

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 23rd OF SEPTEMBER 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	Absent
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 Joe Bill Vardeman.

Statements by Citizens: Several citizens addressed Council.

FIRST ITEM OF BUSINESS:

Consider and take necessary action to approve the minutes of the September 9, 2019 meeting.

Motion by Breann Buxkemper

Seconded by Joe Bill Vardeman

To approve minutes of the September 9, 2019 meeting.

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Consider and take necessary action on the annual services agreement with the Levelland Chamber of Commerce for FY 2019-2020.

Each year we execute an agreement with the Chamber of Commerce for services which the Chamber provides for the City. These services in the current agreement include 1) assistance with reviewing applications and administering the Hotel Occupancy Fund, 2) event marketing and coordination, 3) general services administration, and 4) operation of the Keep Levelland Beautiful Program.

The agreement that follows this memo outlines the terms and includes funds and changes approved by Council in the FY 2019/2020 budget. The terms in the agreement are close to identical to last year's agreement and we are proposing no significant changes. The only changes you will see in the agreement relate to the Hotel Occupancy Tax funds in which the Chamber President and I both agreed to scale back the amount being paid for a Travel Host ad as well as the Texas Plains Trail Membership which was reflected in the recently adopted budget.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve the annual services agreement with the Levelland Chamber of Commerce for FY 2019-2020.

Motion carried unanimously.

THIRD ITEM OF BUSINESS:

Consider and take necessary action on Resolution 2019-28 amending the FY 2018-2019 budget.

It is common for projects to often times cross into multiple fiscal years. When developing a budget we do our best to anticipate the cost and timing of such major projects but often changes occur in the timing of projects. In addition changes during the year, such as grants that become available make amendments necessary. Below is a summary of the proposed budget amendments.

General Fund: The LEDC transferred land to the City recently as required by the Texas Department of Agriculture (TDA). As you know TDA provided the City with a \$625,000 grant to the City to build a rail spur in support of Enviro Tech locating their business in the

Levelland Industrial Rail Park. While the City only paid \$10 for the land, we must show the actual value of the land.

Enterprise Fund: We wrapped up several capital projects in the water department this year. Of these projects, three began last fiscal year and were completed this fiscal year. The primary project that carried over into this fiscal year was that of the S.385 Water Line Project. The other two projects were the Water Disinfection System Improvement Project and the Hickory Street Ground Storage Tank. All three projects were fully budgeted last year and we are needing to carry over a portion of the unused funds from last year to cover these three projects. We are proposing to carry over \$526,000 for the S. 385 Water Line Project, \$51,000 for the Water Disinfection System Project, and \$109,000 for the Hickory Street Ground Storage Tank.

Civic Improvement Fund: We had an unexpected expense at the Civic Center. The City replaced the gas line at the Civic Center and at that time we also had to bring everything up to current code. This cost the City approximately \$25,000. While there is room in the General Fund budget, I am proposing to take this out of the Civic Improvement Fund since this is an allowable expense for this particular fund.

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. Often times, 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. While the Judge and Chief have sole authority on how the funds are used, we like to include these in the overall budget for transparency purposes.

LEDC: Earlier this year the LEDC board approved a few budget amendments for the LEDC Budget. As a Type A Economic Development Corporation, the City Council is required to approve any budget amendments.

Motel Occupancy Tax: There were several new events that were recommended by the Lodging and Tourism Committee and approved by Council throughout the year. The additional \$20,000 proposed covers the additional events that have already been approved by Council.

Main Street Activities: A couple of 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 Breann Buxkemper

Seconded by Max Ledesma

To approve Resolution 2019-28 amending the FY 2018-2019.

Motion carried unanimously.

FOURTH ITEM OF BUSINESS:

Consider and take necessary action to authorize staff to initiate competitive procurement for vehicles included in the FY 2019-2020 budget.

The new budget includes a few new vehicles which will need to be competitively purchased and approved by Council as required by law. As in the past the purchase of the equipment will be spread throughout the fiscal year starting October 1st, but some items have only a one time per year window when they are available so we need to be prepared to initiate the procurement process when the time is right. This primarily applies to the Police Department vehicles. In each case below we will come back to Council for the final purchase decision once proposals have been received. Vehicles included in the budget include:

Police Department:

3 – Unmarked Vehicles

Wastewater

Pickup Truck

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To authorize staff to initiate competitive procurement for vehicles included in the FY 2019-2020 budget.

Motion carried unanimously.

FIFTH ITEM OF BUSINESS:

Consider and take necessary action on consent to demolish a substandard structure located at Ninth(LEV), Block 212, Lots 18 & 19, Levelland, Hockley County, Texas known as 1819 Houston Street, Levelland, TX 79336.

When a property becomes seized for back due property taxes the property is then held in trust by the various taxing entities including the City of Levelland, Hockley County, South Plains College, Levelland ISD, and the High Plains Water District. As Council may recall a few months ago a bid for the property located at 1819 Houston was brought before the City Council for consideration to be purchased by a private individual. Shortly after the bid was approved by the City Council and before all of the other taxing entities were able to consider accepting the bid, the house that was on this particular piece of property caught fire. As a result, a good portion of the structure burned and is no longer salvageable. The City at this time considers the structure to be substandard, unfit for human habitation, and is unsafe in its current condition. Accordingly the City considers this structure to be a public nuisance that needs to be addressed.

Prior to being able to address a substandard structure such as this the City needs consent from the owner(s) of the property to do so. In a more routine case the City works with individual property owners to obtain the proper consent. However, being that this property is jointly owned by all of the taxing entities referenced above each individual entity must give consent and allow the City to address the structure.

Following this memo is a Consent to Demolish form that City Attorney Matt Wade drafted that will need to be considered by each taxing entity. We feel that due to the current condition of the structure that this structure needs to be demolished and we are simply seeking approval from all of the entities involved to do so.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve consent to demolish a substandard structure located at Ninth (LEV), Block 212, Lots 18 & 19, Levelland, Hockley County, Texas known as 1819 Houston Street, Levelland, TX 79336.

Motion carried unanimously.

SIXTH ITEM OF BUSINESS:

Consider and take necessary action on an interlocal agreement with the City of Ropesville regarding the transfer of holiday decorations.

Last year the City was able to purchase some new Christmas decorations for our light poles. The older decorations which the City has likely had for over 20 years were getting to a point where they were giving the Street Department various maintenance issues. In addition, the lighting technology is very dated on these decorations and simply is not very aesthetically pleasing. The new lights that were purchased are LED lights and are much more efficient and more aesthetically pleasing. We have kept the older decorations that are still in good shape and are still using some of those but over time we plan to phase the rest of them out.

We were recently approached by the City of Ropesville about acquiring some of our older decorations that were recently taken out of service. They are only asking for a couple of decorations. While we feel that they will continue to have maintenance issues the City of Ropesville feels they can use a couple of the decorations in their City.

At this time staff is recommending that we enter into an interlocal agreement with the City of Ropesville to allow them to have a couple of the older decorations. This will keep us from having to dispose of them as we feel they are not worth anything. In addition, this will also help our neighboring community.

Motion by Breann Buxkemper

Seconded by Max Ledesma

To approve an interlocal agreement with the City of Ropesville regarding the transfer of holiday decorations.

Motion carried unanimously.

SEVENTH ITEM OF BUSINESS:

Consider and take necessary action to vote on our selections for the Texas Municipal League Health Board of Trustees Election.

TML Health, which provides our medical and life insurance, has sent the official ballot for the election of the Board of Trustees for Region 3. 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 three-year term. The candidates are elected officials and city management. In prior elections we have voted for the incumbent candidates with the thinking being that they have familiarity with the board and doing a good job representing us since we don't know otherwise. That does not have to be the case in this election if Council would like to go a different direction.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To cast vote for David Riley in the Texas Municipal League Health Board of Trustees Election.

Motion carried unanimously.

EIGHTH ITEM OF BUSINESS:

Consider and take necessary action regarding appointments to the Housing Development Task Force.

Council recently appointed the Housing Development Planning Task Force to help the City identify areas that are prone for both multi-family development and single-family development as well as to help us develop a long term plan for housing development. The task force is made up as follows:

- One member from each taxing entity (City of Levelland, Hockley County, SPC, Levelland ISD)
- One realtor member
- One banker member
- One citizen member

The task force members are as follows:

Todd Paxton – Realtor Member

Zane Johnson – Banker Member

Buddy Moore– Citizen Member

Breann Buxkemper – City Member

Judge Sharla Baldrige – County Member

Jeff Northern – LISD Member,

Robin Satterwhite – SPC Member

The task force met earlier this week for the first time. At this time we are needing to make another appointment. The banking representative, Zane Johnson, is moving and will not be able to serve on the task force. At this time we are recommending Rob Martin with City Bank to serve as the banking representative. Mr. Martin has been involved in the housing discussion in the community and he sat in as a guest at the task force meeting this week.

Motion by Breann Buxkemper

Seconded by Max Ledesma

To approve the appointment of Rob Martin to the Housing Development Task Force.

Motion carried unanimously.

NINTH ITEM OF BUSINESS:

Consider and take necessary action on Ordinance 1045 setting water rates on a second and final reading.

During the budget process while reviewing and discussing the enterprise fund we discussed a couple of proposed changes to water rates. These proposed changes have been worked into the proposed budget at this time. In order to implement the new utility rates Council will need to adopt the ordinance on a second and final reading.

As a reminder, staff recommendations is to add \$1 per month increase to the water availability fee which will generate approximately \$65,000. In addition, we are proposing an additional \$1 per month fee to go towards establishing a new Water Improvement Fund to help fund future capital needs in our water infrastructure.

City Attorney Matt Wade read Ordinance 1045.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve Ordinance 1045 setting water rates on a second and final reading.

Motion carried 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., Battery Warehouse, Insuror's Indemnity)

Mayor Pinner announced that Council would go into executive session at 7:35 pm.

Council was brought back to regular session by Mayor Pinner at 8:10 pm.

There being no further business the meeting was adjourned at 8:11 p.m.

Respectfully Submitted,

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