkemper

To appoint the Interim City Manager, LEDC Chair, LEDC Vice Chair, and Council Member Michael Stueart to serve on the Selection Review Committee related to the procurement of engineering services for the 2022 Texas Rural Business Fund Grant Program.

Motion carried unanimously.



## **TWELTH ITEM OF BUSINESS**

*Consider and take necessary action on Resolution 2022-13 approving streetlights on East Hickory Street to service the Ridgecrest Addition Subdivision.*

Mayor Pro Tem Buxkemper has asked staff to look into the possibility of adding streetlights to the underlit area on East Hickory, from Alamo to Duvall. After assessing the streetlights in the area and reviewing our streetlight standards, City Council may consider adding five (5) new streetlights in the 1500 block of East Hickory to serve this area and potentially any other development south of that area. Kevin Hurn, Assistant Public Works Director, has been working with Lamb County Electric Cooperative (LCEC), the electricity provider for the Ridgecrest Addition, to develop a plan to possibly service the underlit area.

As requested, staff has obtained two quotes from the engineering department of Lamb County Electric. One quote is for underground electrical lines in the amount of \$12,100 and the second quote is for aboveground (or overhead electrical lines) in the amount of \$11,517. Both streetlight quotes utilized wooden poles and include one bore from a private contractor utilized by Lamb County Electric (LCEC) to obtain electricity from across Hickory. The proposed five (5) new streetlights would be placed on the south side of East Hickory along an existing utility easement. That particular easement currently houses only a City sewer line.

Another item to consider: Once the potential installation is complete, the additional monthly cost to the City would be \$11.00 with a \$.56 availability fee for each one of the newly installed five (5) streetlights. These fees are in accordance with agreements previously entered into by the City of Levelland and LCEC.

At this time, City Council can consider adopting the resolution following this memo. The resolution will authorize LCEC to install five (5) new streetlights. Following the memo and resolution, you will find a map of the proposed streetlights along the South side of East Hickory.

For your reference, listed below is the City's Street light standards, which are found in Section 9.407(h) of the Subdivision Ordinance. The standards are as follows:

1. The primary purpose of street lighting in the City of Levelland shall be to illuminate intersections for the benefit and safety of the public.
2. Streetlights will be placed only at intersections or at the ends of cul-de-sac streets, unless a block exceeds six hundred (600) feet in length.
3. For blocks longer than six hundred (600) feet in length, streetlights are authorized at or near four (400) hundred feet intervals.
4. Wood standard poles will be installed unless the Subdivider or the property owners wish to bear the higher cost associated with the installation of some other type of pole.
5. Installation of the connecting service line shall be above the lot and an easement shall be required of the Subdivider for the overhead connection line. In the event that the Subdivider or property owners prefer underground service installation, all costs of the

underground installation shall be borne by the Subdivider or property owner and appropriate service easements shall be provided.

No Action Taken

**THIRTEENTH ITEM OF BUSINESS**

*Convene into executive session in accordance with Tex. Gov't Code §551.074 to deliberate the appointment, employment, evaluation, duties, discipline, or dismissal of a public officer or employee: (Levelland Economic Development Corporation Director; City Manager.)*

Mayor Pinner declared Council to be in Executive Session at 7:50p.m. She returned Council to regular session at 8:17p.m.

There being no further business, the meeting was adjourned at 7:12pm.

Respectfully Submitted,

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Andréa Corley, TRMC  
City Secretary

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Barbra Pinner, Mayor