

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 20TH OF MAY, 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 Chief Albert Garcia.

Statements by Citizens: Ed Marsh and David Dunn

FIRST ITEM OF BUSINESS:

Consider and take necessary action to approve the minutes of the May 6, 2019 meeting.

Motion by Breann Buxkemper

Seconded by Max Ledesma

To approve minutes of the May 6, 2019 meeting.

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Consider and take necessary action on Resolution 2019-16 canvassing the 2019 General and Special Election and declaring the results of the election.

An election was held in the City of Levelland, Texas on May 4, 2019 for the purpose of Council Member in District B for a two year term ending in 2021 and a Council Member in District D for a two year term ending in 2021. State law allows the City to canvas the results of this election beginning on May 7, 2019 with some provisions.

Also held was a Special Election for the purpose of reauthorizing “The adoption of a local sales and use tax at the rate of one-fourth of one percent to provide revenue for maintenance and repair of municipal streets”

By approving Resolution 2019-16 the City Council finds that said election was duly called; that notice of the election was given in accordance with law; and that the election was conducted in accordance with laws of the State of Texas and the Charter of the City of Levelland.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve Resolution 2019-16 canvassing the 2019 General and Special Election and declaring the results of the election.

Motion carried unanimously.

THIRD ITEM OF BUSINESS:

Consider and take necessary action to administer the Oath of Office to Councilmembers.

In January, the City of Levelland council called a City Officer’s Election for the election of a Council Member for District B and District D to be held on May 4, 2019.

At the March 4, 2019 meeting, Council approved the cancellation of this election due to fact that there was only one candidate seeking the position in both District B and D.

Max Ledesma was re-elected to serve as Council Member for District B and Joe Bill Vardeman was re-elected to serve as Council Member for District D. Both will serve a two year term ending in May, 2021.

State Law requires the Oath of Office be administered to the newly elected Council Members and each newly elected official receive a Certificate of Election.

No Council Action Required

FOURTH ITEM OF BUSINESS:

Consider and take necessary action regarding an Encroachment License and Agreement for 1008 12th Street.

The property at 1008 12th Street includes a carport, chain link fence, and a metal shed which encroaches into the right of way of 12th Street and Ave J. The closest structure to the road is the shed on the south part of the property which is about 7 feet from the road. The car port is about 12 feet from the road while the fence is about 9 feet from the road. This is shown in the attached survey and aerial photo. These structures have been this way for several years, especially the shed which has likely been there for several decades. However, now the owners of the property are wishing to sell the property and the encroachment is an impediment to getting a clear title to the property which is restricting the prospective buyers from purchasing the property.

Our legal counsel is in the process of developing a license agreement which will allow the carport, chain link fence, and metal shed to remain as long as it does not create an inconvenience to the City's use of the right of way. With it being a license, the property remains public and can be reclaimed for public use after giving the licensee written notice. The use of license agreements such as this is used regularly by many cities for situations such as this. In fact, the City used this back in 2017 for a very similar situation.

The prospective buyers and they are eager to close on their new home. Staff believes that granting this license agreement is in the best interest of the City. This situation has existed for years without incident and we currently do not foresee an issue in the future. We do not have any utilities in the right of way where the encroachment exists, and the structures are all several feet away from the existing roadway. Requiring the removal of the structures now would be an expense to the property owners and could increase the sale price of the property, possibly delaying any sale.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve an Encroachment License and Agreement for 1008 12th Street.

Motion carried unanimously.

FIFTH ITEM OF BUSINESS:

Consider and take necessary action on an event application for the 2019 Rods and Bombs Invasion Car Show.

In February of this year Council approved \$1,000 in Hotel Occupancy Tax funds to support the 2019 Rods and Bombs Invasion Car Show that is scheduled to take place on July 13th, the same day as Early Settlers. This is a first time event in Levelland, previously held in Smyer. Most attendees during that event stayed in Lubbock. This event is being coordinated by local car enthusiasts desiring to move the event to Levelland City Park. The event would complement events taking place with Early Settlers Day. Both the Chamber and Car show representatives are working together to promote each other's activities.

While this particular event was originally submitted as a special event application last year, it actually falls under the park permitting process. However, while the event holders will not be serving alcohol they are requesting that BYOB be allowed during the event. Accordingly, this now falls under a special event permit where Council will need to consider the event application submitted last year due to the proposed allowance of alcohol during the event.

The event committee met on Monday before the Council meeting and discussed the event further. The committee is not recommending that Council approves the request to allow alcohol at the event. Current City Ordinance does not allow alcohol at any City park and the committee felt this could set a bad precedence for future events.

We are already requiring the event holder to provide proof of event insurance in the amount of \$250,000 with the City being named as an additional insured. If Council approves the event application, we will also require them to have a minimum of two (2) licensed security personnel to be present during the event.

Motion by Jim Myatt

Seconded by Joe Bill Vardeman

To approve an event application for the 2019 Rods and Bombs Invasion Car Show with the conditions that alcohol is not allowed and security will be required.

Motion carried unanimously.

SIXTH ITEM OF BUSINESS:

Consider and take necessary action regarding an extension of the depository contract with City Bank Texas.

The City's depository contract with City Bank will be ending at the end of June as we discussed at the last Council meeting. The contract included an initial three-year term and two annual extensions to which both parties had agreed. The current agreement has one more 90-day extension which would carry the contract to the end of September. While our relationship with City Bank has been excellent, law requires that every five (5) years we take competitive proposals from banking institutions for these services. At this time, we have begun the process to issue a Request for Applications (RFA) for depository services as authorized during the last meeting. After building out a timeline for the process we are now requesting that we go ahead and exercise the 90-day extension with City Bank as referenced in the current agreement to allow sufficient time to go through the RFA process. We have discussed the extension with representatives from City Bank and they indicated they were agreeable to the 90-day extension referenced in the current agreement.

Motion by Breann Buxkemper

Seconded by Joe Bill Vardeman

To approve an extension on the depository contract with City Bank.

Motion carried unanimously.

SEVENTH ITEM OF BUSINESS:

Consider and take necessary action on Resolution 2019-17 authorizing the establishment of a Housing Development Planning Task Force.

Last month we discussed moving forward with the establishment of a joint property tax abatement program to incentivize a developer to build multi-family housing, particularly an apartment complex. I have continued discussions with both the County and the College. At this time, staff is recommending we move forward with the establishment of a housing development planning task force as we had discussed.

As you know we had great success with the City Park Task Force we established last year. They were given a very specific purpose by the City Council and met total of three times. It is recommended we appoint a task force to help 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.

Once those areas are identified we can then move forward with designating reinvestment zones based on the areas the task force recommends. At that time, we would also simultaneously look to put a joint property tax abatement program in place. The reinvestment zones will need to be established so that we are able to offer a property tax abatement to encourage multi-family development.

As for the areas identified by the task force that are prone for single-family development, there are other tools in the Local Government Code that we can consider in the future to encourage single-family development. The recommendation is that we have the Housing Development Task Force look at both single-family and multi-family development.

Motion by Breann Buxkemper

Seconded by Joe Bill Vardeman

To approve Resolution 2019-17 authorizing the establishment of a Housing Development Planning Task Force.

Motion carried unanimously.

EIGHTH ITEM OF BUSINESS:

Consider and take necessary action on a resale property request for 1819 Houston Street, Levelland, Texas.

Debra Bramlett, Hockley County Tax Assessor has received a bid for a property that is currently held by the taxing entities.

Property –Ninth (LEV), Block 212, Lot 18 & Lot 19, Also known as 1819 Houston Street.

Bidder	Purchase Price (Taxes Owed)	Offer Price	Forgiveness Price
Stephens	13,723.59	500.00	13,223.59
Hilliard	13,723.59	2,580.00	11,143.59

The bidder is required to bring the properties into compliance with The City of Levelland Code of Ordinances Article 6.2000 within 120 days of notification that all taxing entities have approved the bid as well as substantially completing necessary improvements within 6 months.

Motion by Breann Buxkemper

Seconded by Joe Bill Vardeman

To approve the resale property request for 1819 Houston Street, Levelland, Texas, awarding it to Oscar Hilliard.

Motion carried unanimously.

NINTH ITEM OF BUSINESS:

Consider and take necessary action on a resale property request for 1211 Avenue M, Levelland, Texas.

Debra Bramlett, Hockley County Tax Assessor has received a bid for two properties that are currently held by the taxing entities.

Property –Southside (LEV) Block 183, Lot 13, MH Serial # 20551070T, MH Label # TEX0308131 Also known as 1211 Avenue M, Levelland Texas

Bidder	Purchase Price (Taxes Owed)	Offer Price	Forgiveness Price
Brown	4,240.29	1000.00	3240.29

The bidder is required to bring the properties into compliance with The City of Levelland Code of Ordinances Article 6.2000 within 120 days of notification that all taxing entities have approved the bid as well as substantially completing necessary improvements within 6 months.

Motion by Breann Buxkemper

Seconded by Joe Bill Vardeman

To approve the resale property request for 1211 Avenue M, Levelland, Texas, awarding it to Dale and Jeanie Brown.

Motion carried unanimously.

TENTH ITEM OF BUSINESS:

Consider and take necessary action on a resale property request for 1213 Avenue M, Levelland, Texas.

Property –Southside (LEV), Block 183, Lot 14, Also known as 1213 Avenue M, Levelland

Bidder	Purchase Price (Taxes Owed)	Offer Price	Forgiveness Price
Brown	355.81	500.00	-144.19

The bidder is required to bring the properties into compliance with The City of Levelland Code of Ordinances Article 6.2000 within 120 days of notification that all taxing entities have approved the bid as well as substantially completing necessary improvements within 6 months.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve the resale property request for 1213 Avenue M, Levelland, Texas, awarding it to Dale and Jeanie Brown.

Motion carried unanimously.

ELEVENTH ITEM OF BUSINESS:

Consider and take necessary action on Ordinance 1042 changing the zoning from SF-2 Single Family District to B-2 General Business District for L WARREN (LEV) BLOCK 1, LOT 1-2, 101 House Ave, W A CANNON (LEV) BLOCK 4, LOT 5-6 102 N. Denver and 104 N. Denver, Levelland, Hockley County, Texas from SF-2 Single Family District to B-2 General Business District on a second and final reading

At the last meeting Council approved a proposed zone change recommended by the Planning and Zoning Commission (P&Z). The lots are owned by Mr. Billy Mack Palmer and are located at 102 N. Denver, 104 N. Denver and 101 House Ave. Mr. Palmer has requested that the lots be rezoned from SF-2 Single Family District to B-2 General Business District.

City Attorney Matt Wade read Ordinance 1042.

Motion by Joe Bill Vardeman

Seconded by Breann Buxkemper

To approve on Ordinance 1042 changing the zoning from SF-2 Single Family District to B-2 General Business District for L WARREN (LEV) BLOCK 1, LOT 1-2, 101 House Ave, W A CANNON (LEV) BLOCK 4, LOT 5-6 102 N. Denver and 104 N. Denver, Levelland, Hockley County, Texas from SF-2 Single Family District to B-2 General Business District on a second and final reading.

Motion carried unanimously.

TWELFTH ITEM OF BUSINESS:

Convene into executive session in accordance with Texas Gov't Code, Section 551.087, to discuss or deliberate regarding commercial or financial information that the city council has received from a business prospect that the city council seeks to have locate, stay, or expand in or near the City of Levelland and with which the city council is conducting economic development negotiations; and to deliberate the offer of a financial or other incentive to business prospect.

Mayor Pinner announced that Council would go into executive session at 8:17 p.m.

THIRTEENTH ITEM OF BUSINESS:

Convene into executive session pursuant to Texas Gov't Code 551.071 to seek advice from legal counsel about pending or contemplated litigation, settlement offers or as required under the Texas Disciplinary Rules of Professional Conduct of the State of Texas when in conflict with Texas Gov't Code Chapter 551 (Speedecrete Inc.)

Mayor Pinner returned Council to open session at 8:55 p.m.

FOURTEENTH ITEM OF BUSINESS:

Consider and take necessary action on a construction contract or other related agreements regarding concrete construction and repairs related to the City of Levelland Downtown Revitalization Project; TxCDBG no. 7216332.

This agenda item was not acted on or considered at this meeting.

There being no further business the meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

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