

THE LEVELLAND CITY COUNCIL MET IN A REGULAR MEETING ON MONDAY, THE 17th DAY OF APRIL 2023, 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
Brandon Anderson	City Manager	Present
Andréa Corley	City Secretary	Present

The meeting was called to order at 6:00pm.

The Pledge was led by Mayor Barbra Pinner and the Invocation was given by Police Chief Albert Garcia.

Statements by Citizens:

There were no statements by citizens.

FIRST ITEM OF BUSINESS:

MAYORAL PROCLAMATION- Earth Day Celebration

Mayor Barbra Pinner called up the Keep Levelland Beautiful representatives and read and signed a proclamation.

SECOND ITEM OF BUSINESS:

Consider and take necessary action to approve the minutes of the April 3, 2023, regular meeting.

Motion by Mary Engledow

Seconded by Breann Buxkemper

To approve the minutes of the April 3, 2023, regular meeting.

Motion carried unanimously.

THIRD ITEM OF BUSINESS:

Consider and take necessary action to approve Ordinance 1071 regulating Mobile Food Service Vendors (also referred to as the Food Truck Ordinance) on a first reading.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Ordinance 1071, utilizing the alternate language offered in the ordinance (regarding Council's ability to impose more and different fees in the future) on a first reading. Motion carried unanimously.

FOURTH ITEM OF BUSINESS:

Consider and take necessary action on the quarterly investment report for the quarter ending on March 31, 2023

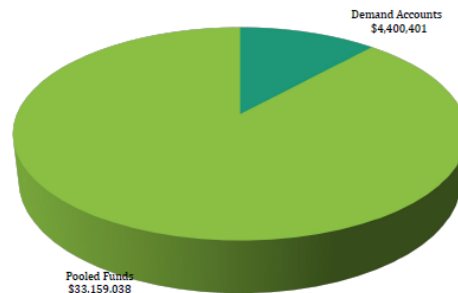
The three primary objectives of the City's Investment Policy are listed below, in order of importance:

1. Safety
2. Liquidity
3. Yield

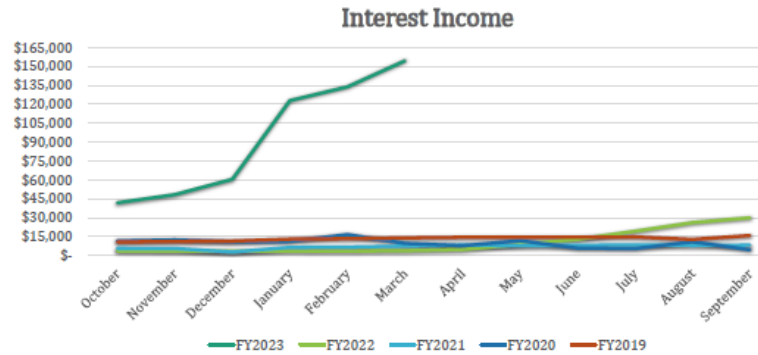
The City's investments in the accompanying report meet the above objectives within state standards. Longer term investments are in certificates of deposit and are secured by bank-owned securities pledged by the bank to the City for the amounts in excess of FDIC coverage. These pledged securities are held by the bank's safekeeping agent. The City's investments in certificates of deposit are with local banks other than the City's depository bank, which assists the City in diversifying its cash position.

Interest rates continue to improve across banks and investment pools. The pools are able to adapt to the changing market more quickly, thus offering significantly better rates at this time. The City was earning 4.17% on depository demand monies at the end of the quarter. Bond proceeds for the wastewater treatment plant were moved to the LOGIC investment pool and are no longer reflected in the pooled cash balance. Interest earned this quarter was \$411,012.57, which is an increase of \$260,317.95 from the previous quarter. We will continue to monitor interest rates at all local banks and in the investment pools to maximize earnings while maintaining liquidity.

Portfolio Composition



Portfolio Performance



Motion by Breann Buxkemper
Seconded by Michael Stueart
To approve the quarterly investment report for the quarter ending on March 31, 2023
Motion carried unanimously.

FIFTH ITEM OF BUSINESS:

Consider and take necessary action to approve the 2022 Annual Police Racial Profiling Report.

Chief Garcia presented the annual racial profiling report.

Motion by Breann Buxkemper
Seconded by Michael Stueart
To approve the 2022 Annual Police Racial Profiling Report.
Motion carried unanimously.

SIXTH ITEM OF BUSINESS:

Consider and take necessary action to approve the 2022 Annual Police Activity Reports.

Chief Garcia presented the 21022 Annual Police Activity Report.

Motion by Breann Buxkemper
Seconded by Mary Engledow

To approve the annual racial profiling report.
Motion carried unanimously.

SEVENTH ITEM OF BUSINESS:

Consider and take necessary action to approve resolution #2023-13 authorizing the submission of a Texas Community Development Block Grant Program application for the Main Street Revitalization Program Fund.

In July of 2022, the field rep from the Texas Department of Agriculture, contacted us to share an opportunity to apply for the 2023 TxCDBG grant. As a Main Street City, Levelland is eligible to be considered in a smaller pool of applicants pursuant to the design of the grant funding process.

The Downtown Revitalization Program's objective is to provide infrastructure improvements to address the conditions that contribute to the deterioration in an area designated as slum or blighted in the applicant community's downtown or main street area.

There are many areas in the designated Main Street District that would benefit from sizable funds that could be used to address the need for additional ADA infrastructure, sidewalk improvements and increase safety for our residents and visitors alike.

The City of Levelland contacted South Plains Association of Government to act on our behalf as grant consultants and writers, as they have the knowledge, skills and past experience to navigate this process and have been successful in the award of past grants on our behalf.

Motion by Breann Buxkemper

Seconded by Mary Engledow

To approve resolution #2023-13 authorizing the submission of a Texas Community Development Block Grant Program application for the Main Street Revitalization Program Fund.

Motion carried unanimously.

EIGHTH ITEM OF BUSINESS:

Consider and take necessary action to approve resolution #2023-14 designating signatories for matters pertaining to the Texas Community Development Block Grant Program.

Pursuant to the approval of resolution #2023-13, authorizing the submission of a TxCDBG application for the Main Street Revitalization Program Fund, the next step is to designate signatories for matters pertaining to the TxCDBG program grant.

We are asking for council to approve the following signatories, to allow us to move forward with the document submissions needed to file the grant by the July deadline.

Signatories:

CM, Brandon Anderson

Mayor Barbra Pinner

Motion by Breann Buxkemper

Seconded by Michael Stueart

To approve resolution #2023-14 designating signatories for matters pertaining to the Texas Community Development Block Grant Program.

Motion carried unanimously.

NINTH ITEM OF BUSINESS:

Consider and take necessary action on resolution #2023-15 designating areas of downtown as Slum & Blighted.

One of the requirements for the submission of a TxCDBG application for the Main Street Revitalization Program Fund, is to designate areas in the Main Street District as slum and blighted. We are asking for Council to approve the requested designation for the focus areas we will be using the grant funding to improve, pursuant to the grant award, contained in the designated Main Street District.

Motion by Mary Engledow

Seconded by Michael Stueart

To approve resolution #2023-15 designating areas of downtown as Slum & Blighted.

Motion carried unanimously.

TENTH ITEM OF BUSINESS:

Consider and take necessary action to approve resolution #2023-16 an amendment to the TxCDBG CL 7220261.

In 2018, City Council authorized staff to apply for a Community Development Block Grant (CDBG) project. The project consisted of replacing a portion of the water line on 8th Street, as well as lining older brick and mortar manholes in the area. Council selected Parkhill to provide engineering services and SPAG to assist with preparing documents for the grant application. In February of 2021, we received and executed the grant award to move forward with the project and February of 2022, we awarded the construction portion of the project to Rinks Lease Service in the amount of \$328,435. Below is a summary of the original grant budget: With that said, we were in the grant closing process, when TDA noticed a slight discrepancy. According to TDA, our contract award and the performance statement numbers didn't match and this is a necessity in the grant paperwork. Resolution 2023-16 will amend the performance statement to match the actual feet of water line replaced. If you recall, given the trend of rising costs due to supply chain issues, we asked bidders to provide a base bid along with alternatives

for additional work. When the contract was awarded to Rinks Lease Service, it included less footage in the water line replacement and the performance statement was not updated to the awarded contract numbers.

Kelly Davila with the South Plains Association of Governments (SPAG) was present for questions and a broader explanation of this close out process.

Motion by Breann Buxkemper

Seconded by Mary Engledow

To approve resolution #2023-16 an amendment to the TxCDBG CL 7220261.

Motion carried unanimously.

ELEVENTH ITEM OF BUSINESS:

Consider and take necessary action on request from Joe Bob Wells regarding the OXY Farm Lease with the city regarding the drip irrigation system.

The City of Levelland has received a request dated March 29, 2023 from Joe Bob Wells who leases the OXY Farm Ground by the OXY complex. In our discussion prior to this letter Mr. Wells and Clifton Turner expressed to me that the portion of the drip tape that is not working was not working when they took on the lease. Under the lease it is the responsibility of the lessee to handle any repairs to the irrigation system. I told them I would be happy to take the request to the council for a decision. Along with the request is a quote for the materials only as well as a copy of the current lease.

No Action Taken

TWELFTH ITEM OF BUSINESS:

Consider and take necessary action to approve Ordinance #1073 amending Ordinance No. 1035 and Ordinance 1040 regulating game rooms and amusement redemption machines on first reading or approve Resolution #2023-17 extending the moratorium on issuing permits to operate a game room and amusement redemption machine.

With the events that happened back in November involving illegal activity at most of our game rooms we feel it important at this time to analyze our current ordinance regulating game rooms and bring forth suggested changes to Council prior to issuing and new license or permits inside the city limits of Levelland. This will give us the appropriate time to accomplish this review and bring changes back to Council for review. All current license and permits have been revoked and notification letters have been sent and posted.

You have 2 options approve the new ordinance or extend the moratorium to give more time to review the suggested changes.

Motion by Michael Stueart

Seconded by Mary Engledow

To approve Resolution #2023-17 extending the moratorium on issuing permits to operate a game room and amusement redemption machine.

Motion carried unanimously.

THIRTEENTH ITEM OF BUSINESS:

Convene into executive session in accordance with Tex. Gov't Code §551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (City Manager and direction to City Manager on Finance Director/Utility Clerk open position).

Mayor Pinner declared Council to be in Executive Session at 7:35pm. She returned Council to regular session at 8:09pm.

FOURTEENTH ITEM OF BUSINESS:

Reconvene into open session and consider and take necessary action on items related to the executive session including any necessary budget amendments, if needed.

No Action Taken

There being no further business, the meeting was adjourned at 8:09pm.

Respectfully Submitted,

Andréa Corley, TRMC
City Secretary

Barbra Pinner, Mayor