

THE LEVELLAND CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, THE 21ST OF JUNE 2021, 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
Erik Rejino	City Manager	Present
Andréa Corley	City Secretary	Present

The Pledge was led by Mayor Barbra Pinner and the Invocation was given by City Manager, Erik Rejino

Statements by Citizens:

There were statements by 2 citizens regarding proactive actions and an Early Settlers Day Rodeo

FIRST ITEM OF BUSINESS:

Consider and take necessary action to approve the minutes of the June 7, 2021 regular meeting.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve the minutes of the June 7, 2021 regular meeting.

Motion carried unanimously.

SECOND ITEM OF BUSINESS:

Consider and take necessary action on a service plan agreement with South Plains Church located at 1421 Cactus Drive, Levelland, Hockley County, Texas in relation to a petition for annexation request.

Earlier this year South Plains Church, which is currently outside of the city limits, requested water service from the City. At that time, when they made the request to the City for water service, they found out that the water well that the church has onsite is limited in production for future use according to church staff and had begun to have sand related issues. The location

of South Plains Church has two existing water mains adjacent to the property and the mains already have existing outside city limit customer taps on the water mains already.

When Council considered this request in March it was determined that the City would not be out any additional infrastructure funds, the City would not have to maintain any new water mains that we are not already maintaining, and we would gain a new utility customer at 1 ½ times the regular utility rate since South Plains Church is outside the City. Regarding the 1981 policy on water supply and restricting outside of city limit customers, staff believes that we have more than adequate water supply to add another water utility customer, especially since South Plains Church was only going to use it for potable water for the building only and not irrigation purposes.

Accordingly, at the Council meeting in March the City Council approved a resolution authorizing water service for South Plains Church. The cost to connect to the water service including the tap and any backflow devices was at the sole expense of South Plains Church. At this time water service has been provided to South Plains Church.

During the discussions for water service, South Plains Church had also agreed to move forward with a voluntary annexation in lieu of receiving water service. Shortly after the Council meeting, we received a petition requesting annexation of South Plains Church.

The first step in moving forward with the annexation of the South Plains Church property will be for Council to consider approving a service plan agreement. At this time, all city services are available to South Plains Church which is reflected in the agreement. If the agreement is approved, at a future meeting, we will need to hold a public hearing and Council will need to take action on an ordinance annexing the property on a first reading. Following the first reading we will publish another notice regarding the annexation ordinance which will be accompanied with a 30-day waiting period before Council can consider the ordinance annexing the property on a second and final reading.

Motion by Michael Stueart

Seconded by Jim Myatt

To approve a service plan agreement with South Plains Church located at 1421 Cactus Drive, Levelland, Hockley County, Texas in relation to a petition for annexation request.

Motion carried unanimously.

THIRD ITEM OF BUSINESS:

Consider and take necessary action on a development agreement with Michaels Family Trust regarding the development of La Hacienda de los Marquez.

Mayor Pinner declared Council to be in Executive Session at 6:17p.m.

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 (La Hacienda de los Marquez).

She returned Council to regular session at 7:04p.m.

In 2009, Mickey Michaels requested that his property located on the corner of County Road and East Ellis, which at that time was outside the City, be annexed at his request. The primary reason for this request by Mr. Michaels was to gain access to water service. The City agreed to annex Mr. Michaels' property and Mr. Michaels agreed to bear the cost to extend water service to service his property where he currently has his house.

In 2019 Mr. Michaels made another request to the City to replat the portion of his property that is currently not developed. The purpose behind the replat and subdividing the property was to allow him to sell off the remaining lots as he had opportunity. The discussion at that time was geared around Mr. Michaels putting in the infrastructure as the developer which he would then sell off to individuals interested in developing the property. It is important to note that most of the property is zoned Single Family – 1 with the exception of Lot 9 and 11 being zoned General Business – 2.

At this time, Mr. Michaels has someone interested in at least one of the lots. While there is nothing stopping Mr. Michaels or the potential buyer from completing the property transaction, no building permit can be issued until adequate city infrastructure is in place. Accordingly, Mr. Michaels has requested that we allow him to phase in the minimum infrastructure needed as lots are sold.

The arrangement we are proposing with Mr. Michaels is as follows. The information below is accompanied by a map that follows this memo.

- Phase 1: Bring Lots 7, 8 and 9 online
 - Necessary infrastructure
 - Fire hydrant and alleyway (highlighted in yellow)
 - Street lights
- Phase 2: Bring Lots 6A and 5A online
 - Necessary Infrastructure
 - Fire hydrant (highlighted in green)
 - Street lights
- Phase 3: Bring Lots 4A online
 - Necessary Infrastructure
 - Fire hydrant and alley (highlighted in red)
 - Street lights

This arrangement will allow Mr. Michaels to phase in all of the infrastructure with the exception of sewer service. Due to elevation issues staff does not feel this area can be provided with sewer

service. Doing so would likely require a lift station which would be very expensive to put in and very expensive to maintain. However, keep in mind, sewer service is an Enterprise Fund function, meaning, if you do not receive the service, you do not pay for the service. To summarize, while no residents would have sewer service available, no sewer service charge would be assessed to their utility bills.

Mr. Michaels indicated the proposed stages would not be achievable and agreed to have additional conversations with staff to formulate additional plans.

Motion by Mary Engledow

Seconded by Breann Buxkemper

To table action on the development agreement with Michaels Family Trust regarding development of La Hacienda de los Marquez

Motion carried unanimously.

FOURTH ITEM OF BUSINESS:

Consider and take necessary action on an agreement with Bolinger, Segars, Gilbert & Moss to provide audit services for the City of Levelland.

Earlier this month council selected the accounting firm of Bolinger, Segars, Gilbert & Moss, LLP to provide audit services for the City and its component units, the LEDC and the LCDC.

BSG&M has submitted an engagement letter for the fiscal year 2020/2021 audit. The fees have not increased from the prior year and would remain the same through September 30, 2025 if approved.

Motion by Mary Engledow

Seconded by Michael Stueart

To authorize staff to accept the proposal and execute an engagement letter with the accounting firm of Bolinger, Segars, Gilbert & Moss, LLP to perform the annual audit for fiscal year 2020/2021.

Motion carried unanimously.

FIFTH ITEM OF BUSINESS:

Consider and take necessary action approving Resolution No. 2021-29 authorizing the refunding of Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Bonds, Series 2012 (Conjunctive Use Groundwater Supply Project).

Often when interest rates drop consumers will refinance long-term debt, such as a homeowner mortgage, in order to take advantage of the reduced interest rates. When governmental entities

do this with bonds it is called bond refunding. The Canadian River Municipal Water Authority (CRMWA) has considered refunding a bond issue issued in 2012.

At its meeting on April 14th, the CRMWA board of directors directed staff to proceed with the possible refunding of the 2012 series bonds at this time. The proposed resolution would authorize the possible refunding only if the Authority can achieve, at a minimum, the present value savings of at least 5 percent of the refunded principal amount. The principal amount they are looking to refund is \$18,825,000 with a projected savings of \$1,349,563 for the authority as a whole based on current market rates. Levelland’s portion of the projected savings based on current market rates is \$42,508. The average coupon interest rate for the 2012 bonds is currently 5 percent. In order to proceed with the refunding, each CRMWA member city must provide its approval. Council is being asked to pass the attached resolution providing Levelland's approval for the refunding.

Motion by Breann Buxkemper

Seconded by Jim Myatt

To approve Resolution No. 2021-29 authorizing the refunding of Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Bonds, Series 2012 (Conjunctive Use Groundwater Supply Project).

Motion carried unanimously.

SIXTH ITEM OF BUSINESS:

Consider and take necessary action on a Master Cooperative Purchasing Agreement between the City of Levelland and the Sheriffs’ Association of Texas, Inc.

The current budget includes \$34,500 to replace the Emergency Management pickup truck. The current pickup is a 2013 Ford F-150 2WD with approximately 150,000 miles. Accordingly, earlier this year we issued a Request for Proposals (RFP) and received the following bids listed below.

Bidder	Vehicle Bid	Bid Amount	Trade In	Total
Scoggin-Dickey	2021 Ram 1500 Crew Cab 4x4 SSV	\$29,353.10	\$9,000.00	\$20,353.10
Grapevine Dodge- Chrysler-Jeep	2021 Ram 1500 Crew Cab 4x4 SSV	\$29,276.00	\$6,000.00	\$23,276.00
Smith South Plains	2021 Ford F-150 Super Crew 4x4	\$40,130.21	\$9,000.00	\$31,130.21

In March of this year Council approved the bid for the low bidder, Scoggin-Dickey in the amount of \$20,353.10. Scoggin-Dickey at the time of the award indicated the delivery date of the pickup truck was approximately 90-150 days out. Unfortunately, we were notified by Scoggin-Dickey

recently that due to COVID-19 and microchip shortages, the order for the EMC truck was canceled along with many other vehicle orders.

At this time we have two options, one of which is to issue another RFP and start the process over. There are a couple of concerns with us issuing another RFP. First of all, it appears the vehicle shortage and chip shortage is across the board so obtaining a 2021 model timely will be highly unlikely. In addition, the current EMC pickup has continued having mechanical issues and the cost to maintain the pickup has continued to increase.

The other option is to go the cooperative purchasing route. Chapter 271 of the Local Government Code authorize cities to enter into cooperatives with the state or other local governments for the purpose of procuring goods and services. In order to be awarded a purchasing contract through a purchasing cooperative vendors must go through a competitive procurement process similar to an RFP process and the low bidder wins the contract through that particular purchasing cooperative. In essence, when an entity makes a purchase through a purchasing cooperative they are purchasing a product that has already been through the competitive procurement process.

At this time we are recommending that we exercise the cooperative purchasing option allowed in the Local Government Code. I asked Cole Kirkland, our Emergency Management Coordinator, to see if there were any pickup trucks that met our specifications through the various purchasing cooperatives that were readily available. At this time Cole has identified a pickup truck that meets the specifications we set in the original RFP issued earlier this year and it is available immediately. The Sheriffs' Association of Texas, Inc. has a purchasing cooperative and has a 2021 Chevrolet \ Silverado 4x4 available through Parkway Chevrolet, Inc. in Tomball, TX.

Parkway Chevrolet is offering a trade in of the current vehicle in the amount of \$10,000 and the pickup truck for \$34,464.50 for a net bid of \$24,464.50 which is well within the current budget allotted for the pickup truck.

Accordingly, we are recommending joining the Sheriff's Association of Texas, Inc. purchasing cooperative and approving the quote from Parkway Chevrolet in the amount of \$24,464.50. This will allow us to move forward timely and secure a reliable truck for Cole and provide him with the resources he needs to do his job.

Motion by Mary Engledow

Seconded by Michael Stueart

To approve a Master Cooperative Purchasing Agreement between the City of Levelland and the Sheriffs' Association of Texas, Inc.

Mary Engledow and Michael Stueart voted YES

Breann Buxkemper and Jim Myatt voted NO

Mayor Pinner broke the tie by voting YES

Motion carried

SEVENTH ITEM OF BUSINESS:

Consider and take necessary action regarding the purchase of a Pickup Truck for the Emergency Management Department.

All information relating to this agenda item is the same as the SIXTH ITEM OF BUSINESS

Motion by Mary Engledow

Seconded by Michael Stueart

To award the quote for the Emergency Management Pickup Truck in the amount of \$24,464.50 to Parkway Chevrolet, Inc. through the purchasing cooperative through the Sheriffs' Association of Texas, Inc.

Mary Engledow and Michael Stueart voted YES

Breann Buxkemper and Jim Myatt voted NO

Mayor Pinner broke the tie by voting YES

Motion carried

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 – Resolution No. 2021-30.

Last month, Council extended the local COVID order and at this time the local order has expired. Governor Abbott has not made any changes to his most recent order, GA-34, and he has continued extending his disaster declaration related to COVID every 30 days. At this meeting we will ask Council to consider extending the local order and will also provide an update regarding our local COVID numbers. With the recent COVID-19 funding and the upcoming funding from the American Rescue Plan staff is recommending that we continue our local order so long as Governor Abbott continues the state-wide COVID order.

Motion by Michael Stueart

Seconded by Breann Buxkemper

To Approve Resolution No. 2021-30 extending the local disaster declaration.

Motion carried unanimously.

NINTH ITEM OF BUSINESS:

Consider the projected fiscal year 2021/2022 budget and tax rate adoption process and schedule and provide direction to staff regarding the budget.

Over the last couple of months staff has begun working through year end budget projections as well as working on next year's budget. As we move further into the budget process there are several steps required by law that the City must follow in developing and adopting both the budget and the tax rate. It is helpful for Council to know and approve a projected schedule of required actions ahead of time. We are currently working on finalizing the proposed budget process schedule and will have it ready for Council to review by meeting time. While there may changes required as we work our way through the process, the schedule that we will propose will meet our legal requirements.

In addition to reviewing the schedule Council will have an opportunity to provide input and direction to staff on items you would like to see in the budget or the budget process. This input will be used to help finalize the first draft of the upcoming budget.

No Council Action Taken

TENTH ITEM OF BUSINESS:

Presentation and discussion regarding the five-year capital improvement plans.

A very large part of the annual budgeting process is that of budgeting for capital related items. A capital improvement is generally defined as a piece of equipment or improvement with a useable life of at least five (5) years and a cost of \$5,000 or more. These include projects such as water, sewer, or street improvements as well as items such as vehicles or large equipment.

A capital improvement plan (CIP) is defined as a multi-year planning tool that identifies needs from a capital perspective. On average CIP's range from five (5) to 10 years. It complements the budget process and provides valuable information to staff and Council as the budget is developed. It is also a good tool to plan for significant expenses multiple years in advance.

The following departments presented their respective Capital Improvement Plans:
Police, Fire, Inspections, Emergency Management, Streets & Sanitation, Water & Waste Water and Parks & Cemetery

No Council Action Taken

There being no further business the meeting was adjourned at 9:19pm
Respectfully Submitted,

Andréa Corley, City Secretary